

# Minutes

## The City of Edinburgh Council

Edinburgh, Thursday 1 June 2023

Present:

### LORD PROVOST

The Right Honourable Robert Aldridge

### COUNCILLORS

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

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

## 1 Deputations

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**a) tie (time for inclusive education)  
(in relation to item 12 -- Time for Inclusive Education - Motion by  
Councillor McFarlane)**

The deputation indicated that the foundational purpose of LGBT inclusive education in Scotland was to take a proactive educational approach to preventing and addressing the prejudice and bullying that young people who were LGBT, perceived to be by others, or had LGBT family members can still experience at school. They indicated that homophobia in particular remained one of the more common forms of prejudice that young people witnessed and experienced and that the policy area nationally on LGBT inclusive education was in response to that.

The deputation stressed that they wanted to ensure that teachers and school staff in Edinburgh had the most up-to-date and effective knowledge, tools and practice in order to support the delivery of LGBT inclusive education effectively and indicated that in passing the motion, the Council at no cost would have the full support of **tie**, the opportunity to begin progressing the implementation of the policy area and ensure teachers and school staff had a clear awareness that there were nationally approved resources to support them and to facilitate a clear understanding of how to deliver this effectively meaningfully and in a lasting way that works for the unique setting and their learners.

(see item 12 below)

**b) Nourish Scotland  
(in relation to item 17 - Achieving Our Sustainable Food Goals – Motion  
by Councillor Faccenda )**

The deputation indicated that they felt that the food system that we had at the moment was not fit for the future. The most immediate cause for concern was the rise in food prices recently and the impact that would have on families being able to afford to put food on the table. They stressed that the food that was being produced was causing illnesses and was also bad for the environment.

The deputation felt that Edinburgh was in a good position to take the lead on food, to bring in more businesses and people from the health services, and to engage more with the people in Edinburgh. They indicated that Edinburgh had a solid foundation and had looked at ways to end poverty related food hunger in Edinburgh with some of the best examples in the UK of community

led food initiatives. They urged the Council to support the motion by Councillor Faccenda.

(see item 17 below)

**c) The Educational Institute of Scotland, Further Education Lecturers' Association, Edinburgh College  
(in relation to Item 19 - Edinburgh College Faces Funding Cuts - Motion by Councillor Jones)**

The deputation presented an update on what they saw as a major funding crisis at the college which they felt was the most difficult time that they had experienced, They indicated that in the last year, the government had announced a flat cash settlement, but actually had taken off additional public money that had been given, so it meant a reduction of 3.3%, so a cut in real terms.

The deputation were in support of the motion by Councillor Jones and indicated that all the reductions that had taken place at the moment had come from lecturing staff. They stressed that they were the frontline people who delivered to the students, the cut was 8% and there were sections of the curriculum that had just been cut away which would result in no events teaching at Edinburgh College in the next year as the whole department had been shut. They indicated that they motion was not just about the staff, not just about the students, not just about the college but about the whole Edinburgh community and they felt that their role in it was very important.

(see item 19 below).

## **2 Minutes**

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### **Decision**

To approve the minute of the Council of 4 May 2023 as a correct record.

## **3 Leader's Report**

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

- Time Out Magazine – Edinburgh best city in the world to visit
- Tourism Levy
- Appointment of Kat Brogan as Chair of Living Wage Action Group
- Firrhill High School nomination for best high school in the UK
- Hope Cottage Nursery and James Gillespie's High School - Scottish Education Awards nominations

- Peter Howson – City Arts Centre Exhibition
- Trams opening – congratulations t
- Council Community Safety Teams - thanks

The following questions/comments were made:

Councillor McVey	- Confidence in IJB Chair
	- Thanks to service of Chief Officer
Councillor Lang	- Legislation for the visitor levy – Section 17 – Council use of resources
Councillor Mumford	- Police Scotland and Council – bigotry and racism
Councillor Whyte	- Low Traffic neighbourhoods in Leith and Corstorphine – no evidence that LTNs reduce traffic numbers
Councillor McKenzie	- Top 3 priorities for current administration
Councillor Meagher	- Visitors to Portobello – additional toilets
Councillor Key	- Braid Burn School Pool
Councillor Beal	- Corstorphine Low Traffic Neighbourhood – displacement of traffic to neighbouring streets
Councillor Parker	- Anti migrant policies – living spaces
Councillor Cowdy	Update of disembarkation of MS Victoria on 11 July 2023 – alternative accommodation for refugees
Councillor Lezley Marion Cameron	- Safe access to and through the quadrangle of the City Chambers - management
Councillor Aston	- Advice to new Labour Councillors in England
Councillor Bennett	- High profile events at Murrayfield – clean up operations
Councillor O'Neill	- Scotland's deposit return scheme - delays
Councillor Jones	- School Inspection reports – Education, Children and Families Committee

Councillor Walker	- Marking the work of organisations in community events and festivals - visits
Councillor Macinnes	- Round table event to reassure union reps and colleagues
Councillor Thornley	- FOI - Violence in secondary schools
Councillor Miller	- West Lothian – closure of Council care homes – call for an immediate stop to the consultation on the closure of care homes in Edinburgh
Councillor Munro	- Morningside and surrounding areas - new ETROs document
Councillor Kumar	- Racial Discrimination – Council tribunal finding
Councillor Heap	- Uptake of school child payments and other payments
Councillor McFarlane	- Low emissions zone
Councillor Fullerton	- WASPS studio - closure

## 4 Appointment to Committees

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### Decision

To appoint Councillor Dalglish to the Finance and Resources Committee in place of Councillor Griffiths.

## 5 Interim Resource – Director of Adult Social Care

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Details were provided on contingency arrangements which had been considered and put in place to ensure immediate service continuity and leadership and to allow the recruitment process for the Chief Officer for the Edinburgh Health and Social Care Partnership to be scoped out.

### Motion

- 1) To note that the Chief Executive, in consultation with the Lord Provost and Group Leaders, under the urgency provisions set out in paragraph 2.1.16 of the Committee Terms of Reference and Delegated Functions commenced with the appointment of an Interim Director of Adult Social Care.

- 2) To note this appointment which would be for up to six months duration at a cost of circa £161,356 (based on a 4-day working week) and to approve budget for this spend.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

- 1) Council regrets that the feedback from some Group Leaders on appointing a like-for-like replacement Chief Officer for IJB instead of disaggregating Health and Social Care services was ignored.
- 2) Further regrets that feedback from Group Leaders on articulating the job description prior to the appointment was ignored.
- 3) Council regrets that far from stabilising services, the manner of the appointment leaves Edinburgh's IJB unable to properly function across social care and NHS services with no relevant officer responsible for both components, undoing the founding principles of integration and undermining service recovery in both the short and long term.
- 4) Council agrees the contract award of £403,390 for a annual FTE salary is an indefensible sum of money in the face of severe financial pressures in the EIJB.
- 5) Therefore agrees to cancel the contract of the Interim Director of Adult Social Care with immediate effect following the process described in paragraph 3.5 of the report.
- 6) Council agrees to request an immediate secondment from the Scottish Government to act into the role of Chief Officer of the EIJB and asks the EIJB considers joining the Council in making this request.
- 7) Should no secondment be in place at the time of the interim Director of Adult Social Care leaving, the Council requests that the EIJB continue temporary acting up arrangements for the Chief Officer role until a secondment begins.
- 8) Council instructs the Chief Executive to provide a report to Council on June 22nd 2023 to confirm interim senior management arrangements to progress short and long term service recovery.

- moved by Councillor Nicolson, seconded by Councillor McVey

## Amendment 2

“Council:

- 1). Notes that the Chief Officer left employment on 19th May, leaving a vacancy at a time when the Edinburgh Integration Joint Board (EIJB) and the Edinburgh Health & Social Care Partnership (EHSCP) require an improvement plan to address the failings reported by two recent inspections, a budget with recurring revenue savings of £47m, and a strategic plan for financially sustainable integrated health & social care services.
- 2) Recognises the hard work of frontline workers who continue to provide services for residents despite this challenging environment.
- 3) Notes (per the Scheme of Integration) the EIJB is responsible for recruiting a replacement Chief Officer, however notes with concern that to date board members have not been contacted and are not aware if any steps have been taken to recruit either an interim or permanent Chief Officer.
- 4) Understands that the Chief Executive considered it urgent to recruit an Interim Director of Adult Social Care in these circumstances.
- 5) However, regrets that City of Edinburgh Council’s recruitment policy has not been followed, and that a role of Interim Director of Adult Social Care has been “established” (paragraph 2.2 of the report by the Chief Executive) and recruitment carried out without a job description or person specification despite repeated requests from elected members, and regrets the lack of detail provided at paragraph 3.6 of the report about this.
- 6) Notes additional irregularities with the recruitment of the Interim Director, for example the recruitment panel agreed to recruit on the basis of £161k pro rata for a 5 day working week with at least 3-4 days in Edinburgh for a minimum of 6 months, however the report recommends £161k for 6 months of 4 day working week with no mention of location.
- 7) Additionally notes that Council is being asked to agree a proposed new Children, Education and Justice Services Structure at Item 7.2 on the agenda for the meeting which includes the statutory role of Chief Social Work Officer (CSWO), and that a new role of Principal Social Worker with responsibility for adult services will be created in the EHSCP, and therefore recognises the need for clarity about how these roles will join up under the circumstances within EHSCP.
- 8) In order to proceed, calls on the Chief Executive to

- a) Consult the EIJB on the process to recruit a Chief Officer, and the Executive Director of Children, Education, and Justice Services regarding the structure of social work across children and adult services.
- b) Follow all recruitment policies including writing job descriptions and person specifications for proposed roles.
- c) Consult with group leaders / co-conveners and health & social care spokespeople on a strategic approach to adult social care organisational structure, roles and recruitment with reference to interdependencies with children's services and EIJB.
- d) Report to Council with recommendations in one cycle.
- 9) As a point of accuracy, corrects paragraph 3.3 of the report to reflect that 3 candidates were interviewed by the recruitment panel."

- moved by Councillor Miller, seconded by Councillor Mumford

### **Voting**

The voting was as follows:

For the Motion	-	33 votes
For Amendment 1	-	18 votes
For Amendment 2	-	10 votes

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

For Amendment 1: Councillors Aston, Biagi, Campbell, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, McVey, Nicolson, and Work.

For Amendment 2: Councillors Bandel, Booth, Burgess, Heap, Miller, Mumford, O'Neill, Parker, Rae and Staniforth.)

### **Decision**

To approve the motion by Councillor Day.

(Reference – report by the Chief Executive, submitted)

## 6 Children, Education and Justice Services Structure

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Details were provided on a proposed alternative structure for the senior leadership team in Children, Education and Justice Services, responding to a recommendation from the Recruitment Committee on 20 February 2023 for the Service Director, Children's Services and Criminal Justice.

### Decision

- 1) To approve the proposed changes to the Children, Education and Justice Services senior leadership structure.
- 2) To approve the permanent recruitment to the new post to start immediately. This appointment would be made in line with the Chief Officer Recruitment Policy and would be led by the Recruitment Committee, composed of the appropriate elected members.

(Reference: report by the Executive Director of Children, Education and Justice Services, submitted)

## 7 Heathervale Children's House

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In response to a motion by Councillor Key, details were provided on the work undertaken in Heathervale Children's House following the Care Inspectorate inspection which took place on the 23rd and 24th January 2023 which graded the house as Adequate.

### Motion

To note the work undertaken following the Care Inspectorate Inspection at Heathervale Children's House on the 23 and 24 January 2023, following the approved motion by Councillor Key on Heathervale Care Home Service on 4 May 2023.

- moved by Councillor Griffiths, seconded by Councillor Graham

### Amendment

- 1) To note the work undertaken following the Care Inspectorate Inspection at Heathervale Children's House on the 23 and 24 January 2023, following the approved motion by Councillor Key on Heathervale Care Home Service on 4 May 2023.
- 2) Is very concerned that between the visit of the Technical Operation Manager, Place Directorate on 9 Feb 2023 (three working weeks after the Inspection) and the visit by the Executive Director of Children, Education and Justice

Services on 5 April (10 weeks after the inspection) that there appeared to be considerable work outstanding to the fabric of the building and limited furniture in place at Heathervale.

- 3) Regrets that details of the Improvement Plan (called for in Para 4 of the original motion) have not been included in the report.
- 4) Further regrets that there is still no explanation as to why Councillors were not made aware of the contents of the report immediately in their role as Corporate Parents (mentioned in Para 5 of the original motion)
- 5) Therefore requests a further report to Council in one cycle giving the details of the Improvement Plan and reasons as to why Elected Members were not informed of the outcome of the Inspection.

- moved by Councillor Key, seconded by Councillor Glasgow

In accordance with Standing Order 21(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Griffiths:

- 1) To note the work undertaken following the Care Inspectorate Inspection at Heathervale Children's House on the 23 and 24 January 2023, following the approved motion by Councillor Key on Heathervale Care Home Service on 4 May 2023.
- 2) To note concern that between the visit of the Technical Operation Manager, Place Directorate on 9 Feb 2023 (three working weeks after the Inspection) and the visit by the Executive Director of Children, Education and Justice Services on 5 April (10 weeks after the inspection) that there appeared to be considerable work outstanding to the fabric of the building and limited furniture in place at Heathervale.
- 3) To regret that details of the Improvement Plan (called for in Para 4 of the original motion) had not been included in the report.
- 4) To further regret that there was still no explanation as to why Councillors were not made aware of the contents of the report immediately in their role as Corporate Parents (mentioned in Para 5 of the original motion)

- 5) To therefore request a further report to Council in one cycle giving the details of the Improvement Plan and reasons as to why Elected Members were not informed of the outcome of the Inspection.

(References: Act of Council No 20 of 4 May 2023; report by the Executive Director of Children, Education and Justice Services, submitted)

## **8 Family Swim Sessions in Braidburn Pool**

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In response to a motion by Councillor Arthur, details were provided on the current position with extra-curricular swimming lessons for learners with Additional Support Needs, and their families at Braidburn Pool.

### **Decision**

To note that the report had been withdrawn and would be considered at the meeting on 22 June 2023.

(References: Act of Council No 33 of 4 May 2023; report by the Executive Director of Children, Education and Justice Services, submitted.)

## **9 Consideration of Private Business – Motion by Councillor Lang**

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

“Council:

- 1) notes that, at its meeting on 21 March 2023, the Policy & Sustainability Committee considered a report on 'Four Seasons Healthcare - North Merchiston and Castlegreen Care Homes'.
- 2) acknowledges the commercial sensitivity that rightly led the committee to consider this item in private.
- 3) notes an addendum was tabled to the report which extended beyond the specific case of the two care homes and resulted in a majority decision to agree:
  - a) that 'the council's role as a care provider is best met through council owned and operated care homes' and,
  - b) that 'CECs presumption going forward should be in favour of an in-house model', and for 'the Convenor to communicate this council position to EIJB'.

- 4) recognises this addendum was never published publicly and that any group which may have wished to give a deputation on these general issues would not have been able to do so.
- 5) further recognises that members of the public were excluded and the webcast turned off for the debate and vote on the general issues covered by the addendum.”
- 6) agrees the Council should aspire to the highest levels of openness, transparency and accountability in its decision making.
- 7) recognises that, whilst there will be individual cases and sensitive matters which require consideration in private, discussion and decisions on general policy issues should always be held in public unless there are exceptional circumstances.
- 8) requests that officers consider the issues which arose on 21 March 2023 and reports back to Council within six months with options on how procedures could be amended to ensure discussions on general issues and decisions on policy are taken in public, even when the catalyst for such a discussion comes from a private agenda item.”

### **Motion**

To approve the motion by Councillor Lang

- moved by Councillor Lang, seconded by Councillor Davidson

### **Amendment**

To add to the motion by Councillor Lang:

- “1) Welcomes that the council’s presumption is now towards council owned and operated care homes and believes this will lead to better care for our residents, and representation for our workers;
- 2) Regrets that the Council’s standing orders and deadlines mean that groups are never able to offer deputations on amendments and addendums, and welcomes the ongoing work happening on access and inclusion at the council to address this democratic deficit;

- 3) Therefore requests that the officer report includes consideration and recommendations around timelines for motion, amendment, and delegation request submissions, public notice of agenda items, and reporting of outcomes (or provides signposting to other work being undertaken on these issues).”

- moved by Councillor Mumford, seconded by Councillor Parker

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

## **Decision**

To approve the following adjusted motion by Councillor Lang:

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

general policy issues should always be held in public unless there were exceptional circumstances.

- 8) To request that officers consider the issues which arose on 21 March 2023 and report back to Council within six months with options on how procedures could be amended to ensure discussions on general issues and decisions on policy were taken in public, even when the catalyst for such a discussion came from a private agenda item.”
- 9) To regret that the Council’s standing orders and deadlines meant that groups were never able to offer deputations on amendments and addendums, and welcome the ongoing work happening on access and inclusion at the council to address this democratic deficit;
- 10) To therefore request that the officer report include consideration and recommendations around timelines for motion, amendment, and delegation request submissions, public notice of agenda items, and reporting of outcomes (or provides signposting to other work being undertaken on these issues).

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

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

“Council:

- 1) Thanks officers for offering training around Equality and Diversity to elected representatives and refers to Council’s Equality and Diversity Framework 2021-25.
- 2) Notes on calls for both Police Scotland and Metropolitan Police to improve their Equality and Diversity training.
- 3) Recognises that Equality and Diversity training is critical and has a profound impact on those with protected characteristics under Equality Act 2010; and other people
  - with learning, sensory, and physical disabilities
  - experiencing domestic abuse and violence
  - facing digital exclusion
  - with care experience

- from other underrepresented groups such as ethnic minority and Gypsy Travellers.
- 4) Notes that current equality and diversity training is offered as a one-off online training for staff.
  - 5) Agrees to review our Equality and Diversity training, learning, and development practice and to consider changes for example:
    - a) A programme of mandatory training to be completed over a three-year period completed both in-person and online.
    - b) Additional opportunities for in-person training to reflect on case studies and examples of unconscious bias training that can impact on how we develop policies, procurement, funding, design and deliver services.
    - c) Recognises the essential value of 'lived experience, therefore should explore services of organisations such as CEMVO Scotland, Multi-Cultural Family Base and others to provide training on behalf of the Council.
  - 6) Requests an update to be provided to Policy and Sustainability Committee in 2 cycles.”

### **Motion**

To approve the motion by Councillor Kumar,

- moved by Councillor Kumar, seconded by Councillor Glasgow

### **Amendment 1**

Council agrees to:

- 1) To refer the amended motion to the Equalities Working Group to allow officers the space to work with members on how we can create an inclusive council culture and a city where everyone feels like they truly belong.
- 2) To request the Equalities Working Group work with officers to draft a framework which includes a timescale and costs to review the effectiveness of current Equality and Diversity training, engaging with the Trade Unions and representatives from the staff network throughout.

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

## **Amendment 2**

- 1) To add after point (4) in the motion by Councillor Kumar:

“Further notes that current training and awareness should be improved to battle the rise in sexist, homophobic, transphobic, racist, and ableist abuse that some members and colleagues are facing.”

Reorder accordingly.

- 2) After point (5) b) in the motion:

“Ensures that lived experience is central to training, learning and development or redevelopment of policy”

Reorder accordingly.

- 3) In point (6) of the motion after “2 cycles” include:

“[...] detailing how the Council will review our training, learning and development practices as set out in point above, noting gaps and shortfalls, successes, financial implications and a timeline for future implementation.”

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

## **Amendment 3**

Deletes all of the motion by Councillor Kumar and replaces with:

- 1) Council notes that the Council has in place an active Diversity and Equality Framework 2021-25, approved and implemented during the last Council term under the then SNP/Labour led Administration. This Framework has active governance overseen by elected members through quarterly briefings to the Elected Members Equality Working Group, an annual report to Committee and a statutory two-year progress report as required under the Equalities Act with full details listed here: [Equality and diversity framework 2021 to 2025 – The City of Edinburgh Council](#).
- 2) Council further notes that elected members have recently been offered the opportunity to undertake Equality and Diversity Training and that Unconscious Bias training is mandatory for elected members if they are to participate in Chief Officer selection panels.
- 3) Council agrees that a briefing note is circulated to all elected members once the statutory two-year progress report is available outlining the ongoing work of the Framework, giving an update on adequacy and effectiveness to date

and highlighting any suggestions for implementation in the next iteration of the Framework post 2025 to maintain best practice.”

- moved by Councillor Whyte, seconded by Councillor Mitchell

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	52 votes
For Amendment 3	-	8 votes

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

For Amendment 3: Councillors Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

## **Decision**

To approve the following adjusted motion by Councillor Kumar

- 1) To thank officers for offering training around Equality and Diversity to elected representatives and refer to Council's Equality and Diversity Framework 2021-25.
- 2) To note on calls for both Police Scotland and Metropolitan Police to improve their Equality and Diversity training.
- 3) To recognise that Equality and Diversity training was critical and had a profound impact on those with protected characteristics under Equality Act 2010; and other people
  - with learning, sensory, and physical disabilities
  - experiencing domestic abuse and violence
  - facing digital exclusion

- with care experience
  - from other underrepresented groups such as ethnic minority and Gypsy Travellers.
- 4) To note that current equality and diversity training was offered as a one-off online training for staff.
  - 5) To further note that current training and awareness should be improved to battle the rise in sexist, homophobic, transphobic, racist, and ableist abuse that some members and colleagues were facing
  - 6) To agree to review the Equality and Diversity training, learning, and development practice and to consider changes for example:
    - a) A programme of mandatory training to be completed over a three-year period completed both in-person and online.
    - b) Additional opportunities for in-person training to reflect on case studies and examples of unconscious bias training that can impact on how we develop policies, procurement, funding, design and deliver services.
    - c) Ensures that lived experience is central to training, learning and development or redevelopment of policy
    - c) Recognises the essential value of 'lived experience, therefore should explore services of organisations such as CEMVO Scotland, Multi-Cultural Family Base and others to provide training on behalf of the Council.
  - 7) To request an update be provided to Policy and Sustainability Committee in 2 cycles detailing how the Council would review our training, learning and development practices as set out in point 6 above, noting gaps and shortfalls, successes, financial implications and a timeline for future implementation
  - 8) To refer the amended motion to the Equalities Working Group to allow officers the space to work with members on how to create an inclusive council culture and a city where everyone felt like they truly belonged.
  - 9) To request the Equalities Working Group work with officers to draft a framework which included a timescale and costs to review the effectiveness of current Equality and Diversity training, engaging with the Trade Unions and representatives from the staff network throughout.

## 11 Russian Kidnapping of Ukrainian Children – Motion by Councillor McNeese-Mechan

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

“Council:

- 1) Reaffirms our commitment to both Edinburgh’s sister city Kyiv and the Ukrainian people in their struggle to free their country from the illegal Russian invasion.
- 2) Notes the City recently welcomed a visit from Member of the Ukrainian Parliament Lesia Vasylenko, Head of the Subcommittee on Climate Change and Clean Air. Although the government and parliament of Ukraine continue to function despite the odds, in the past twelve months, Vasylenko has had to shift her attention from clean air to air raids, due to the ongoing bombardment of the cities and countryside of Ukraine.
- 3) Notes with concern that on the 9th of March Lesia Vasylenko highlighted Russia’s programme of kidnapping Ukrainian children and transferring them to camps, a war crime. US State Department Spokesman Ned Price has also confirmed that the Russian authorities have systematically snatched thousands of Ukrainian children, ranging in age from 4 months old to 17 years old, and refused to return them, having cut off all contact with their families confirming these war crimes have taken place.
- 4) Strongly denounces the Russian kidnapping and forced re-education of an estimated 6000 Ukrainian children, according to Yale University’s Humanitarian Research Lab.

Council particularly decries the practice of forcing boys aged 14 to 17 to train for armed combat and deployment in the Russian army.

- 5) Affirms its commitment to the UN Declaration on the Rights of the Child, and condemns the Russian authorities’ war crimes as well as the attempted cultural eradication of banning of the use of the Ukrainian language by the kidnapped children.
- 6) Supports the decision by the International Criminal Court to issue an arrest warrant for Vladimir Putin.
- 7) Agrees the Council Leader should write to the UK Government to again ask them to suspend diplomatic credentials of the Russian Consulate in Edinburgh and expel all Russian State agents from the City of Edinburgh as well as supporting stronger international sanctions.”

## **Motion**

To approve the motion by Councillor McNeese-Mechan.

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

## **Amendment**

To add at the end of the motion by Councillor McNeese-Mechan:

- “8) Notes that some types of international sanctions have negative effects on the lives of ordinary citizens and therefore the letter should stress stronger sanctions should be against the Russian government and military, not ordinary Russian citizens.
- 9) Further notes that ‘Russian state agents’ should exclude those whose occupation is entirely dedicated to the welfare of Russian born people living in Edinburgh (and wider Scotland) and that the letter should reflect that also.”

- moved by Councillor Staniforth, seconded by Councillor Booth

## **Voting**

The voting was as follows:

For the motion	-	49 votes
For the amendment	-	11 votes

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

For the amendment: Councillors Bandel, Booth, Burgess, Heap, McKenzie, Miller, Mumford, O'Neill, Parker, Rae and Staniforth.)

## **Decision**

To approve the motion by Councillor McNeese-Mechan.

## 12 Time for Inclusive Education – Motion by Councillor McFarlane

---

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

“Council:

- 1) Celebrates the fact that in 2021 Scotland was the first country in the world to agree cross-Party to embed lesbian, gay, bisexual and transgender (LGBT) inclusive education across the school curriculum and notes that there is a national expectation that Local Authorities ensure that all schools are delivering an LGBT inclusive education for their learners.
- 2) Agrees that LGBT inclusive education contributes to ensuring that all young people see themselves, their families, and the world around them in what they learn. Further agrees that this should be meaningful, relevant, and part of ordinary learning, rather than exceptional or siphoned into particular calendar months or one-off occasions.
- 3) Notes that the charity Time for Inclusive Education (TIE) provides services and resources, co-developed with teachers from across Scotland and suitable for primary and secondary pupils that include stage appropriate educational workshops for pupils, professional learning for teachers, and curriculum materials. This is in addition to their responsibility for managing the new national platform [lgbteducation.scot](https://www.lgbteducation.scot) on behalf of the Scottish Government and endorsed by a variety of stakeholders including those in the education sector.
- 4) Understands that schools that have utilised this national platform and completed Stages 1 and 2 of the CPD pathway provided by TIE have reported significant and notable success in increasing the confidence of teachers to deliver LGBT inclusive education. Schools who have engaged with TIE's learner sessions, including those in Edinburgh have reported that pupils within their school community have a greater understanding of diversity, the impact of prejudice, and anti-bullying.
  - 4.1) Further understands that these resources and training are entirely free and come at no monetary cost to schools due to core funding support from The Scottish Government.

Therefore Council agrees:

- 5) To pursue embedding a proactive educational approach to addressing the stereotypes and stigma which can lead to prejudice or bullying experienced by pupils who are LGBT+, perceived or thought to be by others, or have LGBT

family members (such as same-sex parents) in our school settings. This should be additional to procedures for supporting pupils who experience instances of bullying due to their sexuality, gender identity or perceived characteristics of such identities.

- 6) To agree that the working ambition of the council should be towards a 100% completion rate of the Scottish Government's Stage 1 and Stage 2 national professional learning among Edinburgh's primary and secondary teachers. Additionally, Council agrees to commit to publishing our progress towards meeting the national expectation annually alongside the percentage of primary and secondary teachers who have completed Stage 1 and Stage 2 of the CPD pathway to the Education, Children and Families Committee.
- 7) That appropriate officers should engage directly with TIE with a view to working with them to host a launch event for the [lgbteducation.scot](http://lgbteducation.scot) national platform in the City Chambers emulating the success in other Local Authorities and engaging the city's headteachers, heads of department and council education officers with the opportunities that this can bring.
- 8) To further request a report to Education, Children and Families Committee within three cycles outlining:
  - Progress and efforts to date in rolling out LGBT+ inclusive education in Edinburgh identifying any challenges encountered thus far and potential solutions to overcome them. This should also include additional third sector work in this sphere such as LGBT+ Youth Scotland's Charter programme.
  - A prospective timeline or work programme looking to achieve or near achieve the aspiration of 100% of primary and secondary teachers progressing through Stage 1 and Stage 2 of the national professional learning.
  - Whether it may be appropriate to embed an LGBT+ Inclusive Education Action Plan within Edinburgh's Education Improvement Plans."

The Council had heard a deputation from tie (time for inclusive education) on this issue (see item 1(a) above).

### **Motion**

To approve the motion by Councillor McFarlane.

- moved by Councillor McFarlane, seconded by Councillor Biagi

## Amendment

Deletes all of the motion by Councillor McFarlane and replaces with:

- 1) Council notes that the Council has in place an active Diversity and Equality Framework 2021-25, approved and implemented during the last Council term under the then SNP/Labour led Administration. This Framework has active governance overseen by elected members through quarterly briefings to the Elected Members Equality Working Group, an annual report to Committee and a statutory two-year progress report as required under the Equalities Act with full details listed here: [Equality and diversity framework 2021 to 2025 – The City of Edinburgh Council](#).
- 2) Council agrees that a briefing note is circulated to all elected members once the statutory two-year progress report is available outlining the ongoing work of the Framework, giving an update on adequacy and effectiveness to date and highlighting any suggestions for implementation in the next iteration of the Framework post 2025 to maintain best practice’
- 3) This briefing note should include an assessment of whether and how, the “Time for Inclusive Education” programme should be implemented by the Council. This issue then to be discussed through the Framework’s and the Education service’s governance processes.

- moved by Councillor Whyte, seconded by Councillor Jones

## Voting

The voting was as follows:

For the motion	-	52 votes
For the amendment	-	8 votes

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

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

## Decision

To approve the motion by Councillor McFarlane.

## 13 International Overdose Awareness Day – Motion by Councillor McFarlane

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

“Council:

- 1) Notes that International Overdose Awareness Day takes place on the 31st of August every year and that this is a worldwide annual campaign to end overdose, remember without stigma those who have died, and acknowledge the grief of the family and friends left behind.
- 2) Further notes that in 2022 the City of Edinburgh Council acknowledged this day by supporting Turning Point Scotland with an overdose awareness street stall in Leith.
- 3) Agrees to annually mark this day across the city with information promoted through the Council’s social media channels to both raise awareness and signpost support services that are available in addition to engaging with Edinburgh’s Health and Social Care Partnership to establish whether there can be further on the ground activity as in previous years.
- 4) Further agrees to a report to Culture and Communities Committee in two cycles investigating the possible options for a formal memorial or place of remembrance to those who tragically lost their lives in this way.”

### **Motion**

To approve the motion by Councillor McFarlane.

- moved by Councillor McFarlane, seconded by Councillor Hyslop

### **Amendment 1**

Deletes all of the motion by Councillor McFarlane and replaces with:

“Notes that according to data from the National Records of Scotland published in July 2022 that in 2020 there were a record 1,339 drug-related deaths in Scotland, with figures for 2021 showing a decrease of just nine from the year before.

Notes that this is the first fall in drugs deaths in Scotland since 2013, and welcomes that drug-related hospital admissions have declined along with the number of incidents in which the Scottish Ambulance Service had to administer the drug naloxone to reverse the effects of opioid use. Notes that despite these positive signs Scotland continues to be in a state of crisis with respect to drug deaths, with over

2,500 deaths been recorded and over 11,000 doses of naloxone administered since the Scottish Government Declared the crisis a “public health emergency”.

Notes the per capita drugs deaths are higher in Scotland than anywhere else in Europe, with a death rate of 327 per million people aged 15-64 whilst Great Britain as a whole has a death rate of 88 per million people aged 15-64.

Agrees that no single policy can solve the crisis and that any substantial reduction in deaths will take several years, and therefore welcomes the integrated approach the Scottish Government is now taking.

Agrees therefore that the Council Leader should work with COSLA leaders to ask that the Scottish Government establishes a national memorial at the point at which Scotland’s drug crisis and public health emergency is declared to be at an end.”

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

### **Amendment 2**

Council

Delete paragraph 4) of the motion by Councillor McFarlane and insert:

- “4) Agrees there is a strong case for a formal memorial or place of remembrance to those who have tragically lost their lives through an overdose while recognising there is no defined council policy or process for the creation of a memorial, either for this or other deserving cases.
- 5) therefore requests a report to the Culture & Communities Committee in two cycles on how the Council can establish such a policy and process, with a memorial for those who have lost their lives through an overdose being the first to be considered under this policy.”

- moved by Councillor Davidson, seconded by Councillor Osler

### **Amendment 3**

Adds after paragraph 1 of the motion by Councillor McFarlane a new paragraph 2 and renumber accordingly:

- “2) Regrets that Scotland has the highest number of drug deaths in Europe on a per population basis and therefore a day when people can remember those who have died of drug overdoses is a solemn reminder to the Scottish Government and those charged with the responsibility of helping people out of the misery of addiction that there is significant work to be done to reduce the numbers of families who suffer a loss due to this problem.”

- moved by Councillor Mowat, seconded by Councillor Cowdy

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

## **Decision**

To approve the following adjusted motion by Councillor McFarlane:

- 1) To note that International Overdose Awareness Day takes place on the 31st of August every year and that this was a worldwide annual campaign to end overdose, remember without stigma those who had died, and acknowledge the grief of the family and friends left behind.
- 2) To regret that Scotland had the highest number of drug deaths in Europe on a per population basis and therefore a day when people could remember those who had died of drug overdoses was a solemn reminder to the Scottish Government and those charged with the responsibility of helping people out of the misery of addiction that there was significant work to be done to reduce the numbers of families who suffered a loss due to this problem
- 3) To further note that in 2022 the City of Edinburgh Council acknowledged this day by supporting Turning Point Scotland with an overdose awareness street stall in Leith.
- 4) To agree to annually mark this day across the city with information promoted through the Council's social media channels to both raise awareness and signpost support services that were available in addition to engaging with Edinburgh's Health and Social Care Partnership to establish whether there could be further on the ground activity as in previous years.
- 5) To agree there was a strong case for a formal memorial or place of remembrance to those who had tragically lost their lives through an overdose while recognising there was no defined council policy or process for the creation of a memorial, either for this or other deserving cases.
- 6) To therefore request a report to the Culture and Communities Committee in two cycles on how the Council could establish such a policy and process, with a memorial for those who had lost their lives through an overdose being the first to be considered under this policy
- 7) To note that according to data from the National Records of Scotland published in July 2022 that in 2020 there were a record 1,339 drug-related

deaths in Scotland, with figures for 2021 showing a decrease of just nine from the year before.

- 8) To note that this was the first fall in drugs deaths in Scotland since 2013, and welcomed that drug-related hospital admissions had declined along with the number of incidents in which the Scottish Ambulance Service had to administer the drug naloxone to reverse the effects of opioid use. To note that despite these positive signs Scotland continued to be in a state of crisis with respect to drug deaths, with over 2,500 deaths recorded and over 11,000 doses of naloxone administered since the Scottish Government Declared the crisis a “public health emergency”.
- 9) To note the per capita drugs deaths were higher in Scotland than anywhere else in Europe, with a death rate of 327 per million people aged 15-64 whilst Great Britain as a whole had a death rate of 88 per million people aged 15-64.
- 10) To agree that no single policy could solve the crisis and that any substantial reduction in deaths would take several years, and therefore to welcome the integrated approach the Scottish Government was now taking.
- 11) To agree therefore that the Council Leader should work with COSLA leaders to ask that the Scottish Government establish a national memorial.

## **14 Bowling Greens – Motion by Councillor Osler**

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

### **“Council**

- 1) Notes with regret that Edinburgh Leisure has given notice that they intend to return two bowling venues at St Margaret’s Park and Victoria Park prior to the start of the 2023 bowling season.
- 2) Appreciates that this has come as a shock to users of these facilities who were given little warning.
- 3) Understands that officers from Parks and Greenspace, Sports and Estates are meeting to review options for alternatives uses which might include public toilets and café provision.
- 4) Agrees that the Council when presented with the opportunity of increasing the provision of publicly accessible toilets that this should be explored.

Therefore

- 5) Agrees that a report will go to Culture and Communities within two cycles looking into what uses could be provided at these venues including them remaining as Bowling Greens with publicly accessible toilet provision.”

### **Motion**

To approve the motion by Councillor Osler.

- moved by Councillor Osler, seconded by Councillor Beal

### **Amendment 1**

To add to the motion by Councillor Osler:

- “6) In addition, the report should consider potential community projects to repurpose the bowling greens into community growing areas incorporating fruit trees, edible flowers and vegetable beds.”

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

### **Amendment 2**

To add to the motion by Councillor Osler:

“Further agrees that the report should also:

- 1) include possible alternative community uses for these venues;
- 2) include changing places toilets, water access points, rest points and weather protection - in line with council approach towards accessibility and climate adaptation – in its consideration of publicly accessible facilities.

Also requests a separate briefing note on other Council owned bowling greens at risk of potential closure.”

- moved by Councillor Mumford, seconded by Councillor Miller

### **Amendment 3**

To add at the end of the motion by Councillor Osler:

- “6) This report to place these considerations within the context of the agreed approach to providing public toilets in Premier Parks, any upcoming Sport Strategy and to provide full costings and details of available budget provision.”

- moved by Councillor Doggart, seconded by Councillor Mitchell

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

## **Decision**

To approve the following adjusted motion by Councillor Osler:

- 1) To note with regret that Edinburgh Leisure had given notice that they intended to return two bowling venues at St Margaret's Park and Victoria Park prior to the start of the 2023 bowling season.
- 2) To appreciate that this had come as a shock to users of these facilities who were given little warning.
- 3) To understand that officers from Parks and Greenspace, Sports and Estates were meeting to review options for alternative uses which might include public toilets and café provision.
- 4) To agree that the Council when presented with the opportunity of increasing the provision of publicly accessible toilets that this should be explored.
- 5) To therefore agree that a report would go to Culture and Communities within two cycles looking into what uses could be provided at these venues including them remaining as Bowling Greens with publicly accessible toilet provision.
- 6) In addition, the report should consider potential community projects to repurpose the bowling greens into community growing areas incorporating fruit trees, edible flowers and vegetable beds.
- 7) To further agree that the report should also:
  - a) include possible alternative community uses for these venues;
  - b) include changing places toilets, water access points, rest points and weather protection - in line with council approach towards accessibility and climate adaptation – in its consideration of publicly accessible facilities.
- 8) This report to place these considerations within the context of the agreed approach to providing public toilets in Premier Parks, any upcoming Sport Strategy and to provide full costings and details of available budget provision.

## 15 Celebrating Pride Month – Motion by Councillor Heap

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

“Council:

- 1) Welcomes the celebration of Pride in Edinburgh this month;
- 2) Understands that pride is a celebration of the diversity, history, achievements and equal status and dignity of the LGBTIQ+ community;
- 3) Celebrates the significant strides made in LGBTIQ+ equality in recent decades, but
- 4) Further understands that Pride is also a protest against the continuing, and in some cases, increasing, inequalities faced by this community;
- 5) Notes with regret the 10% and 87% yearly increases in, respectively, sexual orientation and transgender hate crimes in Scotland in 2021/22;
- 6) Further notes with regret that the UK fell several places in the recently-published ILGA Europe’s Rainbow Index ranking of countries by progress on LGBTI+ equality, noting a number of regressions in LGBTIQ+ equality, including that “Anti-trans rhetoric continued to cause serious damage in the UK again this year, with continued hostile reporting in mainstream newspapers” and also that “LGBT Youth Scotland’s ‘Life in Scotland’ report found that the rate of LGBTI young people thinking Scotland was a “good place for LGBTI young people to live” dropping from 81% to 65% in just five years”
- 7) Believes that the Council chamber and Committee chambers should be no place for speeches which endanger the transgender and broader LGBTIQ+ communities.
- 8) Welcomes the flying of the Progress Flag from the City Chambers for the entirety of Pride Month.
- 9) Believes the Council has a central role in driving progress towards the full equality and inclusion of LGBTIQ+ people in Edinburgh.
- 10) And requests a report to the first Full Council after the summer recess covering:
  - (a) what progress on LGBTIQ+ equality has been made as part of the Council’s Equality and Diversity Framework 2021-2025 so far;

- (b) And what future actions it will take as part of the Framework to advance LGBTIQ+ equality including (i) what can be done to support local pride activities across the city, and
- (c) How the Council works with Police Scotland to tackle LGBTIQ+ hate crime.”

### **Motion**

To approve the motion by Councillor Heap.

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

### **Amendment 1**

Delete Paragraph 10 of the motion by Councillor Heap and replace with:

“Council reaffirms its previous commitments to creating an inclusive, accessible Council culture and workplace; and to Edinburgh being an inclusive, accessible city where everyone feels and believes they truly belong;

Agrees that this amended motion be referred to the Equality Working Group to allow officers the space to work with members on how we can create an inclusive council culture and a city where everyone feels like they can truly belong.

To request the Equalities Working Group draft a framework which includes a timescale and costs to review:

- (a) What progress on LGBTIQ+ equality has been made as part of the Council's Equality and Diversity Framework 2021-2025 so far;
- (b) And what future actions it will take as part of the Framework to advance LGBTIQ+ equality including (i) what can be done to support local pride activities across the city, and
- (c) How the Council works with Police Scotland to tackle LGBTIQ+ hate crime;

Council calls for the outcome report to the Policy and Sustainability Committee by the end of the year.

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

### **Amendment 2**

To add to the end of the motion by Councillor Heap:

“11) agrees the Leader of the Council should write to the Edinburgh Divisional Commander to request that the next Police Scotland report to the Culture and

Communities Committee specifically address what action is being taken to tackle LGBTIQ+ hate crime.”

- moved by Councillor Lang, seconded by Councillor Thornley

### **Amendment 3**

To add to the motion by Councillor Heap:

- 1) Council notes that the Council has in place an active Diversity and Equality Framework 2021-25, approved and implemented during the last Council term under the then SNP/Labour led Administration. This Framework has active governance overseen by elected members through quarterly briefings to the Elected Members Equality Working Group, an annual report to Committee and a statutory two-year progress report as required under the Equalities Act with full details listed here: [Equality and diversity framework 2021 to 2025 – The City of Edinburgh Council](#).
- 2) Council agrees that a briefing note is circulated to all elected members once the statutory two-year progress report is available outlining the ongoing work of the Framework, giving an update on adequacy and effectiveness to date and highlighting any suggestions for implementation in the next iteration of the Framework post 2025 to maintain best practice.

- moved by Councillor Whyte, seconded by Councillor Mitchell

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

### **Decision**

To approve the following adjusted motion by Councillor Heap:

- 1) To welcome the celebration of Pride in Edinburgh this month.
- 2) To understand that pride was a celebration of the diversity, history, achievements and equal status and dignity of the LGBTIQ+ community.
- 3) To celebrate the significant strides made in LGBTIQ+ equality in recent decades.
- 4) To further understand that Pride was also a protest against the continuing, and in some cases, increasing, inequalities faced by this community.
- 5) To note with regret the 10% and 87% yearly increases in, respectively, sexual orientation and transgender hate crimes in Scotland in 2021/22.

- 6) To further note with regret that the UK fell several places in the recently-published ILGA Europe's Rainbow Index ranking of countries by progress on LGBTIQ+ equality, noting a number of regressions in LGBTIQ+ equality, including that "Anti-trans rhetoric continued to cause serious damage in the UK again this year, with continued hostile reporting in mainstream newspapers" and also that "LGBT Youth Scotland's 'Life in Scotland' report found that the rate of LGBTI young people thinking Scotland was a "good place for LGBTI young people to live" dropping from 81% to 65% in just five years"
- 7) To believe that the Council chamber and Committee chambers should be no place for speeches which endangered the transgender and broader LGBTIQ+ communities.
- 8) To welcome the flying of the Progress Flag from the City Chambers for the entirety of Pride Month.
- 9) To believe the Council had a central role in driving progress towards the full equality and inclusion of LGBTIQ+ people in Edinburgh.
- 10) To reaffirm its previous commitments to creating an inclusive, accessible Council culture and workplace; and to Edinburgh being an inclusive, accessible city where everyone feels and believes they truly belong.
- 11) To agree that this motion be referred to the Equality Working Group to allow officers the space to work with members on how to create an inclusive council culture and a city where everyone felt like they could truly belong, including
  - a) What progress on LGBTIQ+ equality had been made as part of the Council's Equality and Diversity Framework 2021-2025 so far;
  - b) What future actions it would take as part of the Framework to advance LGBTIQ+ equality including (i) what could be done to support local pride activities across the city, and
  - c) How the Council worked with Police Scotland to tackle LGBTIQ+ hate crime.
- 12) To request the Group report on these issues and any others it considered important to the Policy and Sustainability Committee (with the option for subsequent referral to Full Council) by the end of the calendar year
- 13) To agree the Leader of the Council should write to the Edinburgh Divisional Commander to request that the next Police Scotland report to the Culture and Communities Committee specifically address what action was being taken to tackle LGBTIQ+ hate crime.

- 14) To note that the Council had in place an active Diversity and Equality Framework 2021-25, approved and implemented during the last Council term under the then SNP/Labour led Administration. This Framework had active governance overseen by elected members through quarterly briefings to the Elected Members Equality Working Group, an annual report to Committee and a statutory two-year progress report as required under the Equalities Act with full details listed here: [Equality and diversity framework 2021 to 2025 – The City of Edinburgh Council](#).
- 15) To agree that a briefing note be circulated to all elected members once the statutory two-year progress report was available outlining the ongoing work of the Framework, giving an update on adequacy and effectiveness to date and highlighting any suggestions for implementation in the next iteration of the Framework post 2025 to maintain best practice.

## **16 Critical Risks – Motion by Councillor Mowat**

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

“Council notes:

That the black rated critical risks for service delivery and workforce on the Corporate Leadership Team’s Risk Register is unprecedented and presents the most serious challenge to the organisation;

That the Council’s core function is to deliver services to the residents of Edinburgh who rely on the Council as their sole service provider;

That Councillors have a duty to both ensure the Corporate Leadership Team focuses their attention on addressing this issue with the utmost urgency and to support staff to ensure that the situation does not worsen;

That the latest Audit Scotland Local Government Overview 2023 details the serious challenges facing councils and has produced a checklist that all Councillors should complete to focus their attention which includes the question “Are we (Councillors and senior officers) investing time and capacity into thinking radically about the Council’s future operating model?”

Agrees:

- 1) That the Chief Executive will bring a report to Full Council in 2 cycles detailing a plan to reduce the Critical risks noted above, and that plan will be monitored by an appropriate Committee for the next six months and a further report detailing progress will be brought to Council in December 2023;

- 2) That Councillors support officers by considering whether motions, amendments and written questions are necessary for the pursuance of Council business and delivery and resist bringing those that would add to officer workload and to review this restraint when the progress report is brought to council in December 2023.”

### **Motion**

To approve the motion by Councillor Mowat.

- moved by Councillor Mowat, seconded by Councillor Doggart

### **Amendment 1**

- 1) To add after paragraph four ‘operating model?’ in the motion by Councillor Mowat:

“And further notes an additional set of questions are:

*Does my council have detailed corporate and service workforce planning in place?*

*Have these plans been updated to:*

- *reflect the changing nature of services the council provides*
- *ensure the delivery of long term priorities*
- *address specific skill shortages to build a resilient workforce for the future*
- *consider the impact of an ageing workforce, succession planning and skills development, including leadership skills development”*

- 2) To add to point 1) of the motion:

“And this report should include a detailed corporate and service workforce plan which answers the questions set out above and should be referred onto GRBV for scrutiny alongside risk reports.”

- 3) To add at point 2) of the motion:

“but that this should in no way infringe on opposition parties’ ability to effect change and the ability of councillors to scrutinise.”

- moved by Councillor Campbell, seconded by Councillor McVey

## Amendment 2

To amend the motion by Councillor Mowat as below with additions in **bold** and deletions in ~~striketrough~~:

“Council notes:

- That the black rated critical risks for service delivery and workforce on the Corporate Leadership Team’s Risk Register is unprecedented and presents the most serious challenge to the organisation;
- That **one of** the Council’s core functions is to deliver services to the residents of Edinburgh who rely on the Council as their sole service provider **as well as ensuring that the Council is equipped to deliver these services (and others) in the future, and that this requires longer term planning and investment to address challenges which will threaten the ability of the Council to deliver these services in the longer term, for example, the impact of the climate and nature emergencies.**
- **That the Council also has a function as a leader in Scotland’s Capital City, occupying a unique and influential position which can, and should, be harnessed to set an agenda and inspire wider change, and that this routinely happens through its Civic Office, as well as through the actions of elected members in their communities and through formal Council business such as motion submissions.**
- That Councillors have a duty to both ensure the Corporate Leadership Team focuses their attention on addressing this issue with the utmost urgency and to support staff to ensure that the situation does not worsen;
- That the latest Audit Scotland Local Government Overview 2023 details the serious challenges facing councils and has produced a checklist that all Councillors should complete to focus their attention which includes the question “Are we (Councillors and senior officers) investing time and capacity into thinking radically about the Council’s future operating model?”
- **That there is a significant piece of work already underway looking at tackling systemic discrimination within Council business practices and that many actions likely to be proposed to address this and make practices more accessible will also help to reduce staff workload and address some of the critical risks outlined above.**
- **That previous attempts to amend the Council’s Standing Orders to build more time into Council processes were not successful, but that these are due to be reviewed again in Autumn 2023 giving an opportunity to**

**prioritise the wellbeing of staff and the quality of decision-making processes;**

Agrees:

- 1) That the Chief Executive will bring a report to Full Council in ~~1 cycle~~ **2 cycles** detailing a plan to reduce the critical risks noted above, and that plan will be monitored by an appropriate Committee for the next six months and a further report detailing progress will be brought to Council in December 2023; **further agrees that these reports will also include details about how the Council plans to analyse and benchmark spinal column pay against other local authorities and the private sector to consider what changes may be required to tackle problems of workforce retention and recruitment.**
- 2) That Councillors support officers by ~~considering whether motions, amendments and written questions are necessary for the pursuance of Council business and delivery and resist bringing those that would add to officer workload and to review this restraint when the progress report is brought to council in December 2023~~ **participating in the various workshops which are already planned to design better processes and structures to govern Council business, for example through the radical overhauling of Council standing orders and embracing technology in the pursuance of Council business.**

**That Councillors have a democratic right and duty to bring forward motions / questions as they see fit and that whilst some self-moderation might be helpful, a more robust and appropriate response to tackle the problems highlighted in this motion is a systemic one, focused on building a better framework around how the Council conducts business and taking action to consider pay and working conditions of Council Officers.**

- moved by Councillor Parker, seconded by Councillor Miller

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

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

## **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	33 votes
For Amendment 1 (as adjusted)	-	26 votes

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

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

## **Decision**

To approve the following adjusted motion by Councillor Mowat

- 1) To note that the black rated critical risks for service delivery and workforce on the Corporate Leadership Team's Risk Register was unprecedented and presented the most serious challenge to the organisation and this report should include a detailed corporate and service workforce plan which answers the questions set out above and should be referred onto GRBV for scrutiny alongside risk reports
- 2) To note that the Council's core function was to deliver services to the residents of Edinburgh who relied on the Council as their sole service provider.
- 3) To note that Councillors had a duty to both ensure the Corporate Leadership Team focussed their attention on addressing this issue with the utmost urgency and to support staff to ensure that the situation did not worsen.
- 4) To note that the latest Audit Scotland Local Government Overview 2023 detailed the serious challenges facing councils and had produced a checklist that all Councillors should complete to focus their attention which included the question "Are we (Councillors and senior officers) investing time and capacity into thinking radically about the Council's future operating model?"
- 5) To further note an additional set of questions were:

*Does my council have detailed corporate and service workforce planning in place?*

*Have these plans been updated to:*

- *reflect the changing nature of services the council provides*
- *ensure the delivery of long term priorities*

- *address specific skill shortages to build a resilient workforce for the future*
  - *consider the impact of an ageing workforce, succession planning and skills development, including leadership skills development.*
- 6) To agree that the Chief Executive would bring a report to Full Council in 2 cycles detailing a plan to reduce the Critical risks noted above, and that plan would be monitored by an appropriate Committee for the next six months and a further report detailing progress would be brought to Council in December 2023.
- 7) To agree that Councillors support officers by considering whether motions, amendments and written questions were necessary for the pursuance of Council business and delivery and resist bringing those that would add to officer workload and to review this restraint when the progress report was brought to council in December 2023.

## **17 Achieving Our Sustainable Food Goals – Motion by Councillor Faccenda**

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

“Council notes:

- In 2023 the Edinburgh Medal was awarded to global food campaigner Professor Marion Nestle and Edinburgh has now achieved Silver Status from Sustainable Food Places.
- The Edible Edinburgh Sustainable Food Partnership which was set up in 2014 to bring together stakeholders and partners to address key issues of health, well-being, climate change and food justice, campaigning for change and informing policy for collaborative food and growing projects has produced a Sustainable Food Plan for Edinburgh setting out a 10-year plan for the city
- That sustainable food systems are central to achieving the 3 goals of the Council Business Plan, Challenging Poverty, Achieving Net Zero 2030 ambitions and the well-being of all Edinburgh citizens.
- The recent report commissioned by the Council on developing food markets/hubs across the City to address food sustainability and food and health inequalities.

Council reaffirms that:

- Everyone in Edinburgh should have equal access to affordable, good, healthy food.
- Our food should be produced in a way that is good for the environment and biodiversity making Edinburgh a city that produces, provides, and purchases food that is good for the planet, good for people and good for all those involved in growing, making and selling it.
- We should support a vibrant and resilient local food economy celebrating local food enterprises.
- People working in the food system should be respected and paid a fair wage.

Furthermore, council notes that:

Council agrees:

- 1) To continue to support the work of the Edible Edinburgh Sustainable Food Partnership.
- 2) Build public awareness and active food citizenship.
- 3) Take a strategic and collaborative approach to good food governance in council work by gathering information on all council provided catering and food procurement with a view to revitalising local and sustainable food supply chains.
- 4) Council asks for a report in 3 cycles to the Policy and Sustainability Committee to bring together an assessment of all food related initiatives across the council as a start to developing our statutory Food Plan and to avoid repetition of work being done due to the current broad range of work across the Council.”

The Council had heard a deputation from Nourish Scotland on this issue (see item 1(b) above).

### **Motion**

To approve the motion by Councillor Faccenda.

- moved by Councillor Faccenda, seconded by Councillor Griffiths

### **Amendment 1**

To delete paragraph 4) of the motion by Councillor Faccenda and insert:

"4) agrees that the Sustainable Food City Plan, due before the Policy and Sustainability Committee for approval, should include within the covering report a thorough assessment of all the food related activities across the council and how these are coordinated to avoid any unnecessary duplication of work".

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

### **Amendment 2**

1) Under "Council notes" in the motion by Councillor Faccenda to add an additional bullet point:

- That poverty is a significant barrier to accessing food, and that UK welfare reforms have been identified by food banks and academic studies as the leading cause of food insecurity, and that therefore, from a climate justice perspective, this must also be considered as part of any work on sustainable food systems

2) Under "Council agrees" at 4) of the motion, insert the words "including any initiatives that tackle food poverty" after the words "across the Council".

3) Also adds additional point to the motion:

"5) Notes that there are a number of reports due relating to sustainable food policy and therefore requests that, in consultation with groups, officers propose a means of reconciling all various reports and updates – including that proposed at 4) – to facilitate good governance and ease of understanding for members."

- moved by Councillor Parker, seconded by Councillor Heap

### **Amendment 3**

To add a new paragraph 5 to Council agrees in the motion by Councillor Faccenda:

"To provide a breakdown of costs of the work being undertaken split into costs/officer time associated with the tasks related to statutory and non-statutory duties."

- moved by Councillor Mowat, seconded by Councillor Doggart

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

## **Decision**

To approve the following adjusted motion by Councillor Faccenda:

Council notes:

- 1) To note in 2023 the Edinburgh Medal was awarded to global food campaigner Professor Marion Nestle and Edinburgh has now achieved Silver Status from Sustainable Food Places.
- 2) To note the Edible Edinburgh Sustainable Food Partnership which was set up in 2014 to bring together stakeholders and partners to address key issues of health, well-being, climate change and food justice, campaigning for change and informing policy for collaborative food and growing projects had produced a Sustainable Food Plan for Edinburgh setting out a 10-year plan for the city.
- 3) To note that sustainable food systems were central to achieving the 3 goals of the Council Business Plan, Challenging Poverty, Achieving Net Zero 2030 ambitions and the well-being of all Edinburgh citizens.
- 4) To note the recent report commissioned by the Council on developing food markets/hubs across the City to address food sustainability and food and health inequalities.
- 5) To agree that the Sustainable Food City Plan, due before the Policy & Sustainability Committee for approval, should include within the covering report a thorough assessment of all the food related activities across the council and how these were coordinated to avoid any unnecessary duplication of work.
- 6) To reaffirm that everyone in Edinburgh should have equal access to affordable, good, healthy food.
- 7) To reaffirm that our food should be produced in a way that was good for the environment and biodiversity making Edinburgh a city that produced, provided, and purchased food that was good for the planet, good for people and good for all those involved in growing, making and selling it.
- 8) To reaffirm that the Council should support a vibrant and resilient local food economy celebrating local food enterprises.
- 9) To reaffirm that people working in the food system should be respected and paid a fair wage.

- 10) To agree to continue to support the work of the Edible Edinburgh Sustainable Food Partnership.
- 11) To agree to build public awareness and active food citizenship.
- 12) To agree to take a strategic and collaborative approach to good food governance in council work by gathering information on all council provided catering and food procurement with a view to revitalising local and sustainable food supply chains.
- 13) To agree that the Sustainable Food City Plan, due before the Policy and Sustainability Committee for approval, should include within the covering report a thorough assessment of all the food related activities across the council and how these were coordinated to avoid any unnecessary duplication of work. The report should also include any initiatives that tackled food poverty.
- 14) To note that there were a number of reports due relating to sustainable food policy and therefore request that, in consultation with groups, officers propose a means of reconciling all various reports and updates – including that proposed at 13) – to facilitate good governance and ease of understanding for members.”
- 15) To agree to officers providing a breakdown of costs of the work being undertaken split into costs/officer time associated with the tasks related to statutory and non-statutory duties.

## **18 Safe Cycling at Work – Motion by Councillor Day**

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

“Council notes there is an increasing number of cycle delivery services in the city that do not provide their workers with lights or high visibility clothing and as such there could be at risk to these riders and other road users.

Council believes that it is essential for all road users to behave responsibly and to adhere to the highway code.

Council agrees employers are responsible for supplying the appropriate safety clothing/equipment for their delivery teams and therefore agrees to support a joint campaign with the Police, and any other relevant organisation, on promoting cycle safety at work.”

## **Motion**

To approve the motion by Councillor Day

- moved by Councillor Day, seconded by Councillor Meagher

### **Amendment 1**

1) To add to the first paragraph of the motion by Councillor Day:

“Council notes that many delivery riders, particularly those working for takeaway food platforms, have had their attempts at recognition as 'workers' in an employment law sense opposed by the delivery platforms and refused by the courts. This leaves them, like others in the gig economy, in an extremely difficult position, with precarious jobs and without the basic protections afforded to employees and workers.

2) To add to the end of the motion:

“Council therefore calls for the implementation of the recommendations of the Gig Economy Taskforce which was set up and reported in March 2022, during the last administration.

‘...Highway Code. Council recognises that evidence clearly shows that the greatest danger to cyclists, pedestrians and wheelchair users comes from vehicle driver behaviour.

Further requests that Council implements, through its social media channels and internal dialogue with staff who drive on behalf of the Council, a public campaign that specifically supports Police Scotland Operation Close Pass which aims to improve safety for cyclists by encouraging drivers to leave with a minimum 1.5m passing distance, around cyclists, pedestrians and wheelchair users.”

- moved by Councillor Aston, seconded by Councillor Macinnes

### **Amendment 2**

To delete the third paragraph of the motion by Councillor Day and replace with:

“Council also believes that all road users should be and feel safe when using our roads.

Council agrees that employers are responsible for ensuring that their cycle delivery teams' safety equipment is compliant with the Highway Code.

Furthermore, Council understands that many cycle deliverers work on a self-employed or casual basis and are therefore not classed as employees. Nevertheless, Council believes that organisations have a duty of care for workers that deliver services in their name, and that where possible, these organisations should ensure that their deliverers' safety equipment complies with the Highway Code.

Council therefore agrees to support a joint campaign with the Police and any other relevant organisations on promoting cycle safety at work.”

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

### **Amendment 3**

- 1) To add after the second paragraph of the motion by Councillor Day:
  - “3) Notes that delivery riders face poor working conditions, including but not limited to low pay and considerable time pressure to make deliveries.
  - 4) Further notes that delivery riders predominantly work as independent contractors, and, as a result, do not have the same employee rights as salaried employees. Notes that as a result, employers are often not legally required to provide them with safety equipment such as lights, affecting their health and safety at work. Further notes that their status as independent contractors also makes it more difficult for workers to unionise and demand better working conditions.
  - 5) Notes that delivery riders are at high risk of being involved in road traffic accidents and are exposed to high levels of pollution.
  - 6) Agrees that the best way to promote road safety, prevent conflicts between motor vehicles, cyclists, and pedestrians, and avoid injuries and casualties is to provide safe segregated cycling infrastructure.”
- 2) To replace the text after “for their delivery teams” with:

“and invites delivery riders to talk to councillors about what improvements are needed, for example at the Spokes Bike Breakfast, followed by a short report by October 2023 on how the council could provide drop in points at council buildings (e.g. libraries) with tools, free lights, bike checks, security markings, free copies of the Highway Code, and guidance on how to unionise.”

- moved by Councillor Bandel, seconded by Councillor Miller

## **Amendment 4**

To add to the motion by Councillor Day:

- 1) Inserts semi-colon after “teams” in final paragraph then:  
“Notes that many cycle delivery riders are self-employed”
- 2) Inserts after work:  
“which will also consider how to reach and engage with those riders who are self-employed”.

- moved by Councillor Rust, seconded by Councillor Munro

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

In accordance with Standing Order 22(12), Amendments 2,3 and 4 were accepted as amendments to Amendment 1

## **Voting**

For the Motion (as adjusted)	-	33 votes
For Amendment 1 (as adjusted)	-	26 votes

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

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

## **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note there was an increasing number of cycle delivery services in the city that did not provide their workers with lights or high visibility clothing and as such there could be a risk to these riders and other road users. To note that many delivery riders, particularly those working for takeaway food platforms,

had had their attempts at recognition as 'workers' in an employment law sense opposed by the delivery platforms and refused by the courts. This left them, like others in the gig economy, in an extremely difficult position, with precarious jobs and without the basic protections afforded to employees and workers.

- 2) To believe that it was essential for all road users to behave responsibly and to adhere to the highway code.
- 3) To note that delivery riders faced poor working conditions, including but not limited to low pay and considerable time pressure to make deliveries.
- 4) To further note that delivery riders predominantly worked as independent contractors, and, as a result, did not have the same employee rights as salaried employees. To note that as a result, employers were often not legally required to provide them with safety equipment such as lights, affecting their health and safety at work. To further note that their status as independent contractors also made it more difficult for workers to unionise and demand better working conditions.
- 5) To note that delivery riders were at high risk of being involved in road traffic accidents and were exposed to high levels of pollution.
- 6) To agree that the best way to promote road safety, prevent conflicts between motor vehicles, cyclists, and pedestrians, and avoid injuries and casualties was to provide safe segregated cycling infrastructure.
- 7) To also believe that all road users should be and feel safe when using our roads.
- 8) To agree that employers were responsible for ensuring that their cycle delivery teams' safety equipment was compliant with the Highway Code.
- 9) Furthermore, to understand that many cycle deliverers worked on a self-employed or casual basis and were therefore not classed as employees. Nevertheless, to believe that organisations had a duty of care for workers that delivered services in their name, and that where possible, these organisations should ensure that their deliverers' safety equipment complied with the Highway Code.
- 10) To invite delivery riders to talk to councillors about what improvements were needed, for example at the Spokes Bike Breakfast, followed by a short report by October 2023 on how the council could provide drop in points at council buildings (e.g. libraries) with tools, free lights, bike checks, security markings, free copies of the Highway Code, and guidance on how to unionise.

- 11) To therefore agree to support a joint campaign with the Police and any other relevant organisations on promoting cycle safety at work which would also consider how to reach and engage with those riders who were self-employed.
- 12) To further request that Council implement, through its social media channels and internal dialogue with staff who drove on behalf of the Council, a public campaign that specifically supported Police Scotland Operation Close Pass which aimed to improve safety for cyclists by encouraging drivers to leave with a minimum 1.5m passing distance, around cyclists, pedestrians and wheelchair users.
- 13) To note that many cycle delivery riders were self-employed.

## **19 Edinburgh College Faces Funding Cuts – Motion by Councillor Jones**

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

“Council notes –

- Edinburgh College is the flagship college of further education for Scotland delivering 10% of all college activity in Scotland. It provides education courses to around 27000 students every year, helping address skills gaps, employability, social mobility and income poverty.
- 900 students are from a care experienced background, around 15% are from the 20% most deprived wards and 20% of students report having a disability.
- 90% of students report that they are satisfied with their Edinburgh College experience, and 95% go onto a positive destination.
- Edinburgh college works with over 2000 businesses and 10,000 employees a year to aid economic growth and SME development furthermore is committed to providing the necessary skills for the new Forth Green Freeport.
- The College welcomes students from over 100 countries and undertake teaching work across all five continents.
- Council notes that the Scottish Government has clawed back a £46 million uplift promised to Scotland's universities and colleges in the most recent budget. The resulting impact for Edinburgh College will likely lead to further staff cuts to achieve the cost savings, possible reductions in student support services, and further reductions in the number of courses offered, all negatively impacting on the College's capacity to deliver good quality

outcomes for students, addressing skills gaps in the region, and enabling inclusive economic growth.

- Edinburgh College already experiences 13% less funding than other colleges throughout Scotland as a result of the present funding formula.
- Only last year, John Swinney, Acting Finance Secretary, said “We must have a skills, training and research environment that enables our people and businesses to realise their potential. For that reason we have increased the resources available to the College and university sectors by £26 million and £20 million to support this process.” Mr Dey confirmed that this increase would now not happen. This cut in funding is a total betrayal.
- Council requests that the Leader of the Council writes immediately in the strongest terms possible to Minister for Higher and Further Education; and Minister for Veterans - Graeme Dey, to reverse these cuts and furthermore to remove the disparity which already exists in funding received by Edinburgh College.”

The Council had heard a deputation from The Educational Institute of Scotland, Further Education Lecturers’ Association, Edinburgh College on this issue (see item 1(c) above).

### **Motion**

To approve the motion by Councillor Jones

- moved by Councillor Jones, seconded by Councillor Cowdy

### **Amendment 1**

To add at the end of paragraph 7 in the motion by Councillor Jones:

“Understands there is an ongoing dispute between the EIS-FELA Trade Union and Edinburgh College and notes the number of unique courses offered by Edinburgh College which would be completely withdrawn if proposed cuts go ahead.”

- moved by Councillor Faccenda, seconded by Councillor Jenkinson

### **Amendment 2**

To add a further 2 bullet points to the motion by Councillor Jones:

“Notes the Institute of Fiscal Studies reports that between 2010–11 and 2019–20, spending per student in England fell by 14% in colleges and 28% in school sixth forms, and that the real-terms value of funding for most study programmes is likely to have declined by a lot more than 9% over the last decade. Further notes the

significant negative financial impact on Scotland of these decisions by the UK Government through Barnett consequentials.

Therefore agrees that the Leader of the Council writes immediately in the strongest terms possible to the UK Government requesting an urgent review of the austerity agenda and encourage increased investment across service areas, including in further and higher education to help address this.”

- moved by Councillor Campbell, seconded by Councillor Fullerton

### **Amendment 3**

To delete all after the fifth point ending “five continents” in the motion by Councillor Jones and insert:

- “6) Notes the financial challenges facing the Scottish Government as laid out in the Scottish Fiscal Commission’s Fiscal Sustainability report which highlights that the most significant factor impacting on Scotland’s finances is the Block Grant from Westminster.
- 7) Regrets that the one-off additional £46 million allocated to colleges and universities was reallocated by the Scottish Government due to funding pressures;
- 8) Believes that colleges across Scotland deserve fair funding based on an equitable formula;
- 9) Supports the six asks of Educational Institute of Scotland (EIS) and Further Education Lecturer’s Association (FELA), namely:
  - 9.1 Establishing accountable and supportive college management;
  - 9.2 Securing a commitment to fund the FE sector fairly;
  - 9.3 Protecting Quality Learning and Teaching for all FE students;
  - 9.4 Embedding Fair Work practices for all;
  - 9.5 Reducing the burden of unnecessary and increasing workload.
  - 9.6 A fair pay rise for all lecturers.
- 10) Additionally, reaffirms our position against compulsory redundancies and emphasises that this extends to colleges and further education establishments;
- 11) Finally, requests that the Council Leader writes to the Scottish Government calling on them to deliver fair and sustainable funding arrangements for

Scotland's colleges, with specific reference to Edinburgh College, as soon as possible."

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

#### **Amendment 4**

To add at the end of the final point in the motion by Councillor Jones:

"and to honour the commitment to no compulsory redundancies"

- moved by Councillor McKenzie, seconded by Councillor Miller

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

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

#### **Voting**

For the Motion (as adjusted) - 21 votes

For Amendment 2 (as adjusted) - 39 votes

(For the Motion (as adjusted): Lord Provost, Councillors Beal, Bennett, Caldwell, Cowdy, Davidson, Dijkstra-Downie, Doggart, Flannery, Jones, Lang, Mitchell, Mowat, Munro, Osler, Ross, Rust, Thornley, Whyte, Young and Younie.

For Amendment 2 (as adjusted): Councillors Arthur, Aston, Bandel, Biagi, Booth, Burgess, Lezley Marion Cameron, Campbell, Dalgleish, Day, Dobbin, Faccenda, Fullerton, Gardiner, Glasgow, Graham, Griffiths, Heap, Hyslop, Jenkinson, Key, Kumar, Macinnes, McFarlane, McKenzie, McNeese-Meechan, McVey, Meagher, Miller, Mumford, Nicolson, O'Neill, Parker, Pogson, Rae, Staniforth, Walker, Watt, Work.)

#### **Decision**

To approve the following adjusted Amendment 2 by Councillor Campbell:

- 1) To note Edinburgh College was the flagship college of further education for Scotland delivering 10% of all college activity in Scotland. It provided education courses to around 27000 students every year, helping address skills gaps, employability, social mobility and income poverty.

- 2) To note 900 students were from a care experienced background, around 15% were from the 20% most deprived wards and 20% of students reported having a disability.
- 3) To note 90% of students reported that they were satisfied with their Edinburgh College experience, and 95% go onto a positive destination.
- 4) To note Edinburgh college worked with over 2000 businesses and 10,000 employees a year to aid economic growth and SME development furthermore was committed to providing the necessary skills for the new Forth Green Freeport.
- 5) To note the College welcomed students from over 100 countries and undertook teaching work across all five continents.
- 6) To understand there was an ongoing dispute between the EIS-FELA Trade Union and Edinburgh College and note the number of unique courses offered by Edinburgh College which would be completely withdrawn if proposed cuts went ahead.
- 7) To note the Institute of Fiscal Studies reported that between 2010–11 and 2019–20, spending per student in England fell by 14% in colleges and 28% in school sixth forms, and that the real-terms value of funding for most study programmes was likely to have declined by a lot more than 9% over the last decade. To further note the significant negative financial impact on Scotland of these decisions by the UK Government through Barnett consequentials.
- 8) To therefore agree that the Leader of the Council write immediately in the strongest terms possible to the UK Government requesting an urgent review of the austerity agenda and encourage increased investment across service areas, including in further and higher education to help address this.
- 9) To note the financial challenges facing the Scottish Government as laid out in the Scottish Fiscal Commission's Fiscal Sustainability report which highlighted that the most significant factor impacting on Scotland's finances is the Block Grant from Westminster.
- 10) To regret that the one-off additional £46 million allocated to colleges and universities was reallocated by the Scottish Government due to funding pressures;
- 11) To believe that colleges across Scotland deserved fair funding based on an equitable formula.

- 12) To support the six asks of Educational Institute of Scotland (EIS) and Further Education Lecturer's Association (FELA), namely:
  - a) Establishing accountable and supportive college management
  - b) Securing a commitment to fund the FE sector fairly
  - c) Protecting Quality Learning and Teaching for all FE students
  - d) Embedding Fair Work practices for all
  - e) Reducing the burden of unnecessary and increasing workload
  - f) A fair pay rise for all lecturers
- 13) Additionally, to reaffirm the Council's position against compulsory redundancies and emphasise that this extended to colleges and further education establishments;
- 14) Finally, to request that the Council Leader write to the Scottish Government calling on them to deliver fair and sustainable funding arrangements for Scotland's colleges, with specific reference to Edinburgh College, as soon as possible and to honour the commitment to no compulsory redundancies.

## **20 North Edinburgh Community Festival – Motion by Councillor O'Neill**

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

“Council;

- 1) Congratulates North Edinburgh Community Festival which took place on Saturday 13th May in West Pilton Park.
- 2) Notes the scale of the event with 80 community stalls, live music and performances, Disney themed parade, variety of food stalls and other activities for all ages and abilities.
- 3) Further notes the support from sponsors, organisations such as Scotmid, Edinburgh College, The National Lottery, The Edinburgh Partnership, and local organisations in the north of the city including Granton Youth, West Pilton Neighbourhood Centre (WPNC), Fresh Start, North Edinburgh Arts, L.I.F.T, Project Esperanza, P.C.H.P., Stepping Stones and many more.

- 4) Thanks those who organised this free, family friendly and community-led event and those who volunteered on the festival team ensuring its operation on the day.
- 5) Commends the care taken to accessibility with the provision of a wheelchair accessible buggy that helped transport people from the WPNC onto the park and around the stalls.
- 6) Further commends the work to create, foster and showcase the power and community of North Edinburgh.
- 7) Looks forward to the next North Edinburgh Community Festival.”

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

### **Decision**

To approve the motion by Councillor O'Neill.

## **21 The Forth Act and A Midsummer Night's Dream – Motion by Councillor Heap**

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

“Council:

- 1) Welcomes the setting up of a new community theatre group in west Edinburgh, The Forth Act.
- 2) Notes that it will hold its first production, which will be *A Midsummer Night's Dream* by William Shakespeare, in Saughton Park, 21-24 June.
- 3) Welcomes that local people will be involved in all elements of the production, including the acting, costumes, direction and scenery.
- 4) Believes that Community Theatre projects such as The Forth Act are essential in ensuring that everyone in the city has access to cultural opportunities.
- 5) Wishes The Forth Act the best of luck with their production, and all the very best with their future development.
- 6) Requests The Lord Provost congratulate The Forth Act on their establishment and first production.”

## **Motion**

To approve the motion by Councillor Heap.

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

## **Amendment**

In (3) of the motion by Councillor Heap, after “scenery” and before “.”, insert:

“, and also welcomes the involvement of North Edinburgh Community Shed, Edinburgh Spiders, Vintage Vibes, and Granton Goes Greener”

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

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 Heap:

- 1) To welcome the setting up of a new community theatre group in west Edinburgh, The Forth Act.
- 2) To note that it would hold its first production, which would be *A Midsummer Night's Dream* by William Shakespeare, in Saughton Park, 21-24 June.
- 3) To welcome that local people would be involved in all elements of the production, including the acting, costumes, direction and scenery and also to welcome the involvement of North Edinburgh Community Shed, Edinburgh Spiders, Vintage Vibes, and Granton Goes Greener.
- 4) To believe that Community Theatre projects such as The Forth Act were essential in ensuring that everyone in the city had access to cultural opportunities.
- 5) To wish The Forth Act the best of luck with their production, and all the very best with their future development.
- 6) To request The Lord Provost congratulate The Forth Act on their establishment and first production

## 22 Spartans FC – Motion by Councillor Dobbin

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

“Council:

Is proud to celebrate and recognise the success of Spartans FC in winning the Lowland League (for the second time since the league was formed in 2013), and subsequently beating Albion Rovers to win promotion to the SPFL: League Division 2.

Council also recognises the success of the Women’s team in having 4 of their players selected as internationals for the Scotland under 19’s

These are magnificent achievements, and great testament to Spartans continued commitment to develop young players from North Edinburgh and changing lives through sport.

To celebrate this outstanding achievement Council requests that the Lord Provost writes to Spartans to congratulate them on their sporting success and to acknowledge the importance of the wide range of work that they do in serving the communities of North Edinburgh.”

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

### **Decision**

To approve the motion by Councillor Dobbin.

## 23 The Spartans FC – Motion by Councillor Mowat

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

”That Council;

Congratulates The Spartans Football Club on their historic promotion to the SPFL League 2 following their recent Pyramid Play-Off victory against Albion Rovers.

Further congratulates The Spartans Football Club, who play their home games at Ainslie Park in Pilton Drive, for their achievement not only in gaining promotion but also on winning their record third Lowland League title in doing so.

Celebrates the work the community club undertake within North Edinburgh under the stewardship of Chairman Craig Graham and Manager Douglas Samuel and asks the Lord Provost to mark this in an appropriate way.”

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

### **Decision**

To approve the motion by Councillor Mowat.

## **24 Spartans FC – Winning the Lowland Football League and Promotion to League Two of SPFL – Motion by Councillor Arthur**

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

”Council;

Congratulates The Spartans FC for winning the Lowland Football going on to win promotion to League Two of SPFL.

Notes that in part the success is due to how the club is embedded in the local community, as Dougie Samuel MBE (manager) put it: “I think we’re recognised as being a community anchor organisation that does help local people.”

Welcomes that The Spartans FC will join FC Edinburgh, Heart of Midlothian and Hibernian in the SPFL.

Agrees that the Lord Provost should mark the success of Dougie Samuel MBE and his team in an appropriate manner.”

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

### **Decision**

To approve the motion by Councillor Arthur.

## **25 Congratulating Spartans FC – Motion by Councillor O’Neill**

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

“Council:

- 1) Congratulates Edinburgh team Spartans FC for their triumph against Albion Rovers which has been hailed as a great moment in club history.

- 2) Notes that the club was founded in 1951 by University of Edinburgh graduates and has been transformed in the past 20 years thanks to chairman Craig Graham.
- 3) Commends this transformation which includes establishing a youth academy pathway and a women & girls section.
- 4) Further notes that this win promotes Spartans to the Scottish Professional Football League (SPFL).
- 5) Wishes the team the best of luck with the season and congratulates all involved in the club and its work.”

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

### **Decision**

To approve the motion by Councillor O'Neill.

## **26 Edinburgh High School Students Union – Motion by Councillor Mumford**

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

“Council;

- Welcomes the creation of the Edinburgh High School Students Union (EHSSU) in January 2023, with the aim of “giving a voice to young people in Edinburgh to collectively raise issues and create a better and more positive educational experience for all”;
- Celebrates this initiative and recognises that supporting EHSSU can enable the Council to further our commitment to respecting pupil voice;
- Congratulates the EHSSU on their six-month anniversary and request the Lord Provost marks this in an appropriate way.”

### **Motion**

To approve the motion by Councillor Mumford

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

## **Amendment**

To add to the motion by Councillor Mumford:

“Notes that the Convener of Education met with representatives of this group, to look at how we can work with them, and committed to ensure their online app can be made available via iPads provided to young people in schools.”

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

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 Mumford:

- 1) To welcome the creation of the Edinburgh High School Students Union (EHSSU) in January 2023, with the aim of “giving a voice to young people in Edinburgh to collectively raise issues and create a better and more positive educational experience for all”;
- 2) To celebrate this initiative and recognise that supporting EHSSU could enable the Council to further its commitment to respecting pupil voice;
- 3) To congratulate the EHSSU on their six-month anniversary and request the Lord Provost marks this in an appropriate way.
- 4) To note that the Convener of Education met with representatives of this group, to look at how the Council could work with them, and committed to ensure their online app could be made available via iPads provided to young people in schools.

## **27 Questions**

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

## Appendix 1

(As referred to in Act of Council No 27 of 1 June 2023)

### QUESTION NO 1

By Councillor Doggart for answer by  
the Convener of the Finance  
and Resources Committee at a  
meeting of the Council on 1  
June 2023

**Swift IT System - this question in its entirety was  
continued from the meeting on 4 May 2023.**

- Question** (1) When did officers become aware that social work information was held outside the Swift system?
- Answer** (1) Information has always been stored outside the Swift system, because it was designed and implemented without a supporting document management system. While it is possible to store documents within the system, this is known to cause system performance issues and therefore not standard practice.
- Question** (2) When did officers become aware that storing social work information outside the Swift IT system was not compliant with GDPR?
- Answer** (2) GDPR came into force in 2018 and it was then that issues with the non-compliance were raised. Issues with the likely non-compliance of Swift were raised in June 2018.
- Question** (3) On discovering Swift was not GDPR compliant, what actions did officers take to mitigate the data security risks?
- Answer** (3) An initial case for change was considered in June 2018. This led to a full business case for the replacement of Swift, which was brought forward in October 2019. This would have mitigated both the risks associated with Swift and eliminated the need to store information outside of the new system. Risks associated with the status quo were recorded.
- Question** (4) When did officers report the non-compliance with GDPR to the Information Commissioner?

**Answer** (4) The Information Commissioner recognised at the time of GDPR implementation that not all issues, especially those relating to legacy IT systems, would be resolved before May 2018. As the council was due to replace the system which would have resolved the issues with non-compliance, it was therefore not reported to the ICO.

**Question** (5) Does the current Swift usage remain non-compliant with GDPR and do the data security risks remain live?

**Answer** (5) Yes, the risks are well understood and mitigation has taken place where possible.

**Question** (6) Did individuals referenced in the Tanner report have unrestricted access to sensitive personal data held outside Swift?

**Answer** (6) Yes. However, it would be normal for staff at that level to have access to all information.

**Supplementary Question** Clarification for answer 4.

If the reason for not referring the matter to the ICO was due to the imminent replacement of SWIFT, when the CLT took the decision not to present a SWIFT replacement business case to elected members in 2019 (and in all subsequent years), why did no officer report the matter to the ICO?

**Supplementary Answer** When it became clear that the procurement and implementation of a replacement system was delayed, a SWIFT Governance Board was established to ensure that risks continued to be monitored and mitigated where possible – actions which the ICO would expect organisations to take.

ICO guidance requires organisations to report personal data breaches that have a high privacy impact on individuals. While the over retention of client data is a breach of the ‘storage limitation’ principle, given the retention periods for the data concerned, the direct impact on individuals is minimal with the mitigations the Council has in place. It does not meet the definition of a “personal data breach” which requires to be reported.

If there was a major personal data breach or loss of personal data as a consequence of SWIFT other storage use, the personal data breach should be reported and would be processed in line with the Council's breach procedures, including possible reporting to the ICO (depending on the seriousness of the breach).

It should be noted that there is currently a moratorium on the destruction of any client information (held in any format or system, both adults and children) as a consequence of the Scottish Child Abuse Inquiry. Information held in client records may be required at some future juncture to inform the work of the Inquiry.

## QUESTION NO 2

**By Councillor Aston for answer by  
the Convener of Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 1 June 2023**

**Question** (1) Given a number of recent instances where Council properties have been removed from the disposals list despite neighbours of those properties having been told that they would be disposed of, has there been any change to the policy in relation to acquisitions and disposals programme which has not been agreed either by the Housing, Homelessness and Fair Work Committee or by Council in the last twelve months?

**Answer** (1) There have been no changes made to the Acquisitions and Disposals policy for Council housing that have not been approved by the Council or a Council Committee.

The overarching objective remains to increase supply of Council homes and reduce ongoing management and maintenance costs by consolidating HRA assets.

Since the implementation of the policy, 259 homes have been purchased and 137 homes have been sold. This has led to 67 blocks becoming fully Council owned, 105 blocks where the Council has divested its interest and 179 blocks where the Council has further consolidated its majority ownership. Securing majority ownership in mixed tenure blocks supports the delivery of common repairs and improvements.

Homes that are identified for disposal often require minor works to be carried out prior to marketing. This helps to ensure best value for the HRA. It has taken longer than anticipated to complete minor works to a minority of homes earmarked for disposal due to available resources and the need to prioritise work to tenanted homes and repairs to void properties that will be re-let.

With regards to the disposals criteria, no changes have been made. If a home becomes vacant and meets the criteria, it is earmarked for disposal. However, there have been short to medium term management actions taken to postpone the sale of homes to respond to wider challenges. This has included 29 homes that have been earmarked for disposal being let out as Temporary Accommodation and nine homes which have been made available to support the Council's response to the Ukrainian situation. The intention remains that these homes will be sold.

Before homes are disposed of on the open market, ownership checks are carried out in the stair to determine whether any registered social landlords currently have a presence and whether they would be interested in purchasing the home directly. If this is unsuccessful, the home is offered to the Council's Private Sector Leasing (PSL) delivery partner, Link Housing Association.

**Question** (2) Can the Convener please state the current policy for the acquisitions and disposals programme?

**Answer** (2) The overarching policy is as follows:

- Increase the number of affordable homes in the city by purchasing homes in blocks where the Council has over 50% ownership, funded by the disposal of homes in blocks where the Council is a minority owner.
- No net loss of social rented homes in any neighbourhood, over five years.
- Receipts ring fenced for affordable housing.
- Retain wheel chair accessible homes, unless inefficient to maintain.
- Buy homes from owners and offer a sitting tenancy, where it supports the mixed tenure investment programme.

**QUESTION NO 3**

**By Councillor Nicolson for answer by  
the Chair of the Edinburgh  
Integration Joint Board at a  
meeting of the Council on 1  
June 2023**

**Question**

After the previous chief officer's sudden departure from the partnership, can you confirm that the person appointed was appointed to the whole role of Chief Officer of EIJB?

**Answer**

No. The role of Interim Director of Adult Social Care will primarily focus on the delivery and leadership of the adult social care portfolio of the Health and Social Care Partnership and drive forward the Improvement Plan.

It has been agreed to take legal and HR advice to transition this to an interim Chief Officer role.

This specific role is for an interim period to allow the wider permanent appointment of the Chief Officer of Edinburgh HSCP to be undertaken by the IJB in liaison with the City of Edinburgh Council and NHS Lothian, whilst ensuring continued focus on this aspect of the portfolio.

**QUESTION NO 4**

**By Councillor McVey for answer by  
the Convener of the Transport  
and Environment Committee at  
a meeting of the Council on 1  
June 2023**

**Question** (1) How many car parking spaces (based on average use on available bays) have been reduced through the rollout of the CPZ in June 2023?

**Answer** (1) No marked car parking spaces have been removed due to the rollout of Controlled Parking Zone (CPZ).

The layout of all parking places and yellow lines reflects the Council's legal obligations, and the need for the layout of parking places to avoid negative impacts on vehicle movement or access to property, including private or off-street parking places. Parking places have been located, following consultation, where it is considered safe and appropriate for vehicles to park.

**Question** (2) How many of these reductions were due to:

- a) improving connectivity by reducing double parking on narrow streets blocking general vehicle and service vehicle access?
- b) improving access to local bin hubs and other serviced amenities?
- c) improving visibility at junctions?
- d) another reason?

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

**Question** (3) For remaining space that has been lost for local residents' priority bay parking that don't meet the rationale for a, b and c, what is the explanation for each location?

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

**Question** (4) When will the new restrictions be reviewed and when is the earliest that residents can expect to see modifications from the plans being implemented?

**Answer** (4) All parking and waiting restrictions are under continuous review. Any proposed modifications will be subject to the statutory Traffic Regulation Order (TRO) process which can take 12 to 18 months to complete.

**Question** (5) When did officers make contact with local essential service providers, such as GP practices, police station to explore solutions to any potential local impacts?

**Answer** (5) Leaflets were delivered to all residents and businesses as part of the initial consultation in 2019, for the statutory TRO consultation in 2022 and again prior to the on-street work starting in 2023.

**Question** (6) Can the Convenor commit to ensuring officers make urgent contact with those lifeline service providers to ensure any issues are quickly overcome to protect local access to services?

**Answer** (6) The Council is in regular contact with the Emergency services and works closely with them to minimise any issues of access to services.

Essential User Permits are available to qualifying healthcare professionals within the new zones and all residents and businesses in the respective areas have been encouraged to contact the Council should they have any concerns - [controlledparkingzone@edinburgh.gov.uk](mailto:controlledparkingzone@edinburgh.gov.uk).

If Councillors become aware of any issues with local access to services, please contact the Parking Team ([controlledparkingzone@edinburgh.gov.uk](mailto:controlledparkingzone@edinburgh.gov.uk)) or pass on the team's details to local service providers.

**QUESTION NO 5**

**By Councillor Key for answer by the  
Convener of the Transport and  
Environment Committee at a  
meeting of the Council on 1  
June 2023**

**Question** (1) Given that Council policy on EV charging equipment is to site it on the road and not the pavement, can he tell me how many EV charging installations are sited on public realm pavements in Edinburgh?

**Answer** (1) Zero. There have been no chargers placed on the footway since the Council began on street installation in October 2021.

However, almost all feeder power cabinets (the green metal boxes normally) have been placed on footways throughout the city where footway widths have allowed this and 1.5m of footway has been retained.

Whilst this practice was deemed acceptable in 2021, the current Transport and Environment Committee in April 2023 agreed that neither chargers nor feeder cabinets should be placed on footpath and that the Edinburgh Street Design Guidance should be updated to reflect this.

**Question** (2) What is the timescale to have these, incorrectly positioned, pavement-mounted EV installations moved into the roadway, where they should be?

**Answer** (2) See answer 1. Officers are undertaking a review of cabinet placement and assessing all locations. If there are any locations where footway width has been reduced to less than 1.5M, they will be prioritised for transfer to the carriageway. This work will be funded by charger income.

**QUESTION NO 6**

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

**Question**

Following completion of the review of Lifelong Learning can the Convener confirm if any staff have already been put on the redeployment list instead of supporting the vital work across Edinburgh's community centres?

**Answer**

Four individuals have been unsuccessful in securing positions within the new service teams. Of these, three individuals are now in the redeployment pool and are being supported to secure alternative employment within the Council. One individual has decided to accept an offer of Voluntary Redundancy.

**QUESTION NO 7**

**By Councillor Campbell for answer  
by the Convener of the Culture  
and Communities Committee  
at a meeting of the Council on  
1 June 2023**

**Question** (1) Following completion of the review of Lifelong Learning can the convener confirm the overall budget saving that is being delivered?

**Answer** (1) The staffing budget for the posts in-scope of the Lifelong Learning Review was £4.40m, with an approved saving of £0.170m being delivered. The staffing budget for the service moving forward is £4.23m.

**Question** (2) Can the convener confirm the full budget that was allocated to this service prior to the review, and the new budget allocated to the services that have come out of the review?

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

Some services in Wider Achievement and Lifelong Learning rely on external and earned income to meet the service cost. There has been no change to this in 2023/24 but may be subject to future changes if there is a change in the income/funding received by the Council.

In addition, in 2023/24 Sportscotland has increased its funding to the Council and Shared Prosperity Funding has been allocated to the Council for Community Empowerment and Engagement activities (this funding is in place until the end of financial year 2024/25).

**Question** (3) Can the convener ensure this includes staffing costs and any other ad-hoc funding or funding provided to support delivery of lifelong learning services both before and after the review?

**Answer** (3) See answers 1 and 2 above.

## QUESTION NO 8

**By Councillor Nicolson for answer by the Chair of the Edinburgh Integration Joint Board at a meeting of the Council on 1 June 2023**

### Question

Recruitment of frontline staff in the Health and Social Care Partnership is still an issue impacting all service delivery across Health and Social Care. It is positive that the H&SCP have enlisted the Capital City Partnership to manage the recruitment of more staff into the workforce. What is the additional cost of this and when will the findings brought back for councillors to analyse the impact of this approach.

### Answer

The Scottish Government's Edinburgh Assistance Programme (EAP) team supported a proposal to use Capital City Partnership (CCP) to support the Edinburgh Health and Social care Partnership (EHSCP) recruitment of front-line staff. Two CCP HR staff were recruited in October 2022 for 48 months at a total fixed cost of £253K. KPIs are included on the contract.

The CCP programme has a locality and neighbourhood focus and is flexible to respond to the wide-ranging nature of recruitment challenges, linking into wider local and national opportunities, and increasing employment opportunities and 'good work'.

The main drive is at entry level for social care services and since November 2022 local and targeted recruitment fairs have taken place monthly. CCP has also secured support of Community Renewal for additional staff support, established a short Health and Social Care training course programme using CCP Vocational Training Framework (VTF) funding and have established strong links to DWP and MyJobScotland.

Since October, when CCP employed specialists to work directly with EHSCP, we have had 22 confirmed job offers. We expect this figure to be underreported due to the delay

in self-managing candidates informing CCP of outcomes of applications and interviews. Footfall to CCP run events is high, with 300 attending the recent NHS event in Leith. We are working closely with CCP to improve historic reporting and establish a process to verify the number of new starts going forwards. Data on performance is being captured monthly and is fed back into the EAP reporting framework. Performance will also be scrutinised by the Edinburgh Integration Joint Board (EIJB) Performance and Delivery Committee.

**QUESTION NO 9**

**By Councillor Macinnes for answer  
by the Convener of the Finance and  
Resources Committee at a meeting  
of the Council on 1 June 2023**

**Question**

Can the convener confirm how much funding was given to Edinburgh Council for 2023/24 financial year by the Scottish Government, ringfenced to mitigate the impacts of UK government policy decisions, including but not limited to the bedroom tax, the two-child family cap and the rape clause and any funding supplied for the Scottish Welfare Fund and crisis grants?

**Answer**

Although the final amount of funding received will be aligned to the actual level of payments made, the Council's 2023/24 grant funding settlement from the Scottish Government assumes receipt of £4.962m of Discretionary Housing Payments funding in respect of full bedroom tax/underoccupancy regulations mitigation and £0.991m for full benefit cap mitigation.

While the Council's grant funding settlement includes a number of other sums to support families and individuals during the cost-of-living crisis, these do not explicitly offset the impacts of UK government policy decisions.

**QUESTION NO 10**

**By Councillor McFarlane for answer  
by the Convener of the Transport  
and Environment Committee at a  
meeting of the Council on 1 June  
2023**

**Question**

To ask the Convener of the Transport and Environment Committee for an update on prospective plans to relocate the statue *Body and Soul* from Hunter Square.

**Answer**

Officers are investigating the feasibility of relocating the statue to the Museum of Edinburgh Courtyard. Researching the infrastructure and arrangements for doing so and will provide an update through Culture and Communities Committee Business Bulletin and to local ward members when plans are in place.

**QUESTION NO 11**

**By Councillor Dobbin for answer by  
the Leader of the Council at a  
meeting of the Council on 1 June  
2023**

**Question** (1) What new initiatives, ideas or technologies have been brought back from the Smart Cities Summit for review by the Council's Smart Cities Team?

**Answer** (1) New links are being developed with a wealth of opportunity and potential partnerships with the council, industry and universities in Taiwan.

**Question** (2) Given the visit to Taiwan was approved at Full Council, when will the Council Leader be providing a report back to Council on the learnings from the visit and the value derived for our City.

**Answer** (2) There was a Business Bulletin provided at last weeks P & S Committee, as a report was not required at full council. I propose to provide a report at the August (2023) Policy & Sustainability Committee.

**QUESTION NO 12**

**By Councillor Dijkstra-Downie for  
answer by the Convener of the  
Transport and Environment  
Committee at a meeting of the  
Council on 1 June 2023**

**Question**           **(1)** Which streets will see the installation of signage for contraflow cycling on one-way streets (as per Council policy) between now and the end of the 2023?

**Answer**           **(1)** Contraflow cycling on the following one-way streets is being delivered as part of the Leith Connections project:

- Burgess Street;
- Maritime Lane;
- Tolbooth Wynd; and
- Water Street

In addition, three further streets have just had contraflow cycling permitted as part of traffic management associated with the Kings Theatre redevelopment.

- Leven Terrace;
- Valleyfield Street; and
- Glengyle Terrace.

Officers are aware of the concerns that have been raised by various parties with respect to the changes on Glengyle Terrace. In order to allow us to better understand the operation of the new road layout and priority changes, officers have commissioned a video survey that will take place this week. The survey will help to inform the development of any adjustments (if needed) to the current layouts.

Design work is underway on over 50 streets which are proposed to have contraflow cycling installed from August 2024. Information will be provided to Committee and local ward Councillors at the appropriate time.

**Question**           **(2)** What metrics are used to determine which streets are suitable for the implementation of contraflow cycling signage?

**Answer** (2) Criteria considered include traffic flow and speed, road width and clear road width; cycle flows and parking and loading.

**Question** (3) Is Cockburn Street part of the implementation plan? If not, why not?

**Answer** (3) Contraflow cycling is not currently permitted on Cockburn Street. This will be considered as part of the current design work ongoing on Old Town Streets through the City Centre Transformation project.

**QUESTION NO 13**

**By Councillor Caldwell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 1 June 2023**

- Question** (1) Several CBR sites in Phase 1, 2 and A (such as South Sloan Street and Easter Road) remain incomplete due to on-the-ground challenges completing the initial TRO, which has left some residents having to use the carriageway to use bins. How many outstanding CBR TROs are there to advertise in Phases 1, 2 and A?
- Answer** (1) One Traffic Regulation Order (TRO) is anticipated to be progressed later on the year to correct all minor discrepancies on the original TROs with regards to bin hubs in Phases 1, 2, A and 3.
- Question** (2) What steps are being taken to ensure binhubs are completed for residents at these locations as soon as the outstanding CPZ Phase 1 TROs are executed?
- Answer** (2) The Parking and Communal Bin Review (CBR) teams are liaising regularly on progress with the respective TROs, their implementation and subsequent changes that will address any issues with bin hubs.
- Question** (3) Since the initial first stage consultation of CPZ Phase 1 to present, how many applications (of both new bays and removals) have the 'Disabled Persons Parking', 'Controlled Parking Zones' and 'Parking' teams received respectively which could not be progressed due to the open CPZ Phase 1 TRO?
- Answer** (3) It should be noted that Blue Badge holders in the new CPZs are entitled to free residents' parking permits. Blue Badge holders are also permitted to park free of charge and without time limit within pay and display and shared use bays, and on yellow line restrictions providing there is no loading prohibition in force.

Nonetheless, 19 Disabled Person Parking Permit (DPPPs) applications could not be progressed due to the Phase 1 TRO, comprising of 13 requests for new DPPPs and six requests to have bays removed.

**Question** (4) What steps are being taken to ensure these requests are completed for residents at these locations as soon as the outstanding CPZ Phase 1 TROs are executed?

**Answer** (4) Parking patterns are expected to change once the new CPZ controls come into effect, so all locations will be reviewed, using the assessment criteria for CPZ DPPP applications, once the new controls have bedded in.

**QUESTION NO 14**

**By Councillor Lang for answer by the  
Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 1 June 2023**

**Question** (1) When is it expected that Builyeon Road in Queensferry will be diverted through the new housing development?

**Answer** (1) This forms part of the developer's programme of works and officers are not aware of the timetable for this.

**Question** (2) What is the current timetable for turning the existing Builyeon Road into an active travel route?

**Answer** (2) An initial community and stakeholder engagement exercise was undertaken in 2022 on proposals for a new active travel route across the south of Queensferry, between the major development sites at Builyeon Road and South Scotstoun. This includes the development of the existing Builyeon Road as an active travel route and linear park (as per the action within the Local Development Plan Action Programme). A Final Concept Design was published on the [Consultation and Engagement Hub](#) in December 2022.

The Council has now received funding from Transport Scotland through the Sustrans Places for Everyone fund to continue the design development of this route. A design contract will be awarded in the next few months.

The Local Development Plan Action Programme 2023 update (which was approved at the Planning Committee on [19 April 2023](#)) shows an estimated delivery date of the relevant action of 2027.

**Supplementary  
Question**

The position of the developer has been that it is awaiting confirmation from the Council as to when it wishes to close the existing Builyeon Road and have all traffic diverted through the new development. In light of the conveners answer at (1), can he clarify when it is likely this request will be made?

**Supplementary  
Answer**

Awaiting answer.

**QUESTION NO 15**

**By Councillor Flannery for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 1 June 2023**

The decision to progress to legislative TRO for B1 potential CPZ in Southside Newington is complex and divisive, particularly for residents who live on its Eastern side. Can the Convener -

**Question** (1) Confirm that progress to Phase 2 of the city-wide CPZ scheme has been paused to assess impact of Phase 1 first?

If this is the case, can the Convener explain why Phase 3, which includes the B1 CPZ, will still progress before the findings of Phase 2?

**Answer** (1) Phase 2 is paused for two primary reasons:

- a) To allow for further engagement on the need for controls and the detail of the proposed designs; and
- b) To allow for an assessment of the impact of Phase 1 on neighbouring areas.

As a significant part of Phase 2 lies adjacent to Phase 1 (Bonnington, Easter Road, Lochend and Willowbrae North), any proposed changes in these areas have been paused.

However, as reported to Transport and Environment Committee in [December 2022](#), Phase 3 has been assessed on the basis of whether elements are linked or adjacent to other Phases and whether the parking pressures in Phase 3 areas are separate to pressures identified in Phase 1. Where there is evidence to support proceeding with elements of Phase 3 (not linked or adjacent to other Phases, with the parking pressures in those areas separate to pressures elsewhere) these will now proceed to legal process.

**Question** (2) Can the Convener confirm that the process, starting from July 2023, will include a residents' consultation on implementation and design?

And confirm or rule out the possibility of the Eastern side of B1, Waverley Park, to be considered as part of the B7 area, which includes Prestonfield to the South of the Ward?

**Answer** (2) The original designs, as presented in the informal consultation, are being revisited in light of the comments and suggestions received, and the revised designs will be available to view during the formal advertising stage of the legal process.

The legal process allows a period during which objections can be made. Residents will have the opportunity at that stage to submit any further representations at that stage. If more than six objections are received, a report on the representations made will be presented to Licensing Sub-Committee for consideration.

In respect of the B1 and B7 areas, the Strategic Review of Parking considers these to be entirely separate entities. The proposals for these areas, and the reasoning behind the proposed approach, was set out in the [December 2022](#) report.

Councillor Pogson has arranged a meeting between myself and Waverley Park residents on the 5<sup>th</sup> of June where I hope to listen to any concerns they may have.

**QUESTION NO 16**

**By Councillor Dijkstra-Downie for  
answer by the Convener of the  
Education, Children and Families  
Committee at a meeting of the  
Council on 1 June 2023**

- Question**           **(1)** a)    What information does the Council hold on the type and volume of food waste from school meals in primary schools in relation to meals or food items cooked but not served?
- b)    What measures are in place to reduce this type of food waste?

- Answer**           **(1)** a)    The council utilise the ParentPay system to ensure only meals ordered by parents are produced – this has reduced kitchen waste by 22% since the system was introduced. Each kitchen has a clear food bin in the kitchen where the unit manager can review the items being wasted and record, they then feed into the central team at locality meetings on any items proving high waste for product re-engineering.
- b)    The biggest waste comes from plate waste (i.e. waste from meals served but not eaten) Schools on a local level are responsible for managing this process with guidance provided centrally.

- Question**           **(2)** a)    What information does the Council hold on the type and volume of food waste from school meals in primary schools in relation to meals or food items served but not eaten?
- b)    What measures are in place to reduce this type of food waste?

**Answer**           **(2)** As above

- Question**           **(3)** How does the Council assess the popularity of menu options?

- Answer** (3) The council carry out several product trials prior to any new menu being launches, this includes transporting items and discussions with pupils. The council work with national bodies such as ASSIST FM who use a national menu bank of recipes tried and tested on pupils across Scotland. School meals are heavily regulated and so the SG food regs govern a vast majority of the products sold in schools
- Question** (4) How does the Council act on any information gathered under 1, 2 or 3 when it comes to set its menus?
- Answer** (4) The menu development team meet 4 times annually to review products, discuss supply chain pressures, market trends and innovations and the results of any parental engagement. The team then use this information to shape the following years menu.
- Question** (5) How are pupils currently educated about food waste?
- Answer** (5) We have food and health education frameworks for each level to guide progressive delivery of the curriculum. Food waste features at each level through the journey of food, identifying how to prevent food related waste and food safety to reduce spoilage.

**QUESTION NO 17**

**By Councillor Thornley for answer by the Convener of the Culture and Communities Committee at a meeting of the Council on 1 June 2023**

**Scottish Government Playpark Funding**

Further to answers provided to question 10.10 at the 30 June 2022 of the Council:

- Question** (1) Can the Convener provide the final list of play parks which were upgraded from the 2022/23 allocation of Scottish Government funding?
- Answer** (1) Following the report to Culture and Communities Committee on [7 March 2023](#), the final list of playparks upgraded in 2022/23 was:
- Loganlea Avenue;
  - Dundas Park;
  - Figgate Park;
  - Glenvarloch Crescent;
  - Inch Park (equipment replacement only);
  - Morningside Public Park; and
  - Clovenstone Gardens. Upgrades to a further six play areas were tendered in 2022/23, and delivery is ongoing..
- Question** (2) How much money will the Council receive from the Scottish Government for 2023/24 for upgrading play parks?
- Answer** (2) As reported to Culture and Communities Committee in March 2023, the Council's allocation of funding from the Scottish Government's playpark investment fund is £811,000.
- Question** (3) Which play parks are to be upgraded with the 2023/24 funding?

**Answer**

**(3)** There are ongoing upgrades to:

- Montgomery Street Park, (part-funded in 2022/23);
- Victoria Park (Toddler);
- Dean Park Place;
- Dumbryden Grove;
- Hailesland Gardens; and
- Morvenside.

The programme for 2023/24 was also set out in report to Committee. Depending on the timetable for consultation and planning, some may fall into subsequent years. As requested by Culture and Communities Committee, an annual update on investment in 2023/24 and planned investment in 2024/25 will be reported to Committee in February 2024.

In addition to the investment programme set out above, Developer's Contributions will support improvements to the park infrastructure and play facilities within King George V Park, Eyre Place.

**QUESTION NO 18**

**By Councillor Heap for answer by the  
Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 1 June  
2023**

**Question**

What is the Council doing to reduce the number of empty shopfronts, in particular by facilitating community access and meantime use?

**Answer**

In the wake of the Coronavirus pandemic, in the city centre, Council officers met with property agents and offered to provide a 'match making' service to put landlords in touch with community and third sector organisations who might be looking for shorter term leases.

It was hoped that this would be mutually beneficial to the respective parties however, to date, there have been no requests made for this support with feedback from property agents that their clients were either marketing for longer term tenants at market rates or were happy with vacant possession of units on the basis that redevelopment was planned.

There has not been an targeted approach in other parts of the city, although officers have assisted community and third sector organisations where they are looking to secure facilities by acquiring or leasing property.

The Council continues to promote Non Domestic Rates relief (including Fresh Start, discretionary and charitable reliefs and the Small Business Bonus scheme, all which could be relevant to community groups). Fresh Start Relief allows for 100% relief for up to 12 months for new occupation of a property that has been empty for six months preceding the new occupation. The rateable value of the eligible property must not exceed £100,000.

In terms of the Council's role as Planning Authority, a flexible approach is taken to meanwhile uses. The Town and Country Planning (Use Classes) (Scotland) Order 1997 was

also amended earlier this year to amalgamate shops with financial, professional and other services. This means that changing vacant shops to financial, professional and other services does not require planning permission giving landlords more flexibility.

**QUESTION NO 19**

**By Councillor Heap for answer by the  
Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 1 June  
2023**

**Question** (1) Will they be meeting artists from the Save Our Studios campaign?

**Answer** (1) The Convener has contacted the Save Our Studios campaign to arrange a convenient time to meet the artists.

**Question** (2) To provide a summary of this meeting

**Answer** (2) The Convener will update the Culture and Communities Committee on the outcome.

**QUESTION NO 20**

**By Councillor Heap for answer by the  
Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 1 June  
2023**

**Question**

Whether they will provide a report back from their meeting regarding the West Park Place studios held as a result of the recent Committee motion regarding the studios?

**Answer**

A meeting with West Park Place studios (WASPS) officials and representatives of the artists was provisionally organised for 23 May 2023. However, this has been rescheduled by their Chief Executive Officer to 6 June 2023. The Convener has also contacted the save our studios campaign and will update the Culture and Communities Committee on the outcome.

**QUESTION NO 21**

**By Councillor Heap for answer by the  
Convener of the Culture and  
Communities Committee at a  
meeting of the Council on 1 June  
2023**

To provide information on:

**Question**           **(1)** The number of meetings they or their officials have had with external bodies regarding the Filmhouse over the past three months

**Answer**           **(1)** Officers have had 8 meetings with external bodies regarding the Filmhouse since 2 February 2023. One of those meetings (on 3 May 2023) included the Council Leader and Convener.

**Question**           **(2)** A summary of the content of those meetings

**Answer**           **(2)** The meetings have explored possible ways to support parties seeking to lease the property at 88 Lothian Road from the new owner and who wish to operate it as a cultural film venue.

**QUESTION NO 22**

**By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 1 June 2023**

**Local Flood Risk Management Plan 2022-28, Action ID 26603 for the Water of Leith (Page 264), and ID 26803 for Niddrie Burn (Page 281) are indicated for delivery 2023-2025 and state:**

*“The volume of water that would overwhelm the sewer system and cause flooding from manholes or inside our homes is to be assessed, to support understanding of the performance of the urban drainage network.*

*“Scottish Water will carry out an assessment of sewer flood risk within the highest priority sewer catchments, which includes the Edinburgh sewer catchment in this target area. This will help to improve knowledge and understanding of potential surface water flood risk.*

*Action delivery lead is Scottish Water in coordination with the local authority.*

*Outputs of this modelling assessment will be shared with local authorities and SEPA.”*

**Question**

Can the Convener confirm what steps he has taken to ensure Scottish Water instigates this action in co-ordination with CEC?

**Answer**

When it comes to flooding and flood mitigation, there is a complex interaction between surface water and wastewater from property and watercourses. The Council and Scottish Water are working together through the Edinburgh and Lothians Strategic Drainage Partnership (which also encompasses SEPA and neighbouring local authorities) to address these issues together.

Scottish Water are developing their own studies to analyse impact from sewer flooding within the context of climate change. Their work considers sources of flooding and wider surface water management throughout the city.

Alongside this, the Council is working closely with Scottish Water to develop Surface Water Management Plans, which identify areas of the city at particular risk of flooding and develop mitigation measures for the effective management of surface water.

This collaborative approach to assessing the impact of surface water on sewer systems is being used to develop plans for the management of flood risk (considering both strategy/guidance and implementing enhanced sustainable drainage within projects). As an example of this collaborative approach, in the Craigleith Catchment Study Scottish Water is undertaking detailed “2Di” modelling to better understand flood risk and potential interventions, and the Council is progressing some of the potential interventions identified.

**QUESTION NO 23**

**By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 1 June 2023**

**Question** Can the Convener provide tonnage data for recycling volumes at Household Waste Recycling Centres for the 3 years up to March 2023.

**Answer** Tonnage data for recycling volumes at Household Waste Recycling Centres is provided in the table below.

	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>
<b>Tonnage Recycled</b>	13,010.17	16,086.58	13,433.41
<b>Tonnage to disposal</b>	6,227.19	8,339.51	6,889.14
<b>Total Waste Arisings (TWA)</b>	19,237.36	24,426.09	20,322.55
<b>Recycling Performance</b>	67.6%	65.9%	66.1%

**QUESTION NO 24**

**By Councillor Cowdy for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 1 June 2023**

**Local Flood Risk Management Plan, Action IDs 26605, 26705, and 26806 require ongoing work that:**

*“Community engagement is to continue to be carried out in the area by the responsible authorities to raise awareness of flood risk.*

*Awareness raising should be developed based on the outcomes of the surface water management plan and flood studies.*

*Action delivery lead is The City of Edinburgh Council in coordination with responsible authorities and the Scottish Flood Forum.”*

**Question**

Can the Convener confirm how CEC is complying with its community engagement responsibilities and how it is co-ordinating with Scottish Flood Forum and responsible authorities?

**Answer**

The Council directly engages with community groups, individuals, elected members and Parliament officials where there are specific flooding issues. Recent examples of this include meetings and discussions with groups in Stockbridge and Murrayfield in relation to the Water of Leith.

Information relating to flood risk management, planning guidance, and emergency actions is available through the [Council website](#), which has recently been updated to include information on flood gate operations.

On a wider scale, The Scottish Flood Forum (SFF), SEPA and Scottish Water provide advice and guidance in relation to flood risk (including details of responsibilities of organisations and individuals). SEPA issue Flood Alerts and Flood Warnings through their Floodline service, to which the Council provides input in relation to local flood risk in Edinburgh.

Through the Edinburgh & Lothians Strategic Drainage Partnership, the Council has committed to investing up to £50,000 on communications in relation to projects which are progressed in partnership with Scottish Water. Scottish Water are matching that contribution.

This will be used to promote some of the projects identified for progression as a result of the capital investment agreed by the Council in February 2023.

The SFF work with local authorities across Scotland to provide community advice. The Council liaises with the SFF on individual flooding cases (as required) and provides advice on potential mitigation actions (where appropriate).

During Flood Alerts, the Council often issues communications advising on actions being taken and where the public can find information. Direct contact is also made with elected members in affected areas to advise on the actions being taken.

**QUESTION NO 25**

**By Councillor Cowdy for answer by  
the Convener of the Transport  
and Environment Committee at  
a meeting of the Council on 1  
June 2023**

**Murrayfield TTROs for concerts**

**Question**           **(1)** Has an IIA been carried out for the road closures for the Murrayfield concerts; whilst it would not be necessary to carry out an EIA for each individual closure has one been done to assess the impact of closures on adjacent residential communities which can only leave or access their properties via the A8?

**Answer**           **(1)** The approach taken to preparing for events has been to carry out a detailed risk assessment, within which the potential impact on local communities is a key consideration. Therefore, closing roads and access routes is only considered when absolutely required to protect pedestrians in a road and/or if there are other public safety risks identified.

In preparing for events, Council officers are mindful of the impact on local residents and businesses, the environment and the local economy when implementing event management plans.

Officers will look into the possibility of preparing a generic Integrated Impact Assessment for events in the city later in the year.

**Question**           **(2)** Does the Convener consider that the notification process of closures for residents is adequate?

**Answer**           **(2)** I have asked what further reasonable steps can be taken to notify local residents, businesses and elected members.

**QUESTION NO 26**

**By Councillor Mitchell for answer by  
the Convener of the Finance  
and Resources Committee at a  
meeting of the Council on 1  
June 2023**

**Question**           **(1)** How many occurrences of Council Tax arrears have been caused because an incorrect or already occupied address has been used to open a new Council Tax account in each of the last five years?

**Answer**           **(1)** We are unable to provide an answer to this question as our systems don't hold this level of data. I can however confirm the number of changes of address processes received for 2022/23 was 65k. We can confirm that occurrences of Council Tax arrears due to an incorrect or already occupied address has not been highlighted as an area of concern through our Quality and Complaints data.

**Question**           **(2)** What is the total amount of Council Tax arrears accumulated for each of the last five years because of this?

**Answer**           **(2)** N/A

**Question**           **(3)** How much remains to be paid for each of the last five years?

**Answer**           **(3)** N/A

## QUESTION NO 27

**By Councillor Cowdy for answer by  
the Convener of the Transport  
and Environment Committee at  
a meeting of the Council on 1  
June 2023**

- City Mobility Plan 2021-2030, Policy Measure MOVEMENT 2 - Bus Network Review states:  
*“Review the city’s bus network to better align with the Council’s strategic priorities including improving accessibility, integration and reducing congestion in the city centre.”*
- Draft Public Transport Action Plan 2030 –  
Page 30, Item 8, Bus Network Review, states:  
*“As this plan (Circulation Plan) is implemented, we will agree an evolved integrated public transport system including stops, routes and public transport interchanges.”*  
Page 36, Item 11, Improve Governance and Co-ordination, states:  
*“We will therefore deliver new governance for Council owned public transport services with the new company set to be in place in 2023.”*
- Transport & Environment Committee, Feb 2023, approved a delivery programme based on the draft Public Transport Action Plan (PTAP)
- Elected Member training – Lothian Buses, 16<sup>th</sup> May
  - i) Lothian Buses supported the principle that they need to remain a fully commercial operator to “remain competitive, offer best value, and deliver a cross-subsidised holistic network”.
  - ii) Several Councillors raised important issues about the lack of influence the Council has on Lothian Buses including changes to Routes and Timetables.

### **In light of the above:**

- Question**            **(1)** Does the Convener expect Improved Governance of a new Public Transport Company will provide CEC with more influence over bus Routes and Timetables?

**Answer** (1) One of the key aims of transport ALEO reform is to strengthen links between elected members and the reformed transport company through the creation of a Liaison Committee. The detail of this will be decided by Councillors, but I understand it cannot provide more direct influence over routes and timetables but I hope will create an effective space for such issues to be debated.

**Question** (2) When will the Convener be bringing ideas on how to Improve Governance to Transport & Environment Committee for debate?

**Answer** (2) As part of the ALEO reform process a new Liaison Committee, as noted above, is proposed. Officers are currently drafting terms of reference for this group which will be brought to Transport and Environment Committee for approval.

**Question** (3) Does the Convener still believe a new Public Transport Company will be in place in 2023?

**Answer** (3) The ALEO reform project is scheduled to complete in early 2024.

**Question** (4) When will the Bus Network Review be scheduled?

**Answer** (4) There is an update on delivery of the City Mobility Plan scheduled in late 2023. Work is ongoing with operators as part of the Public Transport Action Plan to look at the wider network for bus routes.

Feedback from residents, businesses and Community Councils (not least at the May Transport & Environment Committee) following changes to the 41 service (now notionally 47/B) highlight the necessity of maintaining good links to and through the city centre.

**QUESTION NO 28**

**By Councillor Whyte for answer by  
the Convener of the Planning  
Committee at a meeting of the  
Council on 1 June 2023**

**Question**           **(1)** Please provide a copy of the report of the study the Council commissioned from MKA Economics entitled "Economic Value of Residential and Short Term Lets in Edinburgh".

**Answer**           **(1)** The MKA Economics study will be reported to Planning Committee on 14 June 2023. The report will contain a copy of the study.

**Question**           **(2)** Please also detail the costs involved in commissioning this report.

**Answer**           **(2)** £7,800

**QUESTION NO 29**

**By Councillor Parker for answer by  
the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 1 June 2023**

In the last 10 years:

- Question** (1) How many tenants in social housing found responsible for anti-social behaviour have been evicted from their home and re-housed
- Answer** (1) There have been 30 evictions within the last 10 years from Council Housing for Antisocial Behaviour. The Council does not hold this information in respect of other Social Landlords.
- Question** (2) How many tenants in social housing who were/are victims or targets of anti-social behaviour by other tenants, have been offered alternative tenancies
- Answer** (2) For Council housing, this information is not recorded in a format which allows it to be reported as requested. I have asked officers to investigate options to enable the recording of this information for reporting purposes in the future. For other social landlords, the Council does not hold this information.
- Question** (3) How many tenants in social housing who were/are victims or targets of anti-social behaviour by other tenants have been advised to declare themselves homeless and give up their tenancies
- Answer** (3) For Council housing, this information is not recorded in a format which allows it to be reported as requested. I have asked officers to investigate options to enable the recording of this information for reporting purposes in the future. However, while Council officers should not be advising tenants to give up their tenancies and declare themselves as homeless, there may be instances where officers will offer temporary accommodation to provide respite for

tenants from anti-social behaviour. If Elected Members are aware of any instances where tenants have been asked to give up their tenancy, please let me know or contact the Service Director for Housing and Homelessness

**QUESTION NO 30**

**By Councillor Booth for answer by  
the Convener of the  
Development Management  
Sub-Committee at a meeting of  
the Council on 1 June 2023**

**Question**

Please will the convener provide the following statistics, in each quarter from 1 April 2018 to date, and including a column of running totals for each of these items to that date:

- a) the number of planning applications received by the City of Edinburgh Council for a change of use to short term let;
- b) the number of these applications that were refused;
- c) the number of these applications that were granted;
- d) the number of these applications that were withdrawn;
- e) the number of applications received by the City of Edinburgh Council for a certificate of lawful use for a retrospective change of use to a short term let;
- f) the number of these applications that were refused;
- g) the number of these applications that were granted;
- h) the number of these applications that were withdrawn;

**Answer**

The tables below provide the requested information.

### Applications for Planning Permission for Short-term Lets

		Received		Refused		Granted	
		Total per quarter	Running total	Total per quarter	Running total	Total per quarter	Running total
<b>18/19</b>	Q1	0	0	1	1	0	0
	Q2	2	2	3	4	0	0
	Q3	0	2	1	5	0	0
	Q4	5	7	0	5	0	0
<b>19/20</b>	Q1	4	11	0	5	3	3
	Q2	0	11	2	7	1	4
	Q3	3	14	0	7	0	4
	Q4	2	16	1	8	4	8
<b>20/21</b>	Q1	4	20	0	8	1	9
	Q2	3	23	2	10	1	10
	Q3	3	26	2	12	0	10
	Q4	6	32	0	12	3	13
<b>21/22</b>	Q1	7	39	3	15	4	17
	Q2	7	46	3	18	4	21
	Q3	6	52	1	19	4	25
	Q4	103	155	2	21	5	30
<b>22/23</b>	Q1	66	221	14	35	1	31
	Q2	71	292	12	47	7	38
	Q3	88	380	37	84	84	122
	Q4	53	433	21	105	2	124
<b>23/24</b>	Q1	20	453	72	177	2	126

### Applications for Certificates of Lawful Use for Short-term Lets

		Received		Refused		Granted	
		Total per quarter	Running total	Total per quarter	Running total	Total per quarter	Running total
<b>18/19</b>	Q1	1	1	0	0	0	0
	Q2	0	1	0	0	0	0
	Q3	0	1	1	1	0	0
	Q4	3	4	0	1	0	0
<b>19/20</b>	Q1	1	5	2	3	0	0
	Q2	0	5	2	5	0	0
	Q3	0	5	0	5	0	0
	Q4	1	6	1	6	0	0
<b>20/21</b>	Q1	0	6	0	6	0	0
	Q2	0	6	0	6	0	0
	Q3	4	10	0	6	3	3
	Q4	2	12	0	6	1	4
<b>21/22</b>	Q1	2	14	1	7	3	7
	Q2	4	18	0	7	1	8
	Q3	1	19	0	7	3	11
	Q4	29	48	1	8	9	20
<b>22/23</b>	Q1	10	58	1	9	18	38
	Q2	20	78	6	15	6	44
	Q3	29	107	2	17	5	49
	Q4	33	140	2	19	17	66
<b>23/24</b>	Q1	11	151	1	20	36	102

**QUESTION NO 31**

**By Councillor Nicolson for answer by  
the Chair of the Edinburgh  
Integration Joint Board at a  
meeting of the Council on 1  
June 2023**

**Question** (1) On May 23 at Policy and Sustainability Committee, Unison's social care Service Conditions Convenor quoted the EIJB Chair as 'having no knowledge of the change to the public consultation' which has changed from a consultation on the future of care homes to a consultation narrowing the scope to solely focus on decommissioning care homes?

**Answer** (1) N/A

**Question** (2) Did officers discuss the decision to narrow the consultation with the chair prior to the publication?

**Answer** (2) A conversation was had between officers and the Chair and Vice-Chair regarding focusing the consultation on the future of the four care homes.

**Question** (3) Did you, as chair, inform the unions you had no knowledge of the change prior to the consultation's publication?

**Answer** (3) The chair always welcomes engagement with all stakeholders and always seeks to be entirely honest and transparent.

**QUESTION NO 32**

**By Councillor Booth for answer by  
the Convener of the Planning  
Committee at a meeting of the  
Council on 1 June 2023**

- Question**           **(1)** Please will the convener provide the following statistics, in each quarter from 1 April 2018 to date, and including a column of running totals for each of these items to that date:
- a) the number of planning enforcement cases;
  - b) the number of planning enforcement cases involving an STL;
  - c) the number of planning enforcement cases where an enforcement notice has been served;
  - d) the number of planning enforcement cases involving an STL where an enforcement notice has been served;
  - e) the number of STL enforcement cases where an enforcement notice has been appealed;
  - f) the number of STL enforcement appeals where the appeal has been dismissed;
  - g) the number of STL enforcement appeals where the appeal has been upheld.

**Answer**           **(1)** A table with this information is included on page 3 below. It has not been possible to provide monthly totals, but yearly totals are included

- Question**           **(2)** Please will the convener identify the approximate number of staff hours spent in
- a) enforcement;
  - b) enforcement of a case involving an STL over each of the last 5 years.

**Answer**

- (2) a) The Planning service does not hold information on staff hours spent on particular tasks. In the past 5 years there has, at different times, been between 6 and 7 full time members of staff engaged in enforcement work , with administrative support and support from the Planning Appeals team.
- b) The time spent on the enforcement of an STL case will depend on the particular circumstances of the case. No two cases are the same. The time required to resolve a case depends on a number of variables including: the level and accuracy of information provided by the enquirer; the willingness of the owners to engage with the case officer and provide information relevant to the case; the scale of representations; the level of correspondence required with neighbours, Councillors and others; whether repeat site visits are needed to establish the planning position; whether a breach is identified and a notice is needed; whether the notice is appealed and the complexity of the defence of the appeal; and whether the notice is complied with and any further action is needed to secure compliance.

## Answer to Question 1

	Enforcement cases		Enforcement cases involving an STL		Enforcement cases where an enforcement notice has been served		Enforcement cases involving an STL where an enforcement notice has been served	
	Total	Running	Total	Running	Total	Running	Total	Running
	P e r Y e a r	t o t a l	P e r Y e a r	t o t a l	P e r Y e a r	t o t a l	P e r Y e a r	t o t a l
2018/	698	698	114	114	73	73	16	16
2019/	914	1,612	228	342	76	149	38	54
2020/	711	2,323	83	425	3	152	3	57
2021/	786	3,109	107	532	64	216	40	97
2022/	807	3,916	190	722	87	303	45	142
2023/	165	4,081	41	763	11	314	7	149

	Enforcement cases where an STL enforcement notice has been appealed		STL enforcement appeals where the appeal has been dismissed		STL enforcement appeals where the appeal has been upheld	
	Total	Running	Total	Running	Total	Running
	P e r Y e a r	t o t a l	P e r Y e a r	t o t a l	P e r Y e a r	t o t a l

	a r		a r		a r	
2018/	11	11	8	8	1	1
2019/	17	28	14	22	1	2
2020/	13	41	12	34	1	3
2021/	12	53	10	44	0	3
2022/	16	69	8	52	3	6
2023/	4	73	3	55	0	6