

Minutes

The City of Edinburgh Council

Edinburgh, Thursday 14 December 2023

Present:

LORD PROVOST

The Right Honourable Robert Aldridge

COUNCILLORS

Scott Arthur
Danny Aston
Jule Bandel
Alan C Beal
Fiona Bennett
Marco Biagi
Chas Booth
Graeme Bruce
Steve Burgess
Jack Caldwell
Lezley Marion Cameron
Kate Campbell
Christopher Cowdy
James Dalglish
Euan R Davidson
Cammy Day
Sanne Dijkstra-Downie
Denis Dixon
Stuart Dobbin
Phil Duggan
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
Jane E Meagher
Claire Miller
Max Mitchell
Jo Mowat
Alys Mumford
Marie-Clair Munro
Vicky Nicolson
Adam Nols-McVey
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 Order of Business - Standing Order 22.16 (40 Minute Rule)

Decision

To suspend Standing Order 22.16 (40 minute rule) during consideration of Item 7.1 on the Agenda (Response to the Edinburgh Tram Inquiry – report by the Chief Executive).

2 Deputations

a) Living Rent (in relation to item 8.7 on the agenda – Motion by Councillor Parker – Transient Visitor Levy and the Housing Emergency)

The deputation raised concerns about the action required to be taken on the housing crisis and asked for every possible measure to be taken. They felt that the key structural responses to this emergency was funding and providing social housing. They asked the Council to take their declaration of a housing crisis seriously and recognise the links between over tourism and the housing crisis and commit to allocating a proportion of the revenue from the visitor levy to fund social housing. The deputation felt that the increase of tourism within the city had caused an increase in the housing pressures.

The deputation urged the Council to write to the Scottish Government advocating for amendments to the visitor levy bill which would allow for more flexibility on how councils could spend revenue from the levy, particularly to allow for spending on council housing. They also asked for commitments to include improving and increasing social housing provision as an aim of the levy and the Council's statement of purpose, ultimately urging the Council to allocate a proportion of the revenue from the levy to spend on social housing.

(see item 22 below)

b) Sight Scotland and Sight Scotland Veterans (in relation to item 8.13 on the agenda – Motion by Councillor Mitchell – Telford and Hillhouse Junction)

The deputation raised concerns regarding the accessibility and safety of the junction at Hillhouse Road/Telford Road Junction which meant that if an individual was visually impaired they would be unable to cross without assistance. They indicated that the key issues were:

- no useful tactile paving
- no revolving cones under wait boxes

- no audible signals
- no bulbs in the wait box
- staggered crossings

The deputation stressed that the junction posed a major risk to anybody with visual impairment and were extremely worried that it would take a serious accident before any action was taken. Due to the complicated layout of the crossings, the poor pedestrian crossing facilities and the heavy fast-moving traffic, it was dangerous and inaccessible to most blind and partially sighted people.

The deputation urged the Council to consider upgrading the junction urgently before a serious accident occurred and believed that a separate fund should be made available to so that specific projects deemed by the public to be in urgent need of upgrade, could be progressed.

(see item 28 below)

3. Condolences – Former Members and Officers

The Lord Provost paid tribute to the following former members, officers and colleagues who had died recently and expressed his condolences to their families and friends:

William Blyth, Chief Executive, Edinburgh District Council

Lord Provost Noman Irons

Councillor Alan Laing

Councillor Melvin Mackie

Lord James Douglas Hamilton

Baron Selkirk of Douglas.

Alistair Darling

4 Minutes

Decision

To approve the minute of the Council of 2 November 2023 as a correct record.

5 Leader's Report

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

- Condolences
- Baberton Mains incident
- Award winning Council officers and partners
- Success of winter festivals
- Small Business Saturday
- Police Chief Superintendent Sean Scott – retirement
- Thanks to Council officers for continuing hard work

The following questions/comments were made:

- | | | |
|-----------------------|---|--|
| Councillor Nols-McVey | - | Condolences |
| | - | UK Labour Party – tax cuts and spending programmes |
| Councillor Lang | - | Condolences |
| | - | Council tax freeze – additional funding to compensate |
| Councillor Mumford | - | Condolences |
| | - | COP28 Climate Conference – Fossil fuels transition Freeport in Leith |
| Councillor Whyte | - | Condolences |
| | - | Motions and amendments – Housing Emergency – action plan |
| Councillor McKenzie | - | Bonus to Chief Executive of EICC – future of bonuses to ALEOs |
| Councillor Jenkinson | - | PISA findings – attainment gap |
| Councillor Aston | - | Housing Emergency – Council house building in Edinburgh |
| Councillor Davidson | - | Additional support for education crisis |
| Councillor Parker | - | Christmas Market – protection for trees – air pollution monitoring |
| Councillor Bruce | - | Carbon impact of Christmas market – diesel generators |

- | | | |
|---------------------|---|--|
| Councillor Graham | - | Local businesses and community representatives – issues raised around Hunters Square |
| Councillor Dobbin | - | Declaration of a Housing Emergency – effect of Council house sales |
| Councillor Flannery | - | National Planning Framework and local housing needs |
| Councillor Booth | - | Judicial Review – short term lets – change of use |
| Councillor Doggart | - | Policy and Sustainability Committee – Making Edinburgh Council a welcoming place for men to work |
| Councillor Campbell | - | Continuation of austerity – fully funded public services |
| Councillor Beal | - | LTN in Corstorphine – safe school time reduction |
| Councillor Bandel | - | Pavement parking ban – date of enforcement |
| Councillor Mitchell | - | Communal bin review – incorrectly issued parking tickets |
| Councillor Gardiner | - | Condolences – Baberton Mains incident |
| | - | Pentland Hills – National Park bid |

6 Forth Green Freeport Governance Board Representative

Approval was to appoint an Elected Member to represent the City of Edinburgh Council on the Forth Green Freeport Governance Board.

Motion

- 1) To appoint Councillor Day as the Forth Green Freeport Governance Board Representative from the City of Edinburgh Council.
- 2) To call for extensive engagement with the trade unions when selecting the Worker's Representative position.

- move by Councillor Day, seconded by Councillor Watt

Amendment

To appoint Councillor Booth as the Forth Green Freeport Governance Board Representative from the City of Edinburgh Council.

- moved by Councillor Mumford, seconded by Councillor McKenzie

Voting

The voting was as follows:

For the motion	-	34 votes
For the amendment	-	29 votes

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

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

Decision

To approve the motion by Councillor Day.

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

7 Response to the Edinburgh Tram Inquiry

Details were provided on the Council's response to the Edinburgh Tram Inquiry and in particular the actions taken or proposed to be taken in regard to the Inquiry's recommendations. This also included information on the financial cost of the initial tram project, a breakdown of costs highlighted by the Inquiry and assurance was provided on how the Council would approach breaches of the Employee Code of Conduct or instances of misleading behaviour by Arm's Length External Organisations and contractors. An update was provided on any possible legal action connected to the initial Tram Project.

Motion

- 1) To agree to implement the actions as outlined in appendix one and appendix three to the Chief Executive's report in regard to the recommendations made by Lord Hardie in the Inquiry Report.

- 2) To agree to review the employee Code of Conduct and report to the Policy and Sustainability Committee in March 2024.
- 3) To note the financial information contained in appendix two to the report.
- 4) To note the response to the motion in regard to any action to be taken regarding employees as a result of the Inquiry's findings and to officer candour, including Arm's Length External Organisations (ALEOs).
- 5) To note the update on possible legal action as outlined in appendix four to the report.
- 6) To note that a full review of the Council's Arm's Length External Organisations was being carried out in early 2024.

- moved by Councillor Day, seconded by Councillor Young

Amendment 1

- 1) To agree to implement the actions as outlined in appendix one and appendix three to the Chief Executive's report in regard to the recommendations made by Lord Hardie in the Inquiry Report.
- 2) To agree to review the employee Code of Conduct and report to the Policy and Sustainability Committee in March 2024.
- 3) To note the financial information contained in appendix two to the report.
- 4) To note the response to the motion in regard to any action to be taken regarding employees as a result of the Inquiry's findings and to officer candour, including Arm's Length External Organisations (ALEOs).
- 5) To note the update on possible legal action as outlined in appendix four to the report.
- 6) To note that a full review of the Council's Arm's Length External Organisations was being carried out in early 2024.
- 7) Agrees that the council instructs a legal firm to conduct an external review of the decision making regarding the approach taken, advice sought and on the assurance provided to councillors on appendix three, this may incur additional costs and must be closely monitored.
- 8) Agrees to receive an update report in six months on progress with implementation of the recommendations.
- 9) Agrees that group leaders will be consulted on the parameters, prior and during mediation as required.

- moved by Councillor Nols-McVey, seconded by Councillor Aston

Amendment 2

- 1) To agree to implement the actions as outlined in appendix one and appendix three to the Chief Executive's report in regard to the recommendations made by Lord Hardie in the Inquiry Report.
- 2) To agree to review the employee Code of Conduct and report to the Policy and Sustainability Committee in March 2024.
- 3) To note the financial information contained in appendix two to the report.
- 4) To note the response to the motion in regard to any action to be taken regarding employees as a result of the Inquiry's findings and to officer candour, including Arm's Length External Organisations (ALEOs).
- 5) To note the update on possible legal action as outlined in appendix four to the report.
- 6) To note that a full review of the Council's Arm's Length External Organisations was being carried out in early 2024.
- 7) Notwithstanding the commitment to accept recommendation 16 that the council should produce detailed design guidance to assist design development, further agrees that this detailed design guidance should be rooted in the transport hierarchy, should be consistent with relevant council strategies such as the City Mobility Plan, should comply with best practice in respect of design for active travel, and should address concerns highlighted during and since the tram project by groups representing people walking, wheeling and cycling, and that draft detailed design guidance should be presented to Transport and Environment Committee prior to procurement of any future tram project.

- moved by Councillor Bandel, seconded by Councillor Booth

Amendment 3

- 1) To agree to implement the actions as outlined in appendix one and appendix three to the Chief Executive's report in regard to the recommendations made by Lord Hardie in the Inquiry Report. Officers will produce a progress checklist of implementation and guidance for project managers and others to be presented to a future meeting of the GRBV Committee to demonstrate assurance that the Recommendations in Lord Hardie's Report that are being accepted by the Council are being embedded in future Council processes.

- 2) To agree to review the employee Code of Conduct and report to the Policy and Sustainability Committee in March 2024. The review to focus on strengthening and clarifying the aspects related to officer candour with the benchmarking to specifically include the Civil service Code [Civil Service Code - gov.scot \(www.gov.scot\)](http://www.gov.scot) with a particular focus on the section entitled "Honesty". The review to consider how to make clear in the Code or in Disciplinary Policies that a serious breach of this duty of candour will be considered as Gross Misconduct and that this could equally apply within management structures should officers breach the code when providing information to senior colleagues. Finally, recognising the Council's governance role, a draft should be presented to a suitable Committee or a member workshop for discussion prior to consultation with Trade Union and the wider colleague base.
- 3) Recognising that the Council appoints the Monitoring Officer and has overall responsibility for resolving issues of malpractice within the Council a review will be undertaken within six months, reporting to the GRBV and Policy and Sustainability Committees as appropriate, covering the structures and processes for the various reporting mechanisms relating to misconduct, whistleblowing and maladministration, given the numerous recommendations from differing external inquiries in recent years, to ensure these are fit for purpose, provide adequate independence and to ensure public confidence.
- 4) To note the financial information contained in appendix two to the report.
- 5) To note the response to the motion in regard to any action to be taken regarding employees as a result of the Inquiry's findings and to officer candour, including Arm's Length External Organisations (ALEOs).
- 6) To note the update on possible legal action as outlined in appendix four to the report.
- 7) To note that a full review of the Council's Arm's Length External Organisations was being carried out in early 2024.

- moved by Councillor Whyte, seconded by Councillor Mowat

In accordance with Standing Order 22(13), Amendment 1 was adjusted and accepted as an addendum to the Motion and Amendments 2, 3 and 4 were accepted as addendums to the Motion.

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To agree to implement the actions as outlined in appendix one and appendix three to the Chief Executive's report in regard to the recommendations made

by Lord Hardie in the Inquiry Report. Officers would produce a progress checklist of implementation and guidance for project managers and others to be presented to a future meeting of the Governance, Risk and Best Value Committee to demonstrate assurance that the Recommendations in Lord Hardie's Report that were being accepted by the Council were being embedded in future Council processes.

- 2) To agree to review the employee Code of Conduct and report to the Policy and Sustainability Committee in March 2024. The review to focus on strengthening and clarifying the aspects related to officer candour with the benchmarking to specifically include the Civil service Code [Civil Service Code - gov.scot \(www.gov.scot\)](http://www.gov.scot) with a particular focus on the section entitled "Honesty". The review to consider how to make clear in the Code or in Disciplinary Policies that a serious breach of this duty of candour would be considered as Gross Misconduct and that this could equally apply within management structures should officers breach the code when providing information to senior colleagues. Finally, recognising the Council's governance role, a draft should be presented to a suitable Committee or a member workshop for discussion prior to consultation with Trade Union and the wider colleague base.
- 3) Recognising that the Council appointed the Monitoring Officer and had overall responsibility for resolving issues of malpractice within the Council, a review would be undertaken within six months, reporting to the Governance, Risk and Best Value and Policy and Sustainability Committees as appropriate, covering the structures and processes for the various reporting mechanisms relating to misconduct, whistleblowing and maladministration, given the numerous recommendations from differing external inquiries in recent years, to ensure these were fit for purpose, provided adequate independence and to ensure public confidence.
- 4) To note the financial information contained in appendix two to the report.
- 5) To note the response to the motion in regard to any action to be taken regarding employees as a result of the Inquiry's findings and to officer candour, including Arm's Length External Organisations (ALEOs).
- 6) To note the update on possible legal action as outlined in appendix four to the report.
- 7) To note that a full review of the Council's Arm's Length External Organisations was being carried out in early 2024.
- 8) To agree that the council instruct a legal firm to conduct an external review of the decision making regarding the approach taken, advice sought and on the

assurance provided to councillors on appendix three to the report, this might incur additional costs and must be closely monitored.

- 9) To agree to receive an update report in six months on progress with implementation of the recommendations.
- 10) To agree that group leaders would be consulted on the parameters, prior and during mediation as required.
- 11) Notwithstanding the commitment to accept recommendation 16 that the council should produce detailed design guidance to assist design development, to further agree that this detailed design guidance should be rooted in the transport hierarchy, should be consistent with relevant council strategies such as the City Mobility Plan, should comply with best practice in respect of design for active travel, and should address concerns highlighted during and since the tram project by groups representing people walking, wheeling and cycling, and that draft detailed design guidance should be presented to Transport and Environment Committee prior to procurement of any future tram project.

(References – Act of Council No 22 of 28 September 2023; report by the Chief Executive, submitted.)

Declaration of Interests

Councillor Lang made a financial declaration of interest as an employee of the Law Society of Scotland and left the meeting during consideration of the above item.

8 Monitoring Officer – B Agenda Report

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

Details were provided on the outcome of the review of the Edinburgh Tram Inquiry Report.

Decision

As detailed in the Confidential Schedule, signed by the Lord Provost, with reference to this minute.

(Reference - report by the Deputy Monitoring Officer, submitted)

9 Critical Risk - Update Report

An overview was provided of the City of Edinburgh Council's response to the Workforce and Service Delivery risk, previously assessed and reported to Governance Risk and Best value Committee on 2 May 2023 and 1 August 2023 as critical risks.

Motion

- 1) To note the response to Motion 8.8 raised at the meeting of Full Council on 1 June 2023.
- 2) To note the response to Motion 7.5 at the meeting of Full Council on 31 August 2023.
- 3) Council agrees an annual report to GRBV detailing, as a minimum, the total number of reports, referred reports, motions, amendments, and written questions (if applicable) to each Council Committee including Full Council.

- moved by Councillor Jenkinson, seconded by Councillor Faccenda

Amendment

- 1) To note the response to Motion 8.8 raised at the meeting of Full Council on 1 June 2023.
- 2) To note the response to Motion 7.5 at the meeting of Full Council on 31 August 2023.

- moved by Councillor Nols-McVey, seconded by Councillor Campbell

Voting

The voting was as follows:

For the motion	-	45 votes
For the amendment	-	18 votes

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

For the amendment: Councillors Aston, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, Nicolson, Nols-McVey and Work.)

Decision

To approve the motion by Councillor Jenkinson.

(References - Act of Council No 16 of 1 June 2023; Act of Council No 11 of 31 August 2023; report by the Chief Executive, submitted)

10 Procedural Standing Orders Update

Details were provided of proposed revisions to Standing Orders following discussion with Group Leaders.

Motion

- 1) To approve 4.9.3 in the report by the Executive Director of Corporate Services: Amending Standing Order 25 to introduce a 4pm start time for end of session decisions and allowing one minute for speeches to move and second motions and amendments, with no debate;
This change to apply to Council meetings only.
- 2) To agree any change to Standing Orders would come into effect on 15 December 2023 and to delegate authority to the Executive Director of Corporate Services to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 3) Requests a report in two cycles looking at further options to both make the best use of time at Council Meetings and for business to consider only the most relevant matters for decision, such as the establishment of a business Bureau.

- moved by Councillor Day, seconded by Councillor Meagher

Amendment 1

- 1) To agree to revise standing order 25 in line with paragraph 4.9.3 of the report by the Executive Director of Corporate Services, and for this change to apply only to Council and not committees.
- 2) To agree that the Lord Provost should have the power to disregard the new 4pm deadline if, in their view, it would be possible to complete the remaining business of the meeting by 5pm.

- 3) To agree any change to Standing Orders would come into effect on 15 December 2023 and to delegate authority to the Executive Director of Corporate Services to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.

- moved by Councillor Lang, seconded by Councillor Young

Amendment 2

- 1) Agrees to implement option 4.9.3 in the report by the Executive Director of Corporate Services, "Amending Standing Order 25 to introduce a 4pm start time for end of session decisions and allowing one minute for speeches to move and second motions and amendments, with no debate".
- 2) Agrees that this change should apply only to Council meetings.
- 3) To agree any change to Standing Orders would come into effect on 15 December 2023 and to delegate authority to the Executive Director of Corporate Services to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 4) Agrees that the efficacy of the revised Standing Order will be reviewed in 6-months at a future Group Leaders meeting to evaluate if it has had the desired effect of improving Council business, and to consider if the amended Standing Order should also be included for committee meetings at that point in time.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 3

- 1) To agree the options set out in paragraph 4.9.3 of the report by the Executive Director of Corporate Services.
- 2) To agree that this change to Standing Orders should apply to Council meetings.
- 3) To agree any change to Standing Orders would come into effect on 15 December 2023 and to delegate authority to the Executive Director of Corporate Services to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.

- moved by Councillor Mowat, seconded by Councillor Whyte

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

Decision

To approve the following adjusted Motion by Councillor Day

- 1) To approve 4.9.3 in the report by the Executive Director of Corporate Services: Amending Standing Order 25 to introduce a 4pm start time for end of session decisions and allowing one minute for speeches to move and second motions and amendments, with no debate.
- 2) To agree that this change should apply to Council meetings only.
- 3) To agree that the Lord Provost should have the power to disregard the new 4pm deadline if, in their view, it would be possible to complete the remaining business of the meeting by 5pm.
- 4) To agree any change to Standing Orders would come into effect on 15 December 2023 and to delegate authority to the Executive Director of Corporate Services to take such actions and make such minor adjustments to the documents as may be necessary to implement the decision of the Council.
- 5) To request a report in two cycles looking at further options to both make the best use of time at Council Meetings and for business to consider only the most relevant matters for decision, such as the establishment of a business Bureau.
- 5) To agree that the efficacy of the revised Standing Order would be reviewed in 6-months at a future Group Leaders meeting to evaluate if it had had the desired effect of improving Council business, and to consider if the amended Standing Order should also be included for committee meetings at that point in time.

(References - Act of Council No 6 of 28 September 2023; report by the Executive Director of Corporate Services, submitted)

11 Standards Commission for Scotland – Decision of Hearing Panel – former Councillor McLellan

Details were provided on the outcome of a complaint which had been considered by the Standards Commission for Scotland against former Councillor McLellan, which alleged that he had contravened the Councillors' Code of Conduct, in particular paragraphs 3.2, 3.3 and 3.6.

Decision

To note the decision of the Standards Commission for Scotland regarding former Councillor McLellan.

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

12 Affordable Housing Approvals 2022/23

Details were provided on an analysis of the reasons behind the fall to only 734 homes being approved in 2022/23, alongside actions and mitigations which could be put in place to ensure that number was increased in future years.

Motion

- 1) To note the update by the Executive Director of Place on affordable housing approvals in 2022/23, in response to the action agreed by the Council on 28 September 2023.
- 2) To agree that the Council should continue to work with Scottish Government to secure additional funding in year which could help deliver more affordable homes and to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city.
- 3) Council acknowledges that the formula through which Edinburgh receives funding for affordable housing supply (Transfer of Management Development Fund: TMDF) was calculated in 2003.
- 4) Council Recognises that Edinburgh and Glasgow are unique in this capacity, with the remaining thirty local authorities receiving funding through the Strategic Housing Investment Fund.
- 5) Council recognises that the TMDF funding is weighted in favour of Glasgow (70%/30% split), which received more than double Edinburgh in the last five years.
- 6) Council notes, that in the wake of declaring a Housing Emergency (2nd November 2023), it is appropriate to request that the funding arrangement is reconsidered, noting the changing landscape in both cities, and recognising a parity of need.
- 7) Notes the pipeline of projects delivered in Edinburgh through utilising underspend from other Local Authorities; Requests that this arrangement becomes formalised and can therefore be factored into Officers Budget positions.
- 8) Requests that the Council leader write to COSLA and the Scottish Government in relation to these concerns and requesting that the funding arrangement be reconsidered.

- moved by Councillor Meagher, seconded by Councillor Pogson

Amendment 1

- 1) To note the update by the Executive Director of Place on affordable housing approvals in 2022/23, in response to the action agreed by the Council on 28 September 2023.
- 2) Regrets that the report does not capture the impact of failure of leadership of the Administration and slow acting response which contributed to the 41% drop in affordable home approvals, compared to an 18% drop across Scotland as a whole.
- 3) Notes the Scottish Government relies on Capital funding from the UK Government and therefore agrees the Council Leader will write to the UK Government asking them to increase the capital allowance relevant for housing by at least 56% to reflect the increased inflation-drive cost demand on the affordable home grant needed to build each home.
- 4) Further agree that the Council Leader should continue to work with Scottish Government to secure any additional funding in year which could help deliver more affordable homes.
- 5) Agrees the Council Leader will table at the COSLA Leader's meeting no later than 3 months' time, an amendment to the current funding formula to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city to include the following criteria within the formula:
 - a) Number of households in temporary accommodation;
 - b) Average time each household spends in temporary accommodation before their homelessness is resolved;
 - c) The number of people on housing waiting lists with priority.
- 6) Agrees that officers will provide an update report at the next Housing Homelessness and Fair Work Committee on the deliverability of the target on page 14 of the Edinburgh Council Business Plan 2023-2027 to increase the supply of affordable housing to reach 25,000 affordable homes.

- moved by Councillor Key, seconded by Councillor Hyslop

Amendment 2

- 1) To note the update by the Executive Director of Place on affordable housing approvals in 2022/23, in response to the action agreed by the Council on 28 September 2023.

- 2) To agree that the Council should continue to work with Scottish Government to secure additional funding in year which could help deliver more affordable homes and to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city.
- 3) Notes with concern that the 2022 average grant requirement per home (£89,000) is less than the latest (2023) SHIP (Strategic Housing Investment Plan) figure of £96,000 and does not factor in land value, against a backdrop of a £665m funding shortfall. Edinburgh's grant has remained at £45 million each year and any additional spend is dependent on underspends in other local authority areas.

Therefore, requests

The Housing Directorate take into consideration Edinburgh's average property price in FY2022/23 (RoS) as a material factor during any conversations with the Scottish Government relating to fairer grant distribution, reflecting the City's unique position and its recent Housing Emergency Declaration.

- moved by Councillor Flannery, seconded by Councillor Caldwell

Amendment 3

- 1) To note the update by the Executive Director of Place on affordable housing approvals in 2022/23, in response to the action agreed by the Council on 28 September 2023.
- 2) To agree that the Council should continue to work with Scottish Government to secure additional funding in year which could help deliver more affordable homes and to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city.
- 3) In light of the additional information provided in the report, and recognising the paucity of development grant funding for affordable housing available to the City from the Scottish Government, agrees to adopt the revised target of 800 affordable homes approvals going forward recognising that all targets must be realistic and that this number is already a stretch from the 734 expected to be achieved.

- moved by Councillor Whyte, seconded by Councillor Bruce

In accordance with Standing Order 22(13), Amendment 1 was adjusted and accepted as an addendum to the Motion and Amendment 2 was accepted as an addendum to the Motion.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	53 votes
For Amendment 3	-	9 votes

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

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

Decision

To approve the following adjusted Motion by Councillor Meagher:

- 1) To note the update by the Executive Director of Place on affordable housing approvals in 2022/23, in response to the action agreed by the Council on 28 September 2023.
- 2) To agree that the Council should continue to work with Scottish Government to secure additional funding in year which could help deliver more affordable homes and to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city.
- 3) To acknowledge that the formula through which Edinburgh received funding for affordable housing supply (Transfer of Management Development Fund: TMDF) was calculated in 2003.
- 4) To recognise that Edinburgh and Glasgow were unique in this capacity, with the remaining thirty local authorities receiving funding through the Strategic Housing Investment Fund.
- 5) To recognise that the TMDF funding was weighted in favour of Glasgow (70%/30% split), which received more than double Edinburgh in the last five years.
- 6) To note, that in the wake of declaring a Housing Emergency (2nd November 2023), it was appropriate to request that the funding arrangement be

reconsidered, noting the changing landscape in both cities, and recognising a parity of need.

- 7) To note the pipeline of projects delivered in Edinburgh through utilising underspend from other Local Authorities; to request that this arrangement become formalised and could therefore be factored into Officers Budget positions.
- 8) To request that the Council leader write to COSLA and the Scottish Government in relation to these concerns and requesting that the funding arrangement be reconsidered.
- 9) To note the Scottish Government relied on Capital funding from the UK Government and therefore agree the Council Leader would write to the UK Government asking them to increase the capital allowance relevant for housing by at least 56% to reflect the increased inflation-drive cost demand on the affordable home grant needed to build each home.
- 10) to further agree that the Council Leader should continue to work with Scottish Government to secure any additional funding in year which could help deliver more affordable homes.
- 11) To agree the Council Leader would table at the COSLA Leader's meeting no later than 3 months' time, an amendment to the current funding formula to seek a consistent and increasing grant funding commitment to expand Edinburgh's Affordable Housing programme to meet the housing needs of the city to include the following criteria within the formula:
 - a) Number of households in temporary accommodation;
 - b) Average time each household spends in temporary accommodation before their homelessness was resolved;
 - c) The number of people on housing waiting lists with priority.
- 12) To agree that officers would provide an update report at the next Housing Homelessness and Fair Work Committee on the deliverability of the target on page 14 of the Edinburgh Council Business Plan 2023-2027 to increase the supply of affordable housing to reach 25,000 affordable homes.
- 13) To note with concern that the 2022 average grant requirement per home (£89,000) was less than the latest (2023) SHIP (Strategic Housing Investment Plan) figure of £96,000 and did not factor in land value, against a backdrop of a £665m funding shortfall. Edinburgh's grant had remained at £45 million each year and any additional spend was dependent on underspends in other local authority areas.

To therefore, request:

The Housing Directorate take into consideration Edinburgh's average property price in FY2022/23 (RoS) as a material factor during any conversations with the Scottish Government relating to fairer grant distribution, reflecting the City's unique position and its recent Housing Emergency Declaration.

(Reference - Report by the Executive Director of Place, submitted.)

13 Committee Best Practice Guidance – referral from the Governance, Risk and Best Value Committee

The Governance, Risk and Best Value Committee had referred a report on the Committee Best Practice Guidance to the Council for approval.

Motion

To approve the Committee Best Practice Guidance.

- moved by Councillor Pogson, seconded by Councillor Faccenda

Amendment

- 1) To approve the Committee Best Practice Guidance.
- 2) Welcomes this best practice guidance, and thanks officers for preparing it.
- 3) Requests that this is made publicly available on the council website to aid public understanding of Council business and procedures.
- 4) Agrees that this best practice guidance be reviewed in August 2024 to take cognizance of the elected member equality and access workshops, and annually thereafter.

- moved by Councillor Mumford, seconded by Councillor Parker

In accordance with Standing Order 22(13), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Pogson:

- 1) To approve the Committee Best Practice Guidance.
- 2) To welcome this best practice guidance, and thank officers for preparing it.

- 3) To request that this be made publicly available on the council website to aid public understanding of Council business and procedures.
- 4) To agree that this best practice guidance be reviewed in August 2024 to take cognizance of the elected member equality and access workshops, and annually thereafter.

(References – Governance, Risk and Best Value Committee of 28 November 2023 (item 9); referral from the Governance, Risk and Best Value Committee, submitted.)

14 Revenue Monitoring 2023/24 – Month Five Report - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred a report on the projected Council-wide revenue budget position for the year, based on analysis of the first five months' financial data and forecasts of income and expenditure for the remainder of the year to the Council for approval to use the Council's unallocated reserves, should it be required, to meet Edinburgh's share of costs associated with the revised employer's nonteaching pay offer made on 3 November 2023, with repayment then received from the Scottish Government in 2024/25, and ratification of use of the Council's Spend to Save fund to support the EICA bouldering project.

Decision

- 1) To agree to use the Council's unallocated reserves, should it be required, to meet Edinburgh's share of costs associated with the revised employer's nonteaching pay offer made on 3 November 2023, with repayment then received from the Scottish Government in 2024/25.
- 2) To ratify the use of the Council's Spend to Save fund to support the EICA bouldering project.

(References – Finance and Resources Committee of 21 November 2023 (item 5); referral from the Finance and Resources Committee, submitted.)

15 Treasury Management: Mid-Term Report 2023/24 - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred a report which provided an update on Treasury Management activity undertaken in the first half of 2023/24.

Decision

- 1) To note the mid-year report on Treasury Management for 2023/24.

- 2) To refer the report by the Executive Director of Corporate Services to the Governance Risk and Best Value Committee for scrutiny.

(References – Finance and Resources Committee of 21 November 2023 (item 10); referral from the Finance and Resources Committee, submitted.)

16 Fleet Asset Management Plan 2023-2029 - referral from the Finance and Resources Committee

The Finance and Resources Committee had referred a report on the Fleet Asset Management Plan 2023 -2029, to the Council for approval of £51.6m of prudential borrowing.

Decision

To agree to £51.6m of prudential borrowing in respect of the Fleet Asset Management Plan 2023 -2029.

(References – Finance and Resources Committee of 21 November 2023 (item 14); referral from the Finance and Resources Committee, submitted.)

17 Protecting Edinburgh Police Numbers – Motion by Councillor Lang

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

“Council

- 1) Recognises the vital importance of local policing as part of the council’s strategic objectives of empowering communities and keeping people safe.
- 2) Notes the November 2023 report, submitted by Police Scotland to the Scottish Police Authority Board, setting out the urgent need for additional revenue and capital funding for policing.
- 3) Notes with concern the conclusions of Police Scotland finance officers that, unless budgets are increased, the organisation will be forced to consider cutting police officer numbers by almost 1,500 nationwide, which the organisation has admitted would involve “a reduction in visible policing” as well as “delays in attending calls for service”.
- 4) Notes how any reduction in police numbers would come on top of the 5% fall in police officers numbers in the Lothian and Borders division which has already occurred over the last three years.

- 5) Agrees that the Council Leader should write to the Cabinet Secretary for Justice & Home Affairs to express the council's support for a proper funding settlement for Police Scotland which would prevent further reductions in police numbers and local service levels, emphasising the particular policing needs of Edinburgh as Scotland's capital city."

Motion

To approve the motion by Councillor Lang.

- moved by Councillor Lang, seconded by Councillor Thornley

Amendment 1

To add to the motion by Councillor Lang:

- "6) Council recognises the source of constrained public sector budgets in Scotland is the 13-year austerity programme of the UK Government.
- 7) Council calls for an end to austerity and agrees the Council Leader writes to the Prime Minister, Chancellor and Home Secretary demanding improved funding for policing in England which will deliver Barnett consequential and to increase budgets of the devolved administrations with an above-inflation to begin to reverse austerity."

- moved by Councillor Nicolson, seconded by Councillor Hyslop

Amendment 2

- 1) To delete paragraph 1 of the motion by Councillor Lang and replace with:

"1) Recognises that though some communities are made to feel safer by local policing other residents, such as BAME people, LGBTQ+ people and women, have valid reasons to feel less safe when there is a police presence and that the former chief constable of Police Scotland, Iain Livingstone, has said that "institutional racism, sexism, misogyny and discrimination is a reality for Police Scotland."

- 2) In paragraph 3 of the motion, delete 'with concern'

- 3) To delete paragraph 5 of the motion.

- 4) To add to the motion:

"5) Notes that increasing or maintaining police numbers is not the most effective way to reduce crime; with the link between crime and social deprivation being much stronger than the link between crime and police numbers.

- 6) Notes that in an ongoing financial crisis the Scottish government is facing a number of budgetary pressures.
- 7) Notes that therefore limited funds could be better spent on preventative measures such as reducing deprivation, youth work, addiction services and anti-poverty funding targeted at groups who are disproportionately likely to be in poverty such as BAME people, LGBTQ+ people, disabled people and women.
- 8) Agrees that the Council Leader should write to the Cabinet Secretary for Justice & Home Affairs urging a holistic approach to crime prevention and that the requests of the police for further funding should be weighed against the urgent need to reduce poverty and inequality.

- moved by Councillor Staniforth, seconded by Councillor Miller

Amendment 3

To replace paragraphs 4) and 5) in the motion by Councillor Lang with:

- “4) Notes that ‘E’ Edinburgh Division now has only 1104 local Police officer resources compared to the 1180 available to the Divisional Commander at the formation of Police Scotland in 2013, a drop of 6.4%. Further notes that this compares badly with ‘G’ Glasgow Division which has 2482 local Police officer resources for a similar population and overall level of recorded crimes.
- 5) Notes historic commitments from Police Scotland to rebalance resources over time through future turnover of officers with suggestions to Policy and resources Committee that recruitment would be focussed on Edinburgh and other under resourced parts of Scotland in recognition that our local Police officer numbers are approximately 23 per 10,000 population compared to 37 per 10,000 in Glasgow.
- 6) Agrees that the Council Leader should write to the Cabinet Secretary for Justice & Home Affairs to express the council’s support for a proper funding settlement for Police Scotland which would prevent further reductions in police numbers and local service levels, emphasising the particular policing needs of Edinburgh as Scotland’s capital city.
- 7) Further agrees that the Council Leader should write to the new Chief Constable seeking a policy commitment that local Police officer numbers should be maintained in Edinburgh, regardless of any reductions in the service as a whole, in recognition of the historic low numbers and the increasing population of the City which mean ‘E’ Division has been considerably under resourced compared to other parts of Scotland.”

- moved by Councillor Cowdy, seconded by Councillor Mitchell

In accordance with Standing Order 22(13), Amendment 3 was accepted as an amendment to the Motion.

In accordance with Standing Order 22(13), Amendment 2 was adjusted and accepted as an addendum to Amendment 1 and Amendment 3 was accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	32 votes
For Amendment 1 (as adjusted)	-	18 votes
For Amendment 2 (as adjusted)	-	10 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, 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, Biagi, Campbell, Dixon, Dobbin, Fullerton, Gardiner, Glasgow, Hyslop, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McNeese-Meechan, Nicolson, Nols-McVey and Work.

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

Decision

To approve the following adjusted Motion by Councillor Lang:

- 1) To recognise the vital importance of local policing as part of the council's strategic objectives of empowering communities and keeping people safe.
- 2) To note the November 2023 report, submitted by Police Scotland to the Scottish Police Authority Board, setting out the urgent need for additional revenue and capital funding for policing.
- 3) To note with concern the conclusions of Police Scotland finance officers that, unless budgets were increased, the organisation would be forced to consider cutting police officer numbers by almost 1,500 nationwide, which the organisation had admitted would involve "a reduction in visible policing" as well as "delays in attending calls for service".
- 4) To note that 'E' Edinburgh Division now had only 1104 local Police officer resources compared to the 1180 available to the Divisional Commander at the

formation of Police Scotland in 2013, a drop of 6.4%. To further note that this compared badly with 'G' Glasgow Division which had 2482 local Police officer resources for a similar population and overall level of recorded crimes.

- 5) To note historic commitments from Police Scotland to rebalance resources over time through future turnover of officers with suggestions to Policy and resources Committee that recruitment would be focussed on Edinburgh and other under resourced parts of Scotland in recognition that our local Police officer numbers were approximately 23 per 10,000 population compared to 37 per 10,000 in Glasgow.
- 6) To agree that the Council Leader should write to the Cabinet Secretary for Justice & Home Affairs to express the Council's support for a proper funding settlement for Police Scotland which would prevent further reductions in police numbers and local service levels, emphasising the particular policing needs of Edinburgh as Scotland's capital city.
- 7) To further agree that the Council Leader should write to the new Chief Constable seeking a policy commitment that local Police officer numbers should be maintained in Edinburgh, regardless of any reductions in the service as a whole, in recognition of the historic low numbers and the increasing population of the City which meant 'E' Division had been considerably under resourced compared to other parts of Scotland.

Declaration of Interests

Councillor Bruce made a financial declaration of interest as an employee of Police Scotland and left the meeting during consideration of the above item.

18 Israel and Palestine Conflict - Humanitarian Crisis in Gaza– Motion by Councillor Nols-McVey

The following motion by Councillor Nols-McVey was submitted in terms of Standing Order 17:

“Council notes and supports the Scottish Parliament motion passed on November 21st on The Situation in the Middle East.

Council further notes temporary “truces” have taken place.

Council notes the humanitarian crisis in Gaza with hundreds of thousands of people displaced, and hundreds of thousands more civilians trapped in the war zone, prevented from leaving causes further deaths of thousands of children, women and men in the conflict. Council calls on aid channels to be fully opened to Gaza and all civilians trying to leave to be allowed to do so respecting their right to do so under

Article 13.2 of the Universal Declaration of Human Rights- of which the United Kingdom and Israel are both signatories.

Council joins the calls for the unconditional release of all hostages and adds Edinburgh's voice as the Capital City of Scotland for an immediate ceasefire to begin building a lasting peaceful settlement for Israeli and Palestinian peoples.

Council reiterates its solidarity with Edinburgh's Jewish, Muslim and Palestinian communities and condemns antisemitism, Islamophobia or any other form of hatred or targeting of any our residents.

Council agrees the Lord Provost writes to the Prime Minister to state Edinburgh's position and ask the UK Government to adopt this as its diplomatic policy position."

Motion

To approve the motion by Councillor Nols-McVey.

- moved by Councillor Nols-McVey, seconded by Councillor Dobbin

Amendment 1

To delete paragraph 4 of the motion by Councillor Nols-McVey, and insert:

"4) Council adds its voice in support of an immediate bilateral ceasefire to a) allow for the delivery of aid into Gaza, b) facilitate the unconditional release of all hostages, and c) support diplomatic efforts towards delivering a lasting and peaceful two-state solution and which involves Hamas removed from being in charge of Gaza."

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

Amendment 2

Delete all of the motion by Councillor Nols-McVey and replace with:

"Council notes that the Israel and Palestine Conflict was debated in the Scottish Parliament on 21st November; that a series of temporary truces have taken place and confirms:

"That the Council unequivocally condemns in the strongest possible terms Hamas's barbaric and unjustifiable terrorist attacks against Israeli citizens on 7 October 2023, and demands the immediate and unconditional release of all hostages; agrees that all human life is equal, abhors the loss of innocent lives, and affirms the right of all Israelis and Palestinians to live in peace and security; "believes in Israel's right to defend itself against terror; supports calls for humanitarian pauses to deliver aid to Gaza safely and in a sustained way; welcomes the UK Government's increased aid contribution of £30 million to Gaza as well as the Scottish Government's aid contribution of £750,000; reiterates its solidarity with Scotland's Jewish, Muslim,

Israeli and Palestinian communities and condemns antisemitism, Islamophobia or any other form of hatred, and reaffirms that a credible, lasting and sustainable peace can only be based on the two-state solution through reinvigorated diplomatic and political efforts in the Middle East Peace Process.”

- moved by Councillor Mowat, seconded by Councillor Munro

Voting

The voting was as follows:

For the Motion	-	39 votes
For Amendment 1	-	13 votes
For Amendment 2	-	9 votes

(For the Motion: Councillors Arthur, Aston, Bandel, Biagi, Booth, Burgess, Lezley Marion Cameron, Campbell, Dalgleish, Day, Dixon, Dobbin, Faccenda, Fullerton, Gardiner, Glasgow, Graham, Heap, Hyslop, Jenkinson, Key, Kumar, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, Parker, Pogson, Rae, Staniforth, Walker, Watt and Work.

For Amendment 1: Lord Provost, Councillors Beal, Bennett, Caldwell, Davidson, Dijkstra-Downie, Flannery, Lang, Osler, Ross, Thornley, Young and Younie.

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

Decision

To approve the motion by Councillor Nols-McVey.

19 Short Term Lets – Motions by Councillors Lang, Dalgleish and Booth

The following motions by Councillors Lang, Dalgleish and Booth were submitted in terms of Standing Order 17:

a) Motion by Councillor Lang

“Council

- 1) Notes the decision of the Planning Committee on 23 February 2022 to designate the whole of the City of Edinburgh as a short term let (STL) control area, and the decision of 19 April 2023 to amend non-statutory guidance on STLs.

- 2) Notes that both committee decisions were unanimous, reflecting the strong cross-party consensus on the need to control the numbers of short term lets (STLs) in Edinburgh.
- 3) Notes the Opinion issued by Lord Braid on 1 December 2023 with respect to the regulation of STLs and his finding; that the Scottish Parliament did not intend that Section 26B of the Town and Country Planning Act 1997 should have retrospective effect by requiring planning permission to be applied for where a secondary STL was in operation prior to the coming into force of the Short Term Lets Control Area.
- 4) Recognises how this judgment has significant implications for the ability of the Council to deliver on its long-standing commitment to control STLs numbers.
- 5) Therefore, agrees that the Leader of the Council should urgently write to the Minister for Local Government Empowerment and Planning to:
 - a) seek clarity of the position of the Scottish Government on the principle of retrospectively requiring planning permission for STLs within a control area and,
 - b) call for an emergency Bill to be introduced to the Scottish Parliament to address the legislative deficiencies in Section 26B, so Edinburgh Council can continue with its originally intended approach, as agreed cross-party.”

(moved by Councillor Osler, seconded by Councillor Beal)

b) Motion by Councillor Dalgleish

“Council:

Notes the outcome of the STL (Planning) Judicial Review received on Friday 1 December 2023 and that the Council’s Planning service will consider implications of the ruling in detail, including considering an appeal.

Notes the motion passed at Planning Committee in November requesting a full update on STL Planning Policy implementation and the interrelationship between Planning and Licensing departments and that Regulatory committee will review Licensing Short Term Let policies within a year of implementation.

Requests:

That a report come to Planning Committee in one cycle detailing the Judicial Review and what outcomes this will have on Short Term Let Planning Policy

and the assessment of Short Term Let Planning applications, and what implication this may have for the Council's Short Term Let Licensing Scheme. This report should also be sent to the Regulatory Committee and the Short Term Lets Working Group for information."

(moved by Councillor Lezley Marion Cameron, seconded by Councillor Walker)

c) Motion by Councillor Booth

"Council:

- 1) Notes the judgement delivered on 1 December 2023 in the judicial review against the council's planning "guidance for businesses" in relation to short-term lets (STLs);
- 2) Notes that the judgement could have significant implications for the council's approach to effective regulation of STLs;
- 3) Notes the decision of Regulatory Committee on 2 October 2023 in relation to STL enforcement, and notes the decision of Planning Committee on 15 November 2023 to request a report within 2 cycles updating on STLs in relation to enforcement, the relationship between licensing and planning regimes and practice, and other matters;
- 4) Notes that sections 7(3) to 7(7) of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 allows the council to suspend consideration of an STL licence application where it would constitute a breach of planning control, while schedule 2, part 2, paragraph 8 of the same order gives powers of preliminary refusal for a breach of planning control;
- 5) Notes that the judgement reduces the whole of the amendment to the 'Guidance for Businesses' agreed by Planning Committee on 19 April 2023, including several changes which were outside the specific scope of the judicial review, and therefore agrees to receive a report to the next meeting of Planning Committee with suggested amendments to this guidance which comply with the judgement;
- 6) Requests that officers prepare a confidential briefing for licensing and planning leads and group leaders as soon as practical on the implications of the judicial review judgement; on grounds for appealing the judgement (if any) and on the immediate steps needed to respond to the judgement;
- 7) Agrees to reconvene the STL working group as soon as possible to consider the next steps for effective regulation of the STL sector in

Edinburgh following the judgement, and on the practical implications of powers under the 2022 order in respect of potential breaches of planning control;

- 8) Agrees to receive reports to the next meetings of the Planning Committee and Regulatory Committee covering the implications of the judicial review judgement for planning and licensing respectively.”

(moved by Councillor Booth, seconded by Councillor Rae)

Composite Motion

“Council:

- 1) Notes the decision of the Planning Committee on 23 February 2022 to designate the whole of the City of Edinburgh as a short term let (STL) control area, and the decision of 19 April 2023 to amend non-statutory guidance on STLs.
- 2) Notes that both committee decisions were unanimous, reflecting the strong cross-party consensus on the need to control the numbers of STLs in Edinburgh.
- 3) Notes the STL (Planning) Judicial Review issued by Lord Braid on Friday 1 December 2023, further notes the briefing note circulated to members on 6 December, and that the Council’s Planning service will consider the implications of the ruling in detail, including considering an appeal.
- 4) Notes Lord Braid’s finding that the Scottish Parliament did not intend that Section 26B of the Town and Country Planning Act 1997 should have retrospective effect by automatically requiring planning permission to be applied for where a secondary STL was in operation prior to the coming into force of the Short Term Lets Control Area; and that the judgement reduces the whole of the amendment to the ‘Guidance for Businesses’ agreed by Planning Committee on 19 April 2023, including several changes which were outside the specific scope of the judicial review.
- 5) Notes that the judgement could have significant implications for the council’s approach to effective regulation of STLs.

Council therefore:

- 6) Agrees to reconvene the STL working group as soon as possible to consider the next steps for effective regulation of the STL sector in Edinburgh following the judgement, and on the practical implications of licensing powers in respect of potential breaches of planning control.

- 7) Requests that a report come to Planning Committee in one cycle (excluding any special Planning Committees) detailing the implications of the Judicial Review and what outcomes this will have on Short Term Let Planning Policy and the assessment of Short Term Let Planning applications, what implication this may have for the Council's Short Term Let Licensing Scheme, and potential amendments to the 'Guidance for Businesses' which comply with the judgement. This report should also be sent to the Regulatory Committee and the Short Term Lets Working Group for information.
- 8) Agrees that the Leader of the Council should urgently write to the Minister for Local Government Empowerment and Planning to:
 - a) seek clarity of the position of the Scottish Government on the principle of retrospectively requiring planning permission for STLs within a control area and,
 - b) call for an emergency Bill to be introduced to the Scottish Parliament to address the legislative deficiencies in Section 26B, and failing that to consider what changes to primary or secondary legislation or other options might be required so Edinburgh Council can continue with its originally intended approach, as agreed cross-party.

Motion

To approve the Composite motion.

- moved by Councillor Dalglish, seconded by Councillor Lang

Amendment

To adjust the Composite motion as moved by Councillor Dalglish with the removal of paragraph 8(b).

- moved by Councillor Mowat, seconded by Councillor Rust

(At this point in the proceedings, the motions as originally submitted by Councillors Lang, Dalglish and Booth, were withdrawn.)

Voting

The voting was as follows:

For the Composite 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, Dalglish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton,

Gardiner, Glasgow, Graham, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.

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

Decision

To approve the Composite motion as moved by Councillor Dalglish.

Declaration of Interests

Councillor Whyte made a financial declaration of interest as his partner had applied for a home sharing licence under the STL Licensing Scheme and left the meeting during consideration of the above item.

20 Unclaimed Social Security Entitlements – Motion by Councillor Heap

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

“Council notes:

- 1) The significant underclaiming of social security (local, Scottish and UK) entitlements in the city.
- 2) This was estimated around £70m in 2019, based on UK figures from 2017/18, but that this exercise has not been repeated since.
- 3) That increasing social security take-up is vital to its aim to end poverty by 2030.
- 4) The work done by officers and partners in helping people to apply for their entitlements.
- 5) That it is challenging to improve social security take-up without having estimates of the level of underclaiming in the city.

Council therefore requests:

- 6) From 2024/5 onwards, a report is made yearly, at an appropriate time each year, to Policy and Sustainability Committee, covering:
 - a) A summary of the Council’s work to help people claim their unclaimed social security entitlements.

- b) Subject to the availability of the necessary data, an estimate of the level of unclaimed social security payments in the city.
- c) Recommendations for further action, with an indication of the necessary resources, where appropriate”

Motion

To approve the motion by Councillor Heap.

- moved by Councillor Heap, seconded by Councillor Mumford

Amendment

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

“Notes the End Poverty in Edinburgh Annual Progress Report that was agreed at the Policy and Sustainability Committee meeting on the 24th of October and that the actions above should form part of these annual reports.”

- moved by Councillor Day, seconded by Councillor Pogson

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 note the significant underclaiming of social security (local, Scottish and UK) entitlements in the city.
- 2) To note that this was estimated around £70m in 2019, based on UK figures from 2017/18, but that this exercise had not been repeated since.
- 3) To note that increasing social security take-up was vital to its aim to end poverty by 2030.
- 4) To note the work done by officers and partners in helping people to apply for their entitlements.
- 5) To note that it was challenging to improve social security take-up without having estimates of the level of underclaiming in the city.
- 6) To request that from 2024/5 onwards, a report be made yearly, at an appropriate time each year, to Policy and Sustainability Committee, covering:
 - a) A summary of the Council’s work to help people claim their unclaimed social security entitlements.

- b) Subject to the availability of the necessary data, an estimate of the level of unclaimed social security payments in the city.
 - c) Recommendations for further action, with an indication of the necessary resources, where appropriate.
- 7) To note the End Poverty in Edinburgh Annual Progress Report that was agreed at the Policy and Sustainability Committee meeting on the 24th of October and that the actions above should form part of these annual reports.

21 **Edinburgh Council's Links with Apartheid – Motion by Councillor Mumford**

The following motion by Councillor Mumford was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22(6):

“Council:

- 1) Reaffirms its commitment to be a voice for global justice, as illustrated by our support for Ukraine in the face of Russia’s illegal invasion, and our historic solidarity with the fight against South African apartheid;
- 2) Notes that Amnesty International, Human Rights Watch and the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967 have all recognised the actions of the Israeli Government towards Palestinian people as apartheid;
- 3) Further notes that the Israeli Government have openly spoken of undertaking activities including cutting off power and food supplies to civilians which are violations of international humanitarian law;
- 4) Recognises that the City of Edinburgh Council has power and responsibility as a voice representing Scotland’s capital city, as Edinburgh’s largest employer, and as a purchaser and commissioner of goods and services;
- 5) Notes the Legal Opinion provided to Amnesty International in 2020 on the *‘Matter Of Excluding Tenderers, For Public Contract, That Conduct Business With Israeli Settlements In The Occupied Palestinian Territories’* and how this is relevant to our own decisions around procurement and purchasing;

Therefore Council:

- 6) Requests officers prepare a report within 2 cycles setting out any current financial links between CEC and companies operating in the Occupied Palestinian Territories, including but not limited to:
 - IT services

- Arms manufacture and distribution
- Security services
- Pensions and investments

including any contract end dates where relevant, and legal opinion about the ability of the Council to set a roadmap to extricate itself from these relationship in line with relevant legal guidance;

- 7) Supports a ban on all Israeli Government-supported arts and cultural events and performances in Edinburgh Council-owned venues and encourage other venues in the City to do the same, as we did with respect to Russian Government supported arts events and performances in 2022, and requests officers prepare a report exploring the legality of the Council enacting this within one cycle.“

Motion

To approve the motion by Councillor Mumford.

- moved by Councillor Mumford, seconded by Councillor Rae

Amendment 1

- 1) In bullet point 6 in the motion by Councillor Mumford:

Replaces the words “companies operating in the Occupied Palestinian Territories” with “companies operating illegally in settlements in the Occupied Palestinian Territories”.

- 2) In bullet point 7 of the motion:

Replaces the words “Government supported” with “Government sponsored” and deletes all words after “to do the same”.

- moved by Councillor Campbell, seconded by Councillor Key

Amendment 2

- 1) To delete paragraphs 2, 3 and 5 of the motion by Councillor Mumford.

- 2) In original paragraph 4 of the motion, insert at the end:

“and therefore acknowledges the important and practical role it can play by having robust policies and procedures in place which avoid the Council having financial links with organisations which promote discrimination or intolerance.”

- 3) To replace the original paragraphs 6 and 7 of the motion with:
- “6) Notes that the Council has a sustainable procurement strategy which was most recently revised by the Finance & Resources Committee in September 2023, that this policy runs until March 2025, and that a full review with external consultation will be required during 2024 before a new strategy is agreed.
 - 7) Agrees that officers should, when undertaking this review, consider broadening the terms of the policy relating to ethical procurement to ensure, in as far as possible, that the Council has no financial links with those who are known to promote discrimination.”
- 4) To renumber all paragraphs accordingly.

- moved by Councillor Lang, seconded by Councillor Ross

Amendment 3

To take no action on the matter.

- moved by Councillor Cowdy, seconded by Councillor Rust

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to the Motion.

In accordance with Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 3 for no action.

Voting

First Vote

The voting was as follows:

For Amendment 3	-	9 votes
Against Amendment 3	-	50 votes

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

Against the Amendment 3; Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Bennett, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalglish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Flannery, Gardiner, Glasgow, Graham, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.)

As the vote for no action was lost, a second vote was then taken between the Motion by Councillor Mumford (as adjusted) and Amendment 2 by Councillor Lang.

Second Vote

The voting was as follows:

Voting

For the Motion (as adjusted)	-	27 votes
For Amendment 2	-	32 votes

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

For Amendment 1: Lord Provost, Councillors Arthur, Beal, Bennett, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Duggart, Flannery, Graham, Jenkinson, Jones, Lang, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.)

Decision

To approve Amendment 2 by Councillor Lang as follows:

- 1) To reaffirm the commitment to be a voice for global justice, as illustrated by our support for Ukraine in the face of Russia's illegal invasion, and our historic solidarity with the fight against South African apartheid.
- 2) To recognise that the City of Edinburgh Council had power and responsibility as a voice representing Scotland's capital city, as Edinburgh's largest employer, and as a purchaser and commissioner of goods and services and therefore acknowledge the important and practical role it could play by having robust policies and procedures in place which avoided the Council having financial links with organisations which promoted discrimination or intolerance.
- 3) To note that the Council had a sustainable procurement strategy which was most recently revised by the Finance and Resources Committee in September 2023, that this policy would run until March 2025, and that a full review with external consultation would be required during 2024 before a new strategy was agreed.
- 4) To agree that officers should, when undertaking this review, consider broadening the terms of the policy relating to ethical procurement to ensure, in

as far as possible, that the Council had no financial links with those who were known to promote discrimination.

22 Transient Visitor Levy and the Housing Emergency – Motion by Councillor Parker

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

“Council:

- 1) Welcomes visitors to Edinburgh and recognises a wide range of benefits to the city from business and leisure tourism.
- 2) Believes that, in any economy, a functional housing system is critical as this is a basic need and right of the workforce on whom the economy is built.
- 3) Notes that the Council declared a Housing Emergency on 2nd November 2023 in recognition of the fact that the current housing system in Edinburgh is not meeting the needs of the city, and notes that papers considered at the Housing, Homelessness and Fair Work Committee on 5th December show that there is a significant funding gap to deliver the homes needed to tackle the emergency.
- 4) Regrets the severe limitations on Local Authorities to raise revenue, but notes the opportunity presented in the forthcoming Visitor Levy (Scotland) Bill to do this
- 5) Therefore, in recognition of the clear dependency relationship between the visitor economy and the need to provide homes for workers, requests that the Council Leader writes to the relevant minister in the Scottish Government to ask that consideration be given to amending the Visitor Levy (Scotland) Bill to clearly set out the ability for Local Authorities to apportion funds to social housing, should Councils desire. This letter should be copied to members of the Joint Working Group on Sources of Local Government Funding and Council Tax Reform.
- 6) Further requests that the Chief Executive and Council Leader use their roles representing the Council on COSLA to continue to make the case for local authorities to have maximum flexibility in spending the TVL, including changing legislation to explicitly allow for housing spend to be included.
- 7) Finally, requests that updates on these actions are included in the Business Bulletin at future Policy and Sustainability meetings.”

The Council had heard a deputation from Living Rent on this issue (see item 1(a) above).

Motion

To approve the motion by Councillor Parker.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 1

- 1) In paragraph 5 of the motion by Councillor Parker, delete after “Local Authorities” and replace with:

“to have as much flexibility as possible in spending any money raised from a Transient Visitor Levy, to areas including social housing, should Councils desire. This letter should be copied to members of the Joint Working Group on Sources of Local Government Funding and Council Tax Reform.”

- 2) In paragraph 6 of the motion, delete from “explicitly” onwards and replace with:

“ensure spending discretion to Local Authorities.”

- moved by Councillor Day, seconded by Councillor Watt

Amendment 2

- 1) In paragraph 5 of the motion by Councillor Parker, after “Local Authorities”, insert:

“to spend money raised from a visitor levy in any way it deems appropriate, including the ability...”

- 2) In paragraph 6 of the motion, delete “explicitly for”, and insert;

“give complete spending discretion to local authorities and which would”.

- moved by Councillor Lang, seconded by Councillor Dijkstra Downie

Amendment 3

To take no action on the matter

- moved by Councillor Bruce, seconded by Councillor Jones

In accordance with Standing Order 22(13), Amendments 1 and 2 were adjusted and accepted as amendments to the Motion.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	50 votes
For Amendment 3	-	9 votes

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

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

Decision

To approve the following adjusted motion by Councillor Parker:

- 1) To welcome visitors to Edinburgh and recognise a wide range of benefits to the city from business and leisure tourism.
- 2) To believe that, in any economy, a functional housing system is critical as this was a basic need and right of the workforce on whom the economy was built.
- 3) To note that the Council declared a Housing Emergency on 2nd November 2023 in recognition of the fact that the current housing system in Edinburgh was not meeting the needs of the city, and note that papers considered at the Housing, Homelessness and Fair Work Committee on 5th December showed that there was a significant funding gap to deliver the homes needed to tackle the emergency.
- 4) To regret the severe limitations on Local Authorities to raise revenue, but note the opportunity presented in the forthcoming Visitor Levy (Scotland) Bill to do this.
- 5) To therefore, in recognition of the clear dependency relationship between the visitor economy and the need to provide homes for workers, request that the Council Leader write to the relevant minister in the Scottish Government to ask that consideration be given to amending the Visitor Levy (Scotland) Bill to clearly set out the ability for Local Authorities to have as much flexibility as possible in spending any money raised from a Transient Visitor Levy, to areas including social housing, should Councils desire. This letter should be copied

to members of the Joint Working Group on Sources of Local Government Funding and Council Tax Reform.

- 6) To further request that the Chief Executive and Council Leader use their roles representing the Council on COSLA to continue to make the case for local authorities to have maximum flexibility in spending the TVL, including changing legislation to give complete spending discretion to local authorities and which would allow for housing spend to be included.
- 7) Finally, to request that updates on these actions be included in the Business Bulletin at future Policy and Sustainability meetings.

23 Freeport Outline Business Case Scrutiny – Motion by Councillor Mumford

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

“Council:

- 1) Notes that the Outline Business Case for the Forth ‘Green’ Freeport was not made available for scrutiny by members in any Council Committee, as a result of the 17th November submission deadline which was deemed inadvisable to miss;
- 2) Further notes that, in fact, due to technical issues Edinburgh CEC was subsequently offered a seven-day extension to the submission of the OBC, meaning that there could have been an opportunity for it to be scrutinised by the Finance and Resources Committee;
- 3) Regrets that there was no opportunity for Councillors to scrutinise the Outline Business Case in a Council Committee with public webcasting;
- 4) Therefore requests a note be circulated to all Councillors setting out all future dates relating to submission of reports or key milestones for the Freeport, and which Committee Meeting will be given the opportunity to scrutinise them.”

- moved by Councillor Mumford, seconded by Councillor Parker

Decision

To approve the motion by Councillor Mumford.

24 Melville Monument Reparative Plaque – Motion by Councillor Miller

The following motion by Councillor Miller was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22(6):

“Council:

- 1) Reiterates its belief that reparative action which contributes to our ongoing decolonisation work are important ways in which we create a safe, welcoming and inclusive city.
- 2) Repeats its thanks to Edinburgh World Heritage, Prof Geoffrey Palmer and the University of Edinburgh for their joint work on the wording for the new Melville Monument plaque which was agreed in 2020.
- 3) Expresses dismay at the theft of the plaque and thanks council officers and Essential Edinburgh for investigating, and shock that the perpetrator has openly admitted to the crime but does not yet seem to be facing arrest or charge.
- 4) Calls for an update on the prosecution process to be provided to elected members in December and included in the following Policy & Sustainability Committee Business Bulletin.
- 5) Additionally calls for a replacement plaque to be installed within 2 months, so that the original decision of Council will continue to be honoured, and for officers to seek recovery of the original plaque.”

Motion

To approve the motion by Councillor Miller.

- moved by Councillor Miller, seconded by Councillor Mumford

Amendment

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

- 1) Notes that Police Scotland made a public statement on the removal of the plaque from the Melville Monument giving an initial assessment that no criminality had occurred.
- 2) Notes that Group Leaders have been provided with a confidential and legally privileged briefing on the issue.

- 3) Notes that the wording of the plaque is controversial with both historical and political debate with concerns over its accuracy amongst prominent historians. Further note that this has been amplified by the work of Professor Angela McCarthy, Professor of Scottish and Irish History and Director of the Centre for Global Migrations at the University of Otago, Dunedin, New Zealand in her article HENRY DUNDAS AND ABOLITION OF THE BRITISH SLAVE TRADE: FURTHER EVIDENCE published in Scottish Affairs 32.3 (2023): 334–346 which was based on newly unearthed archival evidence.
<https://acrobat.adobe.com/id/urn:aaid:sc:US:e21e25ec-9a55-4d98-abd5-f53c65289f84>
- 4) Agrees to open a dialogue with the Dundas family and the Melville Monument Committee to progress an open and honest debate involving proper historical analysis in order to resolve any further dispute over how the monument should be depicted and described.

- moved by Councillor Whyte, seconded by Councillor Mowat

Voting

The voting was as follows:

For the motion	-	52 votes
For the amendment	-	9 votes

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

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

Decision

To approve the motion by Councillor Miller.

25 Carer Grants– Motion by Councillor Nicolson

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

“Council:

- 1) Understands that Carers Organisations were compelled to write a letter of concern to the Chair of EIJB and board members because Carers Act funds have not been ringfenced by the Health and Social Care Partnership as they have been in previous years.
- 2) Notes that there is a proposal to use underspend from the Carers Act funds this year to meet wider budget overspends in the Health and Social Care Partnership.
- 3) Further notes that there has been a delay to rolling out Adult Carer Support Plans and therefore issuing the accompanying Carer Payments to the city’s unpaid carers.
- 4) Understands that Scottish Government’s Winter Preparedness Plan makes clear unpaid carers have a critical role as part of a ‘whole system’ approach and that, despite being equal partners in care, City of Edinburgh Council has not currently allocated funding to carers to support them over the winter.
- 5) Acknowledges that Edinburgh Carer Survey returns show that many carers are near burn out, emotionally, physically and financially. Carers will face even more pressure over the winter months with 82% say their mental health is impacted, nearly 20% need to borrow money due to their caring role, 32% use their own money to pay for care and 65% have given up work or reduced hours.
- 6) Understands that Edinburgh carer organisations Fair Advice, EDG, The Action Group and VOCAL have drafted a proposal to distribute £365,000 of Carers Act underspend directly to carers and young carers in the city, this would utilise a number of delivery partners and community groups, and could ensure 1,400+ carers and young carers benefit from much needed financial support, and are provided with the resources to enable them to continue caring.”
- 7) Therefore, requests a report to the appropriate committee in two cycles that will:
 - a) Assess the feasibility of the aforementioned proposal and how the council could implement it.

- b) Breakdown how much funding is paid to Edinburgh’s Health and Social Care Partnership from the Scottish Government in Carers Act funds and how much, if any, have been distributed to unpaid carers in the last financial year.
- c) Explore the option of committing to ringfencing the funds now and for future years as has happened in the past.
- d) Set out the purpose of the Carers’ Act and the attached funding, the outcomes, the intended recipients and whether there is any guidance on funding being used for recurring budgets while noting that the funding is not ringfenced.
- e) Detail the decision-making process that led to these funds being allocated away from unpaid carers towards the EIJB overspend.”

Motion

To approve the motion by Councillor Nicolson.

- moved by Councillor Nicolson, seconded by Councillor Macinnes

Amendment 1

- 1) To insert after paragraph 6 in the motion by Councillor Nicolson:

“Recognises that Ending Poverty by 2030 is one of the three main pillars of the council’s business plan. The recent State of Caring Report by Carers UK showed that over a quarter of all carers are struggling to make ends meet and one in six are accessing foodbanks.”

- 2) To add to the motion:

“7 f) furthermore explores potential avenues for the council to undertake measures tackling carer poverty in the long term”

- 3) To renumber accordingly.

- moved by Councillor Davidson, seconded by Councillor Bennett

Amendment 2

- 1) To amend point seven of the motion by Councillor Nicolson to read:

“7) Notes that on Tuesday, 12th December 2023, the Chief Officer committed to bringing a report to the EIJB regarding carers, funding for carers, how funding has been spent, and what has been the activity in relation to carers and their reviews.”

- 2) To insert as new points to the motion:
- “8) Acknowledges the difficult decisions already taken by the members of the EIJB through this financial year in relation to the budget and financial strategy.
 - 9) Notes that the Chief Officer and a Service Director met with VOCAL last week, which included committing to looking at the role of the carer strategic group, its Terms of Reference, how to develop the ability to escalate arising matters, and that a summary of the meeting will be circulated to those in attendance.
 - 10) Therefore, agrees that the Chief Officer will also produce a briefing for all councillors in tandem with the above EIJB report on carers, their funding, and reviews.
 - 11) Further agrees that the discussion summary and list of actions at the VOCAL meeting will be circulated amongst councillors appointed to the EIJB for information.”

- moved by Councillor Mitchell, seconded by Councillor Rust

In accordance with Standing Order 22(13), Amendment 1 was accepted as an addendum to the Motion and Amendment 2 was adjusted and accepted as an addendum to the Motion.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	51 votes
For Amendment 2	-	9 votes

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

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

Decision

To approve the following adjusted motion by Councillor Nicolson:

- 1) To understand that Carers Organisations were compelled to write a letter of concern to the Chair of EIJB and board members because Carers Act funds had not been ringfenced by the Health and Social Care Partnership as they had been in previous years.
- 2) To note that there was a proposal to use underspend from the Carers Act funds this year to meet wider budget overspends in the Health and Social Care Partnership.
- 3) To further note that there had been a delay to rolling out Adult Carer Support Plans and therefore issuing the accompanying Carer Payments to the city's unpaid carers.
- 4) To understand that Scottish Government's Winter Preparedness Plan made clear unpaid carers had a critical role as part of a 'whole system' approach and that, despite being equal partners in care, City of Edinburgh Council had not currently allocated funding to carers to support them over the winter.
- 5) To acknowledge that Edinburgh Carer Survey returns showed that many carers were near burn out, emotionally, physically and financially. Carers would face even more pressure over the winter months with 82% say their mental health was impacted, nearly 20% needed to borrow money due to their caring role, 32% used their own money to pay for care and 65% had given up work or reduced hours.
- 6) To understand that Edinburgh carer organisations Fair Advice, EDG, The Action Group and VOCAL had drafted a proposal to distribute £365,000 of Carers Act underspend directly to carers and young carers in the city, this would utilise a number of delivery partners and community groups, and could ensure 1,400+ carers and young carers benefitted from much needed financial support, and were provided with the resources to enable them to continue caring.
- 7) To recognise that Ending Poverty by 2030 was one of the three main pillars of the council's business plan. The recent State of Caring Report by Carers UK showed that over a quarter of all carers were struggling to make ends meet and one in six were accessing foodbanks
- 8) To therefore, request a report to the appropriate committee in two cycles that would:
 - a) Assess the feasibility of the aforementioned proposal and how the council could implement it.

- b) Breakdown how much funding was paid to Edinburgh's Health and Social Care Partnership from the Scottish Government in Carers Act funds and how much, if any, had been distributed to unpaid carers in the last financial year.
 - c) Explore the option of committing to ringfencing the funds now and for future years as had happened in the past.
 - d) Set out the purpose of the Carers' Act and the attached funding, the outcomes, the intended recipients and whether there was any guidance on funding being used for recurring budgets while noting that the funding was not ringfenced.
 - e) Detail the decision-making process that led to these funds being allocated away from unpaid carers towards the EIJB overspend.
 - f) Furthermore explore potential avenues for the council to undertake measures tackling carer poverty in the long term.
- 9) To further agree that the discussion summary and list of actions at the VOCAL meeting would be circulated amongst councillors appointed to the EIJB for information.

26 Budget Consultation – Motion by Councillor Macinnes

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

- "1) Council notes the Lessons Learned report (budget setting process) presented to the Finance and Resources Committee in June 2023 there was a commitment to improve the budget building process with a number of measures proposed, including a clear commitment to starting the process earlier.
- 2) Council regrets that again this year there will be no consultation with the public or trade unions as highlighted in the June report.
- 3) Further notes group finance spokespeople have not received specific budget proposals from directorates, as in previous years and as set out in the June report.
- 4) Council agrees points 2 and 3 means the public will again be excluded from the budget setting process and groups preparing budget proposals for early February will also be made more challenging.
- 5) Council agrees to launch a 4 week budget consultation as soon as practicable prior to the Council's budget setting meeting to seek residents' views on a

council tax freeze, and options of council tax increases, and any other financial decisions contained in the budget that officers include to achieve input from the public on how their money is spent.”

Motion

To approve the motion by Councillor Macinnes.

- moved by Councillor Macinnes, seconded by Councillor Aston

Amendment 1

1) To add at end of paragraph 2 of the motion by Councillor Macinnes:

“due to the uncertainty caused by the SNP Scottish Government launching (in July 2023) then abandoning its consultation on Council Tax bands (in October 2023) and announcing a ‘funded’ council tax freeze without consulting its partners in government or COSLA. Two months on, the SNP have failed to inform COSLA about the level at which the freeze will be funded.”

2) To add at end of paragraph 3 of the motion:

“because the budget process has been thrown into disarray by the SNP group within the Scottish Government failing to provide the needed information about their ‘funded’ council tax freeze proposal.”

3) To delete paragraph 5 of the motion and replace with:

“5) Council agrees to note COSLA’s request for 10% minimum compensation for the proposed council tax freeze, and further notes that this would cover Edinburgh’s forecast deficit of £11.9m reported to November’s Finance and Resources Committee.”

- moved by Councillor Watt, seconded by Councillor Dalglish

Amendment 2

To add to the motion by Councillor Macinnes:

“Agrees that this consultation should include information about the council tax freeze and its impact on Edinburgh’s finances, and fees & charges, as well as asking the public what spending areas they think the council should prioritise;

Finally, agrees that the proposed consultation should be brought to the January Policy & Sustainability for agreement, along with a plan for budget engagement with Trade Unions other key stakeholder groups.”

- moved by Councillor Mumford, seconded by Councillor Staniforth

Amendment 3

To take no action on the matter.

- moved by Councillor Doggart, seconded by Councillor Bruce

In accordance with Standing Order 22(13), Amendment 2 was accepted as an addendum to the Motion.

In accordance with Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 3 for no action.

Voting

First Vote

The voting was as follows:

For Amendment 3	-	9 votes
Against Amendment 3	-	52 votes

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

Against the Amendment 3; Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Bennett, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalglish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.)

As the vote for no action was lost, a second vote was then taken between the Motion by Councillor Macinnes (as adjusted) and Amendment 1 by Councillor Watt.

Second Vote

The voting was as follows:

Voting

For the Motion (as adjusted)	-	27 votes
For Amendment 1	-	33 votes

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

For Amendment 1: Lord Provost, Councillors Arthur, Beal, Bennett, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalgleish, Davidson, Day, Dijkstra-Downie, Duggart, Faccenda, Flannery, Graham, Jenkinson, Jones, Lang, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.)

Decision

To approve the following Amendment 1 by Councillor Watt

- 1) To note the Lessons Learned report (budget setting process) presented to the Finance and Resources Committee in June 2023 there was a commitment to improve the budget building process with a number of measures proposed, including a clear commitment to starting the process earlier.
- 2) To regret that again this year there would be no consultation with the public or trade unions as highlighted in the June report due to the uncertainty caused by the SNP Scottish Government launching (in July 2023) then abandoning its consultation on Council Tax bands (in October 2023) and announcing a 'funded' council tax freeze without consulting its partners in government or COSLA. Two months on, the SNP had failed to inform COSLA about the level at which the freeze would be funded.
- 3) To further note group finance spokespeople had not received specific budget proposals from directorates, as in previous years and as set out in the June report because the budget process had been thrown into disarray by the SNP group within the Scottish Government failing to provide the needed information about their 'funded' council tax freeze proposal.
- 4) To agree points 2 and 3 meant the public would again be excluded from the budget setting process and groups preparing budget proposals for early February would also be made more challenging.
- 5) To agree to note COSLA's request for 10% minimum compensation for the proposed council tax freeze, and further notes that this would cover Edinburgh's forecast deficit of £11.9m reported to November's Finance and Resources Committee.

27 £6 Million Cut to City of Edinburgh's Early Years Budget – Motion by Councillor Jones

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

“Council notes:

- In 2022/23 the Scottish Government changed their funding methodology for the 1,140 hours Early Years programme and reduced overall funding available to Local Authorities for funded childcare.
- While funding specifically for City of Edinburgh Council has reduced from almost £46.5Mil in 2021/22 to £40.5Mil in 2023/23, some other councils now receive increased funding levels.
- The change of methodology relates to the introduction of rurality (5%) and deprivation (20%) elements in the funding formula that particularly disadvantages Edinburgh.
- The difference in funding levels between Local Authorities has widened considerably. For example, East Renfrewshire receive £5,787.73 per 3 and 4-year-old, Dundee £5,195.65, East Lothian £4,997.84, but Edinburgh only £4,316.77.
- Special factors which affect Edinburgh have not been taken into consideration including the:
 - a) High proportion of Private Voluntary and Independent operators in the city who need sustainable funding, particularly to ensure they can afford to pay the Minimum Wage.
 - b) Increased cost of providing facilities by virtue of high property values.
 - c) Additional £2Mil cost of funding the large number of deferral decisions made by parents.

Council regrets:

- Officers were not made aware of plans by Scottish Government to make cuts so could not take them into account when planning their budget requirements.
- Officers were not made aware of plans by Scottish Government to change the methodology so were unable to make representations to explain why this unfairly disadvantages children living in Edinburgh.

Council, therefore, requests the Council Leader writes to the Cabinet Secretary for Education and Skills to:

- a) Highlight the lack of consultation and engagement from Scottish Government over the decisions to make cuts to the budget.
- b) Seek comfort that future budget discussions will include consultation and engagement with Local Authorities.
- c) Arrange a meeting with Scottish Government and Council Officers to discuss the special factors which apply to Edinburgh.
- d) Request reimbursement to Edinburgh of the £6mil of budgetary cuts applied over 2022/2023 and 2023/2024.

Motion

To approve the motion by Councillor Jones.

- moved by Councillor Jones, seconded by Councillor Cowdy

Amendment 1

To replace paragraph 5 of the motion by Councillor Jones with:

“Special factors which affect Edinburgh have not been taken into consideration including the:

- a) Edinburgh has a high proportion of private, voluntary and independent operators in the city
- b) The number of providers in need of sustainable funding, particularly to ensure they can afford to pay the (real) living wage.
- c) Increased cost of providing facilities by virtue of high property values.
- d) Additional £2Mil cost of funding the large number of deferral decisions made by parents.”

- moved by Councillor Davidson, seconded by Councillor Young

Amendment 2

- 1) To delete final phrase of first bullet point - *‘reduced overall funding available to Local Authorities for funded childcare’* in the motion by Councillor Jones
- 2) To insert additional bullet point after first in the motion as follows:

- Notes that Early Years funding allocations are advised by the Early Learning & Childcare (ELC) Finance Working Group (including representatives of Scottish Government, COSLA, Local Authority Directors of Finance, Society of Local Authority Chief Executives (SOLACE), Association of Directors of Education in Scotland (ADES) Resources Network) and negotiated between COSLA and the Scottish Government.
- 3) To add additional wording to final point a) in the motion as follows:
- “Highlight the lack of consultation and engagement from Scottish Government over the decisions to make cuts to the **Edinburgh’s allocation** budget. “
- 4) To add additional wording to final point d) in the motion as follows:
- “d) Request reimbursement to Edinburgh of the £6mil of budgetary cuts applied over 2022/2023 and 2023/2024, **and indicating where this additional funding could be found.**”

- moved by Councillor Burgess, seconded by Councillor Parker

In accordance with Standing Order 22(13), Amendment 1 was accepted as an amendment to the Motion and Amendment 2 was adjusted and accepted as an amendment to the motion.

Decision

To approve the following adjusted motion by Councillor Jones:

- 1) To note that in 2022/23 the Scottish Government changed their funding methodology for the 1,140 hours Early Years programme and reduced overall funding available to Local Authorities for funded childcare.
- 2) To note that Early Years funding allocations were advised by the Early Learning & Childcare (ELC) Finance Working Group (including representatives of Scottish Government, COSLA, Local Authority Directors of Finance, Society of Local Authority Chief Executives (SOLACE), Association of Directors of Education in Scotland (ADES) Resources Network) and negotiated between COSLA and the Scottish Government.
- 3) To note that while funding specifically for City of Edinburgh Council had reduced from almost £46.5Mil in 2021/22 to £40.5Mil in 2023/23, some other councils now received increased funding levels.
- 4) To note the change of methodology related to the introduction of rurality (5%) and deprivation (20%) elements in the funding formula that particularly disadvantages Edinburgh.

- 5) To note the difference in funding levels between Local Authorities had widened considerably. For example, East Renfrewshire receive £5,787.73 per 3 and 4-year-old, Dundee £5,195.65, East Lothian £4,997.84, but Edinburgh only £4,316.77.
- 6) To note special factors which affected Edinburgh had not been taken into consideration including the:
 - a) High proportion of Private Voluntary and Independent operators in the city who needed sustainable funding, particularly to ensure they could afford to pay the Minimum Wage.
 - b) Increased cost of providing facilities by virtue of high property values.
 - c) Additional £2Mil cost of funding the large number of deferral decisions made by parents.
- 7) To regret officers were not made aware of plans by Scottish Government to make cuts so could not take them into account when planning their budget requirements.
- 8) To regret officers were not made aware of plans by Scottish Government to change the methodology so were unable to make representations to explain why this unfairly disadvantages children living in Edinburgh.
- 9) To therefore, request the Council Leader writes to the Cabinet Secretary for Education and Skills to:
 - a) Highlight the lack of consultation and engagement from Scottish Government over the decisions to make cuts to Edinburgh's allocation.
 - b) Seek comfort that future budget discussions would include consultation and engagement with Local Authorities.
 - c) Arrange a meeting with Scottish Government and Council Officers to discuss the special factors which apply to Edinburgh.
 - d) Request reimbursement to Edinburgh of the £6mil of budgetary cuts applied over 2022/2023 and 2023/2024, and indicating where this additional funding could be found.

28 Telford and Hillhouse Junction– Motion by Councillor Mitchell

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

“Council:

- 1) Notes the ‘Major Junctions Review Update’ report at Transport and Environment Committee on Thursday, 20th April 2023.
- 2) Expresses concern that this did not include the junction on Queensferry Road at Hillhouse Road-Telford Road-Strachan Road.
- 3) Understands that a ‘Major Junctions Review Update’ report may be going to the Transport and Environment Committee’s meeting in January 2024.
- 4) Further notes the work underway by the Inverleith Neighbourhood Network at House O’Hill Road’s junction with Telford Road and Drylaw Crescent.
- 5) Asks officials that the next update being received by the Transport and Environment Committee in relation to the ‘Major Junctions Review’ includes this junction with a view to urgently improve;
 - a) Pedestrian safety and movements across and around the junction,
 - b) Accessibility for those with reduced mobility and/or a visual impairment,
 - c) Improvements for cyclists travelling through the junction.”

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

Motion

To approve the motion by Councillor Mitchell.

- moved by Councillor Mitchell, seconded by Councillor Osler

Amendment 1

To remove paragraph 5 of the motion by Councillor Mitchell and replace with:

- “5) Notes that the prioritisation of junctions in the Major Junctions Review (April 2023) was supported by all political parties, and it was agreed not to include the junction on Queensferry Road at Hillhouse Road-Telford Road-Strachan Road in the 40 locations shortlisted for improvements.

Agrees, therefore, that this junction should therefore be considered as part of the Local Traffic Improvement Programme, the framework for which comes to TEC in Spring 2024.

- 6) Also agrees that officers will organise a briefing in the new year with the TEC Convener, Inverleith Ward councillors, Craighleith Blackhall Community Council, Edinburgh Living Streets, Edinburgh Access Panel and Sight Scotland.”

- moved by Councillor Arthur, seconded by Councillor Faccenda

Amendment 2

- 1) At point 1) of the motion by Councillor Mitchell to add at the end:

“Additionally notes that the Major Junctions review (MJR) is a strategic piece of work involving broad stakeholder engagement which considered many factors and which was ultimately approved by councillors of all groups on the Transport and Environment Committee.”

- 2) At point 2) of the motion to add at the end:

“and requests that the Major Junctions Review Update report expected at the January 2024 meeting of the Transport and Environment Committee details the weighted assessment made of the Telford and Hillhouse junction according to the objective criteria used for prioritisation in the Major Junctions Review.”

- 3) To delete point 5) of the motion and replace with:

“5) Agrees that improvements are needed at this junction in the short-term and therefore requests that officers outline options for a local improvement scheme within the evolving Local Traffic Improvement Programme, with initial steps as to how this could be implemented as soon as is feasible.”

- moved by Councillor Aston, seconded by Councillor Nicolson

Amendment 3

- 1) To replace paragraphs 1)-3) of the motion by Councillor Mitchell with:

“1) Notes with concern the considerable safety and accessibility issues at the junction at Queensferry Road, Strachan Road, Hillhouse Road and Telford Road as highlighted by Sight Scotland’s campaign.

2) Notes that the list of junctions to be prioritised for safety improvements as part of the Major Junctions Review was developed in consultation

with key stakeholder groups Spokes, Living Streets, and the Edinburgh Access Panel.

- 3) Regrets that the number of junctions perceived as more dangerous was so high that the junction was not included in the short list. However, notes that other avenues for short-term safety improvements are available.”
- 2) Amends paragraph 5 of the motion to read:
 - “5) Asks officials that the next update being received by the Transport and Environment Committee in relation to **Local Traffic Improvement Plans** includes this junction with a view to urgently improve:
 - a) Pedestrian safety and movements across and around the junction,
 - b) Accessibility for those with reduced mobility and/or a visual impairment,
 - c) Improvements for cyclists travelling through the junction.”

- moved by Councillor Booth, seconded by Councillor Mumford

In accordance with Standing Order 22(13), Amendments 1 and 3 were adjusted and accepted as amendments to the Motion.

Decision

To approve the following adjusted Motion by Councillor Mitchell:

- 1) To note the ‘Major Junctions Review Update’ report at Transport and Environment Committee on Thursday, 20th April 2023.
- 2) To express concern that this did not include the junction on Queensferry Road at Hillhouse Road-Telford Road-Strachan Road.
- 3) To understand that a ‘Major Junctions Review Update’ report may be going to the Transport and Environment Committee’s meeting in January 2024.
- 4) To further note the work underway by the Inverleith Neighbourhood Network at House O’Hill Road’s junction with Telford Road and Drylaw Crescent.
- 5) To ask officials that the next update being received by the Transport and Environment Committee in relation to Local Traffic Improvement Plans this junction with a view to urgently improve;
 - a) Pedestrian safety and movements across and around the junction,

- b) Accessibility for those with reduced mobility and/or a visual impairment,
 - c) Improvements for cyclists travelling through the junction.
- 6) Agreeing, therefore, that this junction should therefore be considered as part of the Local Traffic Improvement Programme, the framework for which comes to TEC in Spring 2024.

Also agree that officers would organise a briefing in the new year with the TEC Convener, Inverleith Ward councillors, Craigleith Blackhall Community Council, Edinburgh Living Streets, Edinburgh Access Panel and Sight Scotland.

29 UK Government Austerity – Motion by Councillor Nols-McVey

The following motion by Councillor Nols-McVey was submitted in terms of Standing Order 17:

- “1) Notes the comments of the First Minister of Wales on 22nd Nov 2023 that: “our budget goes down year after year. It’s gone down year after year in real terms as a result of the austerity policies of the UK Government.”
- 2) Further notes the comments of the Chair of local government association (England and Wales) on 26th Nov 2023 that: “Any suggestion of any further cuts on top of the current deficit we face and we’ll see the number of councils higher number”.
- 3) Council acknowledges that the UK Government’s financial settlement for 22/23 represented a 4.4% real-terms cut in the Scottish budget and that once the full year’s inflation for 23/24 is calculated this year’s and next year’s budgets are both expected to represent another real-terms cut in public sector funding.
- 4) Council notes that every local authority in Scotland remains financially solvent, in contrast to Councils in England where many have declared themselves bankrupt and incapable of meeting even statutory service delivery.
- 5) While Council acknowledges that the Scottish Government has delivered a better funding settlement than that given to English Councils, this has meant the Scottish Government has had to release savings elsewhere in public services or use additional raised resources to give this additional financial support.
- 6) Council therefore recognises the source of constrained public sector budgets in Scotland is the 13 year austerity programme of the UK Government and

further recognises if this continues the risk to Councils in Scotland suffering the same financial fate as English Authorities will increase year-on-year.

- 7) Council calls for an end to austerity and requests the Council Leader writes to the Prime Minister and Leader of the opposition at Westminster asking for a firm pledge to improve funding for local government in England and increased budgets of the devolved administrations with an above-inflation to begin to reverse austerity.”

Motion

To approve the motion by Councillor Nols-McVey.

- moved by Councillor Nols-McVey, seconded by Councillor McFarlane

Amendment 1

To delete paragraphs 5, 6 and 7 in the motion by Councillor Nols-McVey and replace with:

- “5) While Council acknowledges that the Scottish Government has delivered a better funding settlement than that given to English Councils, the Scottish Government has given Edinburgh the lowest per capita funding of any Scottish Council. It has also added many additional responsibilities and constraints on Scottish Councils, which have added considerably to the cost burden borne by the City of Edinburgh Council.
- 6) Council therefore recognises the source of constrained public sector budgets in Scotland is the 13 year austerity programme of the UK Government and decisions made by the Scottish Government, and further recognises if this continues the risk to Councils in Scotland suffering the same financial fate as English Authorities will increase year-on-year.
- 7) Council calls for an end to austerity and requests the Council Leader writes to the Prime Minister and the First Minister asking for a firm pledge to improve funding for local government.”

- moved by Councillor Watt, seconded by Councillor Arthur

Amendment 2

To delete all of the motion by Councillor Nols-McVey and insert:

- 1) Notes that 31.7% of the Scottish Government’s total revenue was allocated to local government in 2023-24, compared to 35% in 2015-16.

- 2) Notes how the decision of the Scottish Government to deprioritise local government within in its annual budget has come, irrespective of the money allocated to it by the UK Government.
- 3) Notes how the percentage of the Scottish Government's total revenue allocated to local government has reduced in each year since the Greens joined the SNP in the Scottish Government.
- 4) Notes the decision of the First Minister to announce a council tax freeze without any discussion or consultation with COSLA, going directly against the spirit of the Verity House Agreement.
- 5) Notes the conclusions of the Fraser of Allander Institute that the council tax freeze will create a shortfall of £229-£417m in local council revenue, and that the Scottish Government has yet to commit to fully fund its new freeze policy.
- 6) Believes all these events show a fundamental disrespect by the Scottish Government towards local councils and a lack of recognition for the important role of councils in delivering public services.
- 7) Endorses the "Councils are key" campaign by COSLA which recognises how councils are facing rising costs and increasing demand, and that the local government settlement from the Scottish Government must reflect the true cost of delivering and commissioning services.

- moved by Councillor Lang, seconded by Councillor Younie

Amendment 3

To add to the motion by Councillor Nols-McVey:

Council notes:

- During the seven-year administration of FM Nicola Sturgeon, annual public expenditure in Scotland grew at 8% per annum. This compares with 6% growth in annual UK public expenditure.
- Neither figure represents austerity, especially when inflation was 1%.
- For every £100 spent in England, the UK Gov spends £125 in Scotland. This represents £2,200 of additional spend per person in Scotland.
- GERS sets out the spending priorities of the Scot Gov with no interference from Westminster.
- The two highest spending priorities of the Scottish Government in the last seven years have been (i) social protection (welfare and benefits) which grew

at 15% pa (i.e. doubled in seven years) and (ii) public sector wages which increased this year by c. £1bn.

- The three lowest spending priorities of the Scottish Government in the last seven years have been (i) Education, (ii) Police and (iii) Local Councils where spending increases at 4% pa is half of the average 8%.

- moved by Councillor Jones, seconded by Councillor Munro

In accordance with Standing Order 22(13), Amendments 1 and 3 were adjusted and accepted as addendums to the Motion,

In accordance with Standing Order 22(13), Amendment 1 was adjusted and accepted as an amendment to Amendment 2 and Amendment 3 was adjusted and accepted as an addendum to Amendment 2.

Voting

The voting was as follows:

First Vote

For the Motion (as adjusted)	-	28 votes
For Amendment 2 (as adjusted)	-	24 votes
For Amendment 3	-	9 votes

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

For Amendment 2 (as adjusted): Lord Provost, Councillors Arthur, Beal, Bennett, Caldwell, Lezley Marion Cameron, Dalgleish, Davidson, Day, Dijkstra-Downie, Faccenda, Flannery, Graham, Jenkinson, Lang, Meagher, Osler, Pogson, Ross, Thornley, Walker, Watt, Young and Younie.

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

There being no overall majority, Amendment 3 fell and a second vote was taken between the Motion (as adjusted) and Amendment 2 (as adjusted).

Second Vote

For the Motion (as adjusted)	-	28 votes
For Amendment 2 (as adjusted)	-	33 votes

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

For Amendment 2 (as adjusted): Lord Provost, Councillors Arthur, Beal, Bennett, Bruce, Caldwell, Lezley Marion Cameron, Cowdy, Dalglish, Davidson, Day, Dijkstra-Downie, Duggart, Faccenda, Flannery, Graham, Jenkinson, Jones, Lang, Meagher, Mitchell, Mowat, Munro, Osler, Pogson, Ross, Rust, Thornley, Walker, Watt, Whyte, Young and Younie.)

Decision

To approve the following adjusted Amendment 2 by Councillor Lang:

- 1) To note that 31.7% of the Scottish Government's total revenue was allocated to local government in 2023-24, compared to 35% in 2015-16.
- 2) To note how the decision of the Scottish Government to deprioritise local government within its annual budget had come, irrespective of the money allocated to it by the UK Government.
- 3) To note how the percentage of the Scottish Government's total revenue allocated to local government had reduced in each year since the Greens joined the SNP in the Scottish Government.
- 4) To note the decision of the First Minister to announce a council tax freeze without any discussion or consultation with COSLA, going directly against the spirit of the Verity House Agreement.
- 5) To note the conclusions of the Fraser of Allander Institute that the council tax freeze would create a shortfall of £229-£417m in local council revenue, and that the Scottish Government had yet to commit to fully fund its new freeze policy.
- 6) To believe all these events showed a fundamental disrespect by the Scottish Government towards local councils and a lack of recognition for the important role of councils in delivering public services.
- 7) To endorse the "Councils are key" campaign by COSLA which recognised how councils were facing rising costs and increasing demand, and that the local government settlement from the Scottish Government must reflect the true cost of delivering and commissioning services.
- 8) To note the Scottish Government had given Edinburgh the lowest per capita funding of any Scottish Council. It had also added many additional

responsibilities and constraints on Scottish Councils, which had added considerably to the cost burden borne by the City of Edinburgh Council.

- 9) To note during the seven-year administration of FM Nicola Sturgeon, annual public expenditure in Scotland grew at 8% per annum. This compared with 6% growth in annual UK public expenditure.
- 10) To note GERS set out the spending priorities of the Scot Gov with no interference from Westminster.
- 11) To note the two highest spending priorities of the Scottish Government in the last seven years had been (i) social protection (welfare and benefits) which grew at 15% pa (i.e. doubled in seven years) and (ii) public sector wages which increased this year by c. £1bn.
- 12) To note the three lowest spending priorities of the Scottish Government in the last seven years had been (i) Education, (ii) Police and (iii) Local Councils where spending increases at 4% pa was half of the average 8%.

30 Edinburgh Football Club – Motion by Councillor Graham

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

“Notes the huge success of this year’s Edinburgh Football Cup, which attracted over 10,000 attendees, with teams from around the world, including the United States, Norway, and India.

To request officers work in partnership with the Edinburgh Football Cup on their initiative to train 14-16-year-olds, both boys and girls, as referees. This would be in collaboration with the Scottish Football Association's referees with the aim of providing referee training as well as enhancing other skills, including communication, decision-making, confidence, empathy, patience, and leadership.

Further requests that the Lord Provost celebrate this achievement in an appropriate manner.”

- moved by Councillor Graham, seconded by Councillor Jenkinson

Decision

To approve the motion by Councillor Graham.

31 Short Term Lets Register - Publication of Applicants' Names – Motion by Councillor Rae

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

“Council:

- 1) Notes that the council does not currently publish the names of applicants for STL licences on the STL register unless the applicant is a company or partnership;
- 2) Notes that under the Civic Government (Scotland) Act 1982 and the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets Order) 2022, the council is required to publish an STL register, which must include the name of the applicant where the application is made by or on behalf of a person other than a natural person, but that it is optional to publish the name of the applicant otherwise;
- 3) Notes that applicants for an STL licence are required to display a site notice which includes the name of the applicant, and further notes that, where a planning application or certificate of lawful use application is made, the applicant's name would be published on the planning portal;
- 4) Notes the significance of the issue of short-term lets to the public interest, further notes that part of the licence application is determination of whether the applicant is a 'fit and proper person', but that unless someone is able to view the site notice or find the details on the planning portal, they would not currently know who the applicant was (except where the council is required to publish the name in the STL register);
- 5) Therefore agrees that, in the interests of openness and transparency, and in addition to the existing requirement to publish the name of the applicant when it is not a natural person, agrees that the name of the applicant should be published on the STL register where the licence applied for is for STL secondary letting (but not where the application is for home sharing or home letting or for both of these), and that this change will come into effect within one calendar month of this decision.”

Motion

To approve the motion by Councillor Rae.

- moved by Councillor Rae, seconded by Councillor Booth

Amendment

Council agrees to delete point 5 in the motion by Councillor Rae and replace with:

“Therefore agrees that, in the interests of openness and transparency and to allow informed debate and reduce potential legal risks, to receive a report to the Regulatory Committee within two cycles to consider the implications of publishing the names of all applicants for STL licences and the best way to proceed.”

- moved by Councillor Ross, seconded by Councillor Caldwell

In accordance with Standing Order 22(13), the amendment was accepted as an amendment to the motion.

Decision

To approve the following adjusted motion by Councillor Rae:

- 1) To note that the council did not currently publish the names of applicants for STL licences on the STL register unless the applicant was a company or partnership.
- 2) To note that under the Civic Government (Scotland) Act 1982 and the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets Order) 2022, the council was required to publish an STL register, which must include the name of the applicant where the application was made by or on behalf of a person other than a natural person, but that it was optional to publish the name of the applicant otherwise.
- 3) To note that applicants for an STL licence were required to display a site notice which included the name of the applicant, and further note that, where a planning application or certificate of lawful use application was made, the applicant's name would be published on the planning portal.
- 4) To note the significance of the issue of short-term lets to the public interest, further note that part of the licence application was determination of whether the applicant was a 'fit and proper person', but that unless someone was able to view the site notice or find the details on the planning portal, they would not currently know who the applicant was (except where the council was required to publish the name in the STL register).
- 5) To therefore agree that, in the interests of openness and transparency and to allow informed debate and reduce potential legal risks, to receive a report to the Regulatory Committee within two cycles to consider the implications of publishing the names of all applicants for STL licences and the best way to proceed.

32 UK Government Migration Rules – Motion by Councillor Nols-McVey

The following motion by Councillor Nols-McVey was submitted in terms of Standing Order 17:

- “1) Council expresses concern regarding the UK Government’s proposed rule changes to Visas, which would raise the salary threshold of acceptance to £38,700. Council is further concerned that this further dehumanises migrants, denying them a family life by preventing dependents being able to join them through sponsored Visas.
- 2) Council unambiguously believes that our city has been made socially and culturally richer by those who have chosen to make Edinburgh their home.
- 3) Council also recognises this approach is a significant threat to Edinburgh’s economy, where businesses across sectors are already experiencing skills shortages.
- 4) Council expresses particular concern regarding the impact these changes will have on those who could help meet staffing shortages in social care and the NHS, where every single medical and care entry-level role is below the minimum salary threshold now set by the UK Government.
- 5) More fundamentally, Council regrets the language, approach and policy aims of successive UK Governments which, instead of recognising new residents and the enormous contribution they make to the success of our capital city and the whole of Scotland, sadly is designed to seeds of division.
- 6) Council agrees that the Council Leader will write to the Prime Minister and Leader of the Opposition in Westminster before the end of the year, setting out the economic damage of their approach to immigration and asking for a firm pledge from both that they will reverse their approach, and if not, that they will devolve immigration law to the Scottish Parliament to allow policies to be pursued which better meet Edinburgh’s needs.”

Motion

To approve the motion by Councillor Nols-McVey.

- moved by Councillor Nols-McVey, seconded by Councillor Dobbin

Amendment 1

- 1) To delete paragraph 6) in the motion by Councillor Nols-McVey and replace with:

“Council agrees that the Council Leader will write to the Prime Minister before the end of the year, setting out the economic damage of their approach to immigration and asking for a firm pledge that they will reverse their approach.”

- 2) To add at the end of the motion:

“Council notes the results of the September 2023 Attitudes to Immigration: A view from Scotland, Migration Policy Scotland survey, which showed that 12% of respondents thought that the number of immigrants coming to Scotland nowadays should be increased a lot, 16% thought that it should be reduced a lot and 72% thought it should remain the roughly the same as it is (same 34%), increase a little (26%), reduce a little (12%).”

- moved by Councillor Watt, seconded by Councillor Jenkinson

Amendment 2

- 1) To delete paragraph 6 of the motion by Councillor Nols-McVey and insert:

“6) Council agrees to write to the UK Government before the end of the year setting out the economic damage of its approach to immigration and asking for a firm pledge that it will reverse its approach.

- 2) To add at the end of the motion:

“7) Council seeks a members’ briefing as soon as practically possible on the impact of the visa rule changes on the Council’s own workforce and its ability to deliver key services.”

- moved by Councillor Lang, seconded by Councillor Davidson

Amendment 3

To take no action on the matter.

- moved by Councillor Bruce, seconded by Councillor Rust

In accordance with Standing Order 22(13), Amendments 1 and 2 were adjusted and accepted as amendments to the Motion.

In accordance with Standing Order 24(4), the Lord Provost ruled that a first vote be taken for or against Amendment 3 for no action.

Voting

First Vote

The voting was as follows:

For Amendment 3	-	9 votes
Against Amendment 3	-	52 votes

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

Against Amendment 3; Lord Provost, Councillors Arthur, Aston, Bandel, Beal, Bennett, Biagi, Booth, Burgess, Caldwell, Lezley Marion Cameron, Campbell, Dalglish, Davidson, Day, Dijkstra-Downie, Dixon, Dobbin, Faccenda, Flannery, Fullerton, Gardiner, Glasgow, Graham, Heap, Hyslop, Jenkinson, Key, Kumar, Lang, Macinnes, Mattos Coelho, McFarlane, McKenzie, McNeese-Meechan, Meagher, Miller, Mumford, Nicolson, Nols-McVey, Osler, Parker, Pogson, Rae, Ross, Staniforth, Thornley, Walker, Watt, Work, Young and Younie.)

As the vote for no action was lost, a second vote was then taken between the Motion by Councillor Nols-McVey (as adjusted) and Amendment 2 by Councillor Lang.

Second Vote

The voting was as follows:

Voting

For the Motion (as adjusted)	-	29 votes
For Amendment 2	-	23 votes
Abstentions	-	9

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

For Amendment 2: Lord Provost, Councillors Arthur, Beal, Bennett, Caldwell, Lezley Marion Cameron, Dalglish, Davidson, Day, Dijkstra-Downie, Flannery, Graham, Jenkinson, Lang, Meagher, Osler, Pogson, Ross, Thornley, Walker, Watt, Young and Younie.)

Abstentions: Councillors Bruce, Cowdy, Doggart, Jones, Mitchell, Mowat, Munro, Rust and Whyte.)

Decision

To approve the following adjusted motion by Councillor Nol-McVey:

- 1) To express concern regarding the UK Government's proposed rule changes to Visas, which would raise the salary threshold of acceptance to £38,700. Is further concerned that this further dehumanises migrants, denying them a family life by preventing dependents being able to join them through sponsored Visas.
- 2) To unambiguously believe that our city had been made socially and culturally richer by those who had chosen to make Edinburgh their home.
- 3) To also recognise this approach was a significant threat to Edinburgh's economy, where businesses across sectors were already experiencing skills shortages.
- 4) To express particular concern regarding the impact these changes would have on those who could help meet staffing shortages in social care and the NHS, where every single medical and care entry-level role was below the minimum salary threshold now set by the UK Government.
- 5) More fundamentally, To regret the language, approach and policy aims of successive UK Governments which, instead of recognising new residents and the enormous contribution they made to the success of our capital city and the whole of Scotland, sadly was designed to seeds of division.
- 6) To agree that the Council Leader would write to the Prime Minister and Leader of the Opposition in Westminster before the end of the year, setting out the economic damage of their approach to immigration and asking for a firm pledge from both that they would reverse their approach, and if not, that they would devolve immigration law to the Scottish Parliament to allow policies to be pursued which better met Edinburgh's needs.
- 7) To welcome the results of the September 2023 Attitudes to Immigration: A view from Scotland, Migration Policy Scotland survey, which showed that 12% of respondents thought that the number of immigrants coming to Scotland nowadays should be increased a lot, 16% thought that it should be reduced a lot and 72% thought it should remain the roughly the same as it was (same 34%), increase a little (26%), reduce a little (12%).
- 8) To seeks a members' briefing as soon as practically possible on the impact of the visa rule changes on the Council's own workforce and its ability to deliver key services.

33 Citizen and Carer Representatives Edinburgh Integration Joint Board – Motion by Councillor Nicolson

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

- “1) Council notes that on the 12 December 2023, three of the four representatives appointed to the Edinburgh Integration Joint Board, Christine Farquhar, Grant MacRae and Ruth Hendery will be stepping down after serving the city by bringing valuable professional and personal experience to the Board.
- 2) Recognises that Carer Representative, Christine Farquhar, attended the inaugural Edinburgh Integration Joint Board (EIJB) meeting as a carer representative on 12 June 2015, and has given voice to Edinburgh’s unpaid carers since. Christine’s colleagues, Carer Representative Ruth Hendery and Service User Representative Grant MacRae, joined later and have also represented the thousands of individuals who are unpaid carers and who use Health and Social Care services in Edinburgh.
- 3) Further notes that the EIJB, which is responsible for the strategic planning and commissioning of Health and Social Care services in Edinburgh and for issuing directions to the City of Edinburgh Council and NHS Lothian for the delivery of these services, has depended on the contribution of people who have lived experience of being unpaid carers and using services since its inception.
- 4) Acknowledges this huge contribution from these individuals asks that the Lord Provost thanks Christine Farquhar, Ruth Hendery and Grant MacRae for their support, dedication and contributions to the Board and to the lives of carers across the City of Edinburgh.”

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

Decision

To approve the motion by Councillor Nicolson.

34 LAR Housing Trust – Motion by Councillor Meagher

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

“Council:

Extends its congratulations to the LAR Housing Trust on winning the Inside Housings’ ‘Partnership of the Year Award’.

Notes their commitment to excellence and detail; acknowledging the difference that can be made for communities when the right: people, experience and partners are available to work with.

Recognises that this is an important step forward in tackling the pressures on accessible housing in Edinburgh.

Asks the Lord Provost to recognise this achievement in an appropriate manner.”

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

Decision

To approve the motion by Councillor Meagher.

35 40th Anniversary of SPIFOX - The Scottish Property Industry Festival of Christmas – Motion by Councillor Lezley Marion Cameron

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

“Notes that Spifox (Scottish Property Industry Festival of Christmas), launched in 1983 by property and construction professionals organising its first Christmas Carol Concert and Charity Lunch event.

Gathers the inaugural event was held in the Assembly Rooms and raised £3000 for the RSPCC. It has since grown in size and popularity and for many years now, the charity lunch is held at the EICC, following the Christmas Carol Concert at St Cuthbert’s Church.

Understands that Spifox runs other annual fundraising events in addition to its Christmas Carol Concert and Lunch; and continues to be run by a dedicated group of voluntary Trustees with all net proceeds distributed to charities large and small across Scotland which support children and young people.

Notes that 40 years on from the first event, Spifox has raised and donated approaching £5.3 million to enabling countless charities to purchase equipment and/or provide facilities to increase/extend/better perform their services.

Requests the Lord Provost to convey its congratulations and appreciation of Spifox Trustees past and present on their 40th anniversary, and to mark this achievement in a befitting manner.”

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

Decision

To approve the motion by Councillor Lezley Marion Cameron.

36 Questions

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

Appendix 1

(As referred to in Act of Council No 36 of 14 December 2023)

QUESTION NO 1

By Councillor McFarlane for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 14 December 2023

Question (1) What is the SLA for repair of manhole covers in the carriageway from the moment a fault has been reported to being inspected and the repair carried out?

Answer (1) Service Level Agreement to repair apparatus falls in 3 categories as:

Fail, High Risk	Make Safe in 2 Hours Permanent repair in 7 Days
Fail, Medium Risk	Carry out remedial works within 10 days
Fail, Low Risk	Repair within 1 month Permanent repair within 1 month

Question (2) How many manhole covers are currently scheduled for a repair across the city?

Answer (2) Currently there is one set of remedial work in progress, 17 are proposed and 20 have advance planning notices in place.

The total number of defective apparatus reports that are currently accepted by public utility companies (PUs) are 541. Council officers inspect these and continue to press PUs for prompt resolution.

QUESTION NO 2

By Councillor Younie for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Cameras were installed on Silverknowes Road East, Silverknowes Road and Silverknowes Place between 20-25th June 2023 in order to undertake pedestrian and cyclist counts on the two 'travelling safely' schemes in Silverknowes.

Question (1) On what date did officers receive the results of this monitoring?

Answer (1) 26 October 2023

Question (2) What was the average daily a) pedestrian and b) cyclist count recorded at each camera locations?

Answer (2) The data requested is provided below:

Count Location	Cyclists	
	Thursday 22 nd June	Saturday 24 th June
Silverknowes Road	192	237
Silverknowes Place	23	23
Silverknowes Road East	203	215

Count Location	Pedestrians	
	Thursday 22 nd June	Saturday 24 th June
Silverknowes Road	289	424
Silverknowes Place	290	238
Silverknowes Road East	493	437

QUESTION NO 3

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Question (1) Further to his answer to question 10.3 at the August 2023 meeting of the council, is it still the intention that the traffic orders will be advertised before the end of the year?

Answer (1) Unfortunately, it will not be possible to advertise these orders before the end of the calendar year. It is anticipated the necessary Traffic Regulation Order (TRO) process will commence in Spring 2024.

Supplementary Question Why?

Supplementary Answer The delay in progressing these orders has been due to:

- Changes in the project design requiring amendments to the traffic orders; and
- The project lead is also now responsible for leading the development and implementation for the Council's Road Safety delivery plan, which was agreed by Transport and Environment Committee in October 2023.

To address this, a new project lead has now been identified and the handover of responsibilities will begin early in the new year.

QUESTION NO 4

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

As part of the developer legal agreement for planning permission 18/01755/FUL at Cammo, £560,000 was to be paid to the Council so a new bridge could be built over the Bughtlin Burn.

Question (1) How much of this money has been paid to the Council?

Answer (1) The total contribution received was £621,381.38.

The contribution was paid on 3 March 2023 and is therefore available for use before 2 March 2033.

Question (2) What progress is being made to erect the new bridge?

Answer (2) A Stage 0 to 2 design contract has been awarded and Stage 0 *Strategic Definition* and Stage 1 *Preparation and Brief* reports and accompanying studies have been completed. This includes a feasibility study for a new bridge structure and preliminary ecological and historic environment assessments of the area. Work will continue on this package of work in 2024.

Supplementary Question On the basis of the current work programme, when would a new bridge most likely be in place?"

Supplementary Answer The April 2023 update of the [Local Development Plan Action Programme](#) identifies an estimated delivery date of 2026/27. However, as land purchase/access agreements will be required, these may impact on delivery. Ward Councillors and stakeholders will be kept updated as design development continues.

QUESTION NO 5

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

In his answer to question 10.2 at the August 2023 meeting of the council, the Convener said the traffic orders for the changes to the Davidson's Mains roundabout would be advertised by the end of September?

Question

(1) Why were the orders not advertised by the end of September as suggested?

Answer

(1) Unfortunately, corrections and revisions were required to the drawing relating to the proposed redetermination and as a result the public advertising for the Traffic Regulation Order (TRO) has also been delayed.

Question

(2) When will the orders be advertised?

Answer

(2) It is expected that the Traffic Regulation and Redetermination Orders will now be advertised in February 2024.

Supplementary Question

Given his answer, and those he provided at the 16 March 2023, 4 May 2023, and 31 August 2023 meetings of Council, what confidence does he have that this latest timetable will be met?

Supplementary Answer

I have asked officers to prioritise the advertising of these orders, recognising however that there are a number of high-profile traffic orders to be advertised in early 2024. Officers have confirmed that every effort will be made to meet the February 2024 timescale.

QUESTION NO 6

By Councillor Flannery for answer by the Convenor of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Permissions are applied for by developers to occupy road space. Excepting that the Council, even though it grants planning permission, does not control when that development takes place, can the Convenor tell me:

Question (1) What consideration/s are given to existing residents' use of an area when granting permission for road occupation by developers?

Answer (1) Developers are requested to inform residents of their works and keep them up to date with the works. Developers are told that they should assist residents with access where the work may obstruct or cause issues. Consideration is given to safe access for all users from disabled, pedestrian and vehicular traffic.

Question (2) In cases where it is known the development will take over a year, how often are the permissions reviewed?

Answer (2) Permissions are not normally reviewed unless the Developer intimates there may be an extension required. Council officers will, however, check on progress and raise concerns with the Developer if there is an issue with progress.

Question (3) What level of checks are done on developments to make sure that they have not extended beyond what has been agreed?

Answer (3) Local Inspectors will check on Developments as often as possible to try to ensure compliance with what has been agreed.

Question (4) How can residents report issues with poor site engagement?

Answer (4) Issues with poor site management should be raised with the Citywide Roadworks Occupation Team (Roadoccupation@Edinburgh.gov.uk) who will try and gain resolution to issues.

Question (5) What consideration/s are given to existing residents' use affected by surrounding projects, such as long-term sewage works and TROs, alongside a long-term development?

Answer (5) Consideration is given the impact of works and a decision made on whether to allow multiple projects to go ahead at the same time or whether to only allow one project at a time. Diversion routes if required, and safe access for all footpath and road users, are key considerations

QUESTION NO 7

By Councillor Dobbin for answer by the Convener of the Housing, Homelessness and Fair Work Committee at a meeting of the Council on 14 December 2023

Question (1) How many Council owned homes are unoccupied and void as of 1st December 2023?

Answer (1) 1,351 – this includes new builds not yet ready for let, voids being used as decants, properties earmarked for disposal or demolition or are currently used for the Whole House Retrofit project and are unable to be let.

Question (2) How many Council owned homes have been unoccupied for six months or more?

Answer (2) 895 – as per Q1, this figure also includes voids that are unable to be let for a number of reasons set out above.

Question (3) How many Council owned homes have been unoccupied for a year or more?

Answer (3) 620 – as per Q1, this figure also includes voids that are unable to be let for a variety of reasons set out above.

Question (4) How many Council owned homes have been unoccupied for 18 months or more?

Answer (4) 422 – as per Q1, this figure also includes voids that are unable to be let for a variety of reasons set out of above.

Supplementary Question How many of the 1,351 Voids are:

- new builds, not ready to let
- Used as decants
- Earmarked for disposal or demolition
- In the Whole House retrofit project

**Supplementary
Answer**

233 voids are unable to be let. The total breakdown is set out below:

Void Reason	Sum
Decant	58
Demolition	21
Disposal	82
Legal	3
Management Transfer/Decision	9
MMR	2
New Build	11
Police Scotland	2
Special Let	6
Transfer to Temp	6
Whole House Retrofit	33
TOTAL	233

QUESTION NO 8

**By Councillor Key for answer by the
Convener of the Housing,
Homelessness and Fair Work
Committee at a meeting of the
Council on 14 December 2023**

Question (1) How many homes does the Council own?

Answer (1) 20,258, of which 19,617 are mainstream and 641 are temporary accommodation.

Question (2) How many are occupied in either category:

- (a) Long term council tenants
- (b) Short term temporary accommodation
- (c) Any other form of occupation

Answer (2) a) Long term council tenants – 18,193

(b) Short term temporary accommodation – 566

(c) Any other form of occupation – 68 of the mainstream properties noted at (1) are “special lets” to other services including Health and Social Care and Education, Children and Justice Services. It is not possible to confirm whether these are all occupied at present.

QUESTION NO 9

By Councillor Cowdy for answer by the Convener of the Education, Children and Justice Committee at a meeting of the Council on 14 December 2023.

Question (1) For each of the years since 2012, what has been the budget for:

- a) Planning, implementing, maintaining, and developing the Microsoft 365 Learning and Teaching system for school children and teachers, covering Outlook, Word, Excel, PowerPoint, Teams, and OneDrive?
- b) Planning, implementing, maintaining and developing the Empowered Learning roll out of digital devices to support access to the Microsoft 365 system?

Answer (1) a) The costs associated with planning and maintaining the M365 environment are not separately defined but are part of the wider contract service charge with CGI. This was the same with BT prior to 2016. License costs, which are not part of the CGI contract, are definable from 2017. These were part of the BT service charge prior to that date. These are noted below with commentary on license type changes by Microsoft.

Year	Amount	Comments
2017/18	£229,301.47	Device licences only – Office 365 A1 at zero cost
2018/19	£236,315.12	Device licences only – Office 365 A1 at zero cost
2019/20	£238,840.00	Device licences only – Office 365 A1 at zero cost
2020/21	£420,888.30	Start of M365 A3 – device licences no longer offered by Microsoft under EES agreement. Includes O365 A1 and device licences.
2021/22	£430,376.68	
2022/23	£430,376.68	
2023/24	£592,344.25	

- b) The implementation costs for the Empowered Learning solution were £14,223,384. A further £437,185 has been spent on changes and additions to the original solution and £62,206 on additional iPads.

This investment was approved by Elected Members in 2021 as part of the budget setting process.

The annual service charge will vary depending on the number of devices deployed and supported. Service charges to date are:

2021/22 - £343,145

2022/23 - £1,098,292

2023/24 - £1,323,565 (to date)

The Empowered Learning solution provides greater access to devices for students, increasing equity of access and responding to the needs for flexible approaches to learning spaces. Empowered Learning has allowed students to access a range of tools and resources, including, but not exclusively the core L&T M365 resource

Progress on this programme has also been reported at GRBV and also EC&F Committees.

- (2) Which external suppliers have historically been involved and are currently involved in implementing:
- a) The Microsoft 365 system?
- b) Empowered Learning devices?

Answer

- (2) a) BT and CGI have been involved with implementing the M365 environment along with the Council Digital Services and Education teams. Microsoft and our Microsoft reseller, Trustmarque, have also had limited involvement in this.
- b) CGI are the primary supplier of the Empowered Learning solution with XMA as the framework supplier of iPads.

- Question** (3) What is the split of roles and responsibilities between City of Edinburgh Council and CGI for:
- a) The Microsoft 365 system – information governance, data protection and cyber security?
 - b) Empowered Learning devices - information governance, data protection and cyber security?

- Answer** (3) a) For M365 the Council defines the information governance/data protection policies which are applied and work with CGI on their implementation – some configuration sits with the Council and some with CGI. CGI is responsible for the overall security of the toolset. The Council have commissioned independent security reviews of both the corporate and Learning and Teaching M365 estates and are working through recommended changes with CGI.
- b) For Empowered Learning devices, CGI are responsible for all aspects of this including security, with the information governance and data protection elements agreed as part of the Council led Data Protection Impact Assessment.

- Question** (4) What official standards do City of Edinburgh Council and CGI meet with regards to information governance, data protections and cyber security, such as the ISO 27000 family of standards covering information security management?

- Answer** (4) CGI currently hold a ISO27001 accreditation. Annually, the Council undergoes an independent assessment for PSN compliance through an extensive penetration test. The assessing authority directly submits the test results to the Cabinet Office. The management and monitoring of all Critical and High rated findings' remediation occur through a Remediation Action Plan (RAP). PSN compliance certification is granted only when our PSN assessor is satisfied with the substantial progress made in addressing the findings.

- Question** (5) When were City of Edinburgh Council and CGI last independently certified to be meeting each of those standards and what was the certifying body?

Answer

- (5)** The CGI ISO27001 certificate was issued in April 2022 and is set to expire in May 2024. Additionally, the City of Edinburgh Council's PSN Compliance is due to expire in March 2024. Testing for the PSN 2024 submission has been completed, with the remediation of findings already in progress. The application submission is scheduled to be sent in February 2024.

QUESTION NO 10

By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Question

Please could the Convener set out in table form (1) the number of parking spaces currently available to Zone 5 permitholders in the following streets, (2) the net gain or loss to Zone 5 permit-holders should a TRO be raised and implemented in these streets to install the proposed Phase 4 bin hub locations, and (3) totals for both.

- Dean Street
- St Bernard's Row

Answer

These locations no longer form part of the Communal Bin Review Phase 4 and therefore it is not currently possible to provide this information.

QUESTION NO 11

By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Question

Please could the Convener set out in table form (1) the number of parking spaces currently available to Zone 5A permit-holders in the following streets, (2) the net gain or loss to Zone 5A permit-holders should a TRO be raised and implemented in these streets to install the proposed Phase 4 bin hub locations, and (3) totals for both.

- Brandon Street
- Dean Bank Lane
- Dundas Street
- Hamilton Place
- Henderson Place
- Henderson Row
- Perth Street
- Saxe Coburg Place
- Saxe Coburg Street
- Saxe Coburg Terrace

Answer

The table below provides the requested information.

Table 1

ZONE	ROAD	EXISTING PERMIT HOLDERS PARKING PLACES	EXISTING SHARED USE PARKING PLACES	PROPOSED PERMIT HOLDERS PARKING PLACES	PROPOSED SHARED USE PARKING PLACES	NET GAIN OR LOSS OF PERMIT HOLDER PARKING PLACES	NET GAIN OR LOSS OF SHARED USE PARKING PLACES
5A	Brandon Street	3	7	3	7	0	0
	Dean Bank Lane	15	16	15	14	0	-2
	Dundas Street	25	0	25	0	0	0
	Hamilton Place	8	0	7	0	-1	0
	Henderson Place	4	3	5	3	1	0
	Henderson Row	32	4	28	4	-4	0
	Perth Street	20	3	20	3	0	0
	Saxe Coburg Place	57	19	56	19	-1	0
	Saxe Coburg Street	17	3	17	3	0	0
	Saxe Coburg Terrace	16	7	15	7	-1	0
		197	62	191	60	-6	-2

Supplementary information

The team can compare the bin hub length to the standard British parking space. However, they would also need to calculate the areas where there was a historic bin location which will be returned to parking. Further some bin hubs may be placed where there was no parking previously. Also, as these parking places are not individually marked, all numbers are indicative based on the length of parking places in situ or being added/removed.

QUESTION NO 12

By Councillor Mitchell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Question

(1) Please could the Convener set out in table form (1) the number of parking spaces currently available to Zone 6 permit-holders in the following streets, (2) the net gain or loss to Zone 6 permit-holders should a TRO be raised and implemented in these streets to install the proposed Phase 4 bin hub locations, and (3) totals for both.

- Brandon Street
- Brandon Terrace
- Canonmills
- Canon Street
- East London Street
- Eyre Crescent
- Eyre Place
- Eyre Terrace
- Logan Street
- Rodney Street

Answer

(1) The table below provides the requested information.

Table 1

ZONE	ROAD	EXISTING PERMIT HOLDERS PARKING PLACES	EXISTING SHARED USE PARKING PLACES	PROPOSED PERMIT HOLDERS PARKING PLACES	PROPOSED SHARED USE PARKING PLACES	NET GAIN OR LOSS OF PERMIT HOLDER PARKING PLACES	NET GAIN OR LOSS OF SHARED USE PARKING PLACES
6	Brandon Street	7	3	6	3	-1	0
	Brandon Terrace	0	7	6	0	6	-7
	Canonmills	3	0	2	0	-1	0
	Canon Street	5	0	3	0	-2	0
	East London Street	29	27	31	24	2	-3
	Eyre Crescent	28	20	32	15	4	-5
	Eyre Place	16	35	17	34	1	-1
	Eyre Terrace	12	6	12	6	0	0
	Logan Street	12	0	14	0	2	0
	Rodney Street					0	0
		112	98	123	82	11	-16

Supplementary information

The team can compare the bin hub length to the standard British parking space. However, they would also need to calculate the areas where there was a historic bin location which will be returned to parking. Further some bin hubs may be placed where there was no parking previously. Also, as these parking places are not individually marked, all numbers are indicative based on the length of parking places in situ or being added/removed.

QUESTION NO 13

By Councillor Mowat for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Public Toilet Report to Transport and Environment Committee - 16th November 2023

This report dealt with a number of issues regarding public toilets including reporting back on the loss of the public toilets at Haymarket and the associated burden. This was addressed in a B Agenda appendix which is a confidential item as it contains legal advice and the public have not seen this document. The burden is a matter of public record as it is registered in the Register of Sasines and was found by a member of the community in the West End who sorely misses the public toilets in Morrison Street.

A number of questions were asked by the Community which do not appear to have been considered by the Committee.

Could the Convener answer the following questions:

- | | |
|-----------------|---|
| Question | (1) Will Haymarket be considered a “high traffic area” and included in the report coming back in twelve months time? |
| Answer | (1) The action agreed by Transport and Environment Committee in November 2023 was to progress with developing a proposal for new public toilets, including changing facilities, in town centres. In addition, based on the Strategy approved by Transport and Environment Committee in April 2021, and recognising that the provision of public conveniences has been raised by a number of Elected Members recently, I have asked officers to prepare a report for a Transport and Environment Committee before the summer recess which updates members on the Strategy and next steps. |

- Question** (2) Did Committee carefully consider the legal advice provided and assure themselves that all avenues have been explored to ascertain that any decisions taken regarding not enforcing the burden have been reasonable as per the Wednesbury test (A reasoning or decision is Wednesbury unreasonable (or irrational) if it is so unreasonable that no reasonable person acting reasonably could have made it).
- Answer** (2) Legal advice was provided to all Committee members in advance of the meeting and officers from the Council's Legal team attended Committee to answer any questions in respect of the information provided.
- Question** (3) Only Committee members, who have had sight of the legal advice, can make this decision which is why I am bringing this question to Council as I cannot ascertain from the webcast whether this part of the paper was considered.
- Answer** (3) I have asked officers to share the legal advice provided with ward Councillors. Officers would also be happy to answer any questions that Councillors have on this.

QUESTION NO 14

By Councillor Caldwell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

Question (1) Can the Convener please confirm to date the amount of location reviews requested from residents (may include site visits) broken down by Phase? (see appendix 1)

Answer (1) This information is not held in a way which allows this question to be easily answered for Phases 1, 2 and A.

The [outcome](#) of the reviews of Phases 3 and 4 was reported to Transport and Environment Committee in November 2023 (Appendix 3 and 4).

Further reviews continue to be undertaken as enquiries are received from residents.

Question (2) Can the Convener please confirm any indicative wider review dates for Phases 1 and 2 which didn't benefit from the adjusted Review Process applicable to later phases?

Answer (2) A full review of all the locations installed as part of Phases 1 and 2 will be undertaken in January 2024.

Question (3) Can the Convener please provide an update on the status on any outstanding TROs for adjustments in Phase 1, such as South Sloan Street and Easter Road?

Answer (3) Changes from all the phases will be brought together under one Traffic Regulation Order (TRO). It is anticipated that this will be advertised in Spring 2024, with a view to implementing changes on streets, should it be agreed to proceed, from late Summer 2024.

Supplementary Question

In regards to answer 1, if the requested data for Phases 1, 2, A (and the outcome from 3 and 4 linked does not include 'review requests') is not available and how are ward councillors able to scrutinise and adapt the policy appropriately? I've received and liaised with the CBR team on at least eight Phase 2 review requests and six Phase 1 review requests in Leith Walk alone relating to mental health, property impact, noise and other issues, with mixed results which signals significant concern from our communities.

Supplementary Answer

The waste and cleansing policies are reviewed every year by the Transport and Environment Committee, most recently in May 2023. As part of the next review a summary of the topics raised by residents during the implementation of the communal bin project will be provided.

Appendix 1

	# Reviews requested	# Moves initiated	# Ongoing review	# Moves not possible	# Total locations in phase
Phase 1					
Phase 2					
Phase A					
Phase 3					
Phase 4					

QUESTION NO 15

By Councillor Thornley for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 14 December 2023.

In answer to my question in February 2023, the Convener advised that a bus gate was being considered on Turnhouse Road in order to manage traffic access to the Maybury junction.

Therefore, to ask the Convener;

Question (1) Whether this consideration has concluded?

Answer (1) In November 2023, a technical review of the Maybury junction was commissioned. This will include an assessment of the Turnhouse Road bus gate proposal. The commission will assess what changes can be undertaken to address current issues at Maybury but also accommodate future growth planned for West Edinburgh

Question (2) If so, whether a bus gate is judged necessary on Turnhouse Road, and when it is expected to be progressed?

Answer (2) This will form part of the technical appraisal.

Question (3) If not, when he expects it to conclude?

Answer (3) The outcomes from the study are expected to be available Q2 2024.

QUESTION NO 16

**By Councillor Aston for answer by
the Convener of the Transport and
Environment Committee at a meeting
of the Council on 14 December 2023**

- Question** (1) Can the Convener provide an update on preparations for the winter readiness programme, including:
- Equipment numbers ready for this year (road gritters, pavement gritters, etc)
 - Stock of salt
- Answer** (1) The attached briefing note provides information on the preparations for winter maintenance readiness.
- Question** (2) Will the Convener provide an assurance that the hierarchy will be adhered to so as to ensure that pavements and active travel routes are kept safe?
- Answer** (2) The approach agreed by the Council, and set out in the attached briefing, will be adhered to in 2023/24.

Winter Maintenance Readiness - 2023/24

Roads & Transport Infrastructure
Place Directorate
October 2023

1.0 Introduction

- 1.1 This is an annual briefing note confirming the annual winter readiness preparations for the forthcoming season as well as to update on any significant changes.

2.0 Background

- 2.1 The City of Edinburgh Council has a statutory duty, under Section 34 of the Roads (Scotland) Act 1984, to take such steps as it considers “reasonable to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads”. The intention of this duty is not that the Council will take immediate and simultaneous steps to clear and/or treat every road whenever ice or snow exists. It is recognised by the Courts that this would be impossible and beyond the limits of available resources.
- 2.2 The Weather Emergency season will run from 20 October 2023 to 12 April 2024, with the period 2 weeks either side of this risk assessed by the Roads Operations Manager and a standby shift deployed as required.
- 2.3 The Weather Emergency service is primarily led by Roads Operations, within Roads and Transport Infrastructure. Roads Operations deliver carriageway gritting and is supported by other council sections namely Neighbourhood and Environmental services (Waste/Cleansing and Parks) to deliver footpath/cycle path gritting.
- 2.4 Edinburgh’s road network has been prioritised into three treatment categories Priority 1, 2 & 3, commonly referred to as P1, P2 and P3.
- 2.5 Roads Operations will provide plant and resources to treat the P1 carriageway network on a precautionary basis 24hrs a day for the entire season and as the weather forecast dictates.
- 2.6 In 2021 it was agreed that P1 footpaths and cycle paths would be gritted and managed by Neighbourhood Environmental Services and augmented by a volunteer roster (Roster B), staffed primarily from this service. These routes would cover the high ground in the southwest of the city and critical footways in the city centre and to sensitive locations.

- 2.7 To allow a transition into managing the P1 footpaths, for the second year, Neighbourhood Environmental Services will grit 12 Hako routes and Road Operations grit 17 routes through management of the Roster B volunteers. It is anticipated that responsibility for this in 2014/25 will fully sit with Neighbourhood Environmental Services.
- 2.8 Roads Operations will provide plant and resources to treat the Priority 2 and 3 carriageway networks on a reactionary basis within core hours, Monday to Friday, as the weather dictates and as resources will allow. Additional footpath/cycle path gritting will be provided by supporting council sections, including Roster B, as resources allow.
- 2.9 Silver tactical co-ordination teams are in place, rostered and communicated to provide a senior incident management control in the event of severe weather conditions. The team will augment and support the standard weather emergency resources and includes the deployment and management of additional external contractors and resources.

3.0 Main Points

Winter Operations 2023/24 Update:

- 3.1 Over the last 2 winter season provision of Roster B services has been decoupled from Roster A by moving the Roster B depots to Inch and Murrayburn depots to reduce the likelihood of an outbreak of Covid-19 and to reduce the impact of any outbreak. Roster A has also been decoupled into two separate depots, Bankhead and Blackford. This will be implemented every season moving forward as good practice, providing contingency for any outbreak.
- 3.2 In the event of an outbreak causing significant proportions of a depot, or the whole depot, to require to self-isolate then the Priority 1 network can be treated from a single depot by temporarily putting on hold routine roads maintenance and focusing solely on Winter Treatment where the forecast requires this.
- 3.3 Following the 2020/21 season review, it was agreed to implement additional ongoing revenue funding and resources to deliver increase footpath gritting. Since then, an additional 12 routes have been developed, mapped and trialled. Additional street sweepers to support the delivery have been procured and delivered. The supplementary winter kit which converts the sweepers into a gritter has been procured and initial route running has been undertaken toward the end of the 2022/23 season.
- 3.4 These additional routes will be issued alongside existing footpath gritting routes for the 2023/24 season, as the weather dictates.

Decision Making:

- 3.5 Edinburgh is split into three forecast domains: South, North West and Urban. During marginal conditions this allows treatment to be targeted to the area or areas which require treatment and avoids costly and unsustainable treatment of areas not at risk of hazard.

- 3.6 Forecast information is received twice daily from specialist meteorological supplier MetDesk Ltd and is calibrated to numerous weather stations and road sensors situated across Edinburgh to provide an accurate forecast of predicted Road Surface Temperatures (RST) from which to make treatment decisions. Treatment decisions are made twice a day for that evening and the following morning.
- 3.7 There is a day and night shift roster on call to react to the treatment decisions and where necessary these shifts combined can cover a 24hr period.
- 3.8 5nr winter weather sensors were upgraded in the period between 2021/22 and 2022/23 season to ensure reliable forecasting and decision making is supported.

Salt Stocks:

- 3.9 A stock of 12,000 tonnes of rock salt is in place within the Edinburgh boundary and will be replenished at operational depots as required throughout the season.
- 3.10 An operational supply of 5,000 tonnes is held between Bankhead (4,000 tonnes) and Blackford (1,000 tonnes) roads depots. These stores have been topped up to full for the start of the season.
- 3.11 A further strategic supply of 7,000 tonnes is in place at Longstone Depot.
- 3.12 The council's rock salt supplier also has a further stock of 125,000 tonnes located within Edinburgh for wider distribution to the East of Scotland.
- 3.13 Stock levels are constantly monitored by Roads Operations and levels topped up throughout the season as required.
- 3.14 Last year's salt use was 6,488 tonnes.
- 3.15 The 5-year average is 6,903 tonnes.

Winter Fleet:

- 3.16 The Council has a fleet of 17 multibody gritters. These have been calibrated for gritting ahead of the season start date.
- 3.17 In support of this, and in recognition of the age of some of the existing fleet, the Council has 13 modern hired fixed body gritters for the full season.
- 3.18 The council has 16 dedicated footpath tractors fitted with salt spreaders and a combination of snow ploughs and brushes to treat dedicated P1 footpath/cycle paths routes. The tractors are serviced and maintained in-house.
- 3.19 The council has a fleet of 12 sweeper units that can be converted to gritters to undertake footpath and cyclepath gritting.
- 3.20 An additional 3 tractors have been put in place to service dedicated (SfP / Travelling Safely) routes as part of the P1 network.

- 3.21 The council also has 2 dedicated 3.5t vehicles fitted with mobile spreaders to treated P1 cycle routes.
- 3.22 Fleet Services has confirmed their cover arrangements to provide the required Mechanical and Fitter support 24/7 during winter operations. The provision of newer hired vehicles will reduce the pressure on maintenance services.
- 3.23 The roads fleet has undergone a tender exercise in 2021/22 and it is expected that replacement vehicles will begin arriving near end 2023 and reduce the operations reliance on hired in vehicles in the longer term.

Grit Bins and Salt Dumps:

- 3.24 The council provides salt bins in communal locations so that streets and residents can self-help in the areas not covered by the P1 network. At the start of the season there were 3,136 bins on the asset register.
- 3.25 All salt bins have been re-filled ahead of the season starting.
- 3.26 Residents can find their nearest grit bin, report a damaged bin, or request a re-fill at: <https://www.edinburgh.gov.uk/gritbinproblem>

Note: In periods of snow fall or prolonged frost/ice it is not possible to fill all the bins immediately and they will be filled as quickly as resources and the weather will allow.

- 3.27 Council schools have been surveyed ahead of the season commencing and one tonne bags of rock salt delivered out, as required, to provide sufficient stocks for schools to self-serve in and around the grounds.
- 3.28 Following review of the 2020/21 season, 30 bulk salt dumps have been located for quick deployment of salt in bulk during severe weather.
- 3.29 A further 150+ one tonne salt bag locations have been identified to support this as part of the silver command in extreme conditions.

Communications:

- 3.30 In response to forecast weather events, the Council web pages will be updated, and communications delivered to Council services and staff. There will also be opportunities for proactive press engagement to highlight the Council's preparations to respond to these events.
- 3.31 The Council's website has information on gritting routes, grit bin locations and guidance on clearing paths: <https://www.edinburgh.gov.uk/gritting-grit-bins>

Contract management:

- 3.32 The winter forecasting contract continues to be delivered by MetDesk Ltd.

3.33 The Council has in place:

3.33.1 A contract for the hire of additional external gritters on a standby basis to deal with any unexpected vehicle failure or severe weather;

3.33.2 A contract to provide tractor pulled gritters in the rural West of the city in the event of severe weather restricting access to standard gritting vehicles;

3.33.3 Pre-approved selection of contractors to provide plant and labour support in the event of severe or prolonged weather; and

3.33.4 A contract for the provision of rock salt year-round.

Mutual Aid:

3.34 Arrangements are in place with neighbouring authorities and the Trunk Road Operator to ensure coverage of boundary interfaces.

3.35 Lines of communication between neighbouring authorities and the Trunk Road Operator are in place in the event of severe weather or salt shortages to ensure effective mutual support where possible.

4.0 Next Steps

4.1 There are robust routes and procedures in place to manage the delivery of the winter service, built up over years of experience from dedicated officers.

4.2 Domain decision making has generated a noticeable efficiency in marginal conditions. It has resulted in a reduction of wasted salt and fuel use and the negative environmental impacts associated with these, as well as reducing the overall cost of the service. This will continue to be implemented.

4.3 Officers will remain vigilant in reviewing the forecasting accuracy of the weather forecast supplier in case there are any inconsistencies that would give rise to any concerns.

4.4 At the middle and end of the season officers will review progress and issues arising with the view to review and update procedures as necessary. This season particular focus will be given to implementation of the additional resources and routes.

5.0 Contact Details

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Winter Weather Contacts:

Winterweather.enquiries@edinburgh.gov.uk

<https://www.edinburgh.gov.uk/gritting-grit-bins>

QUESTION NO 17

**By Councillor Campbell for answer
by the Convener of the Education,
Children & Families Committee at a
meeting of the Council on 14
December 2023**

Question

- (1)** On the 2nd of November I asked the convener about the contract spend on mental health services of children and young people.

The convener's answer only talked about the £1m funding per annum that comes directly from the Scottish Government and no detail was provided about the council's own funding provision. Instead I was directed towards the contract register which is published on the council's website. The information on the contract register is minimal, with only a brief description given for each project. It is not possible to determine what contracts in place are for mental health support for children and young people from the contract register. Can the convener please provide the information asked for last month which was:

Can the convener please set out the contract spend within the Children, Education and Justice Services directorate on counselling and other direct mental health and wellbeing support for children and young people including details of how much is spent overall, which organisations are funded and what they are expected to deliver for that funding?

Answer

- (1) Children and Families' mental health and wellbeing is a priority for City of Edinburgh Council. Please see below the main contracts for mental health supports which also offer activities that promote mental health rather than interventions to address mental health issues.

The Community Mental Health contracts deliver eight projects across localities and additional citywide projects for an approximate total value of £1m per annum. One of the contracts is currently being reviewed (NE Lot 1e) as one project is unable to fulfil the requirement.

Last year 1513 children and young people between 5 and 24 (26 if care experienced) benefited from these supports.

The contracts value and all details as follows (year 22/23):

LOT Number & Value	Organisations	Delivery
SE Lot 1a £115,000	Home Link Family Support Crossreach Goodtrees	Art therapy sessions Young people counselling sessions Systematic family counselling sessions Adult counselling sessions Young people therapeutic group work Adult therapeutic group work

<p>SE Lot 1b</p> <p>£115,000</p>	<p>Canongate Youth</p> <p>Uevolve</p> <p>Edinburgh Old Town Development Trust</p> <p>Edinburgh and Lothians Greenspace Trust</p>	<p>Wellbeing worker (8-14yrs)</p> <p>Therapeutic counselling (12-18yrs)</p> <p>Group work for young adults</p> <p>Support for parents, carers and frontline staff</p> <p>A community connector offering - (a) drop in's - (b) Support groups - (c) Weekend wellbeing activities</p> <p>A community project officer offering – (a) Woodland activities (b) Gardening workshops - (c) Physical activities – (d) Conservation activities</p>
<p>SW Lot 1cd</p> <p>£230,000</p>	<p>Space</p> <p>Big Hearts</p> <p>SAMH</p> <p>With Kids</p>	<p>1-1 art therapy, Play Therapy, Group work schools, Group work community</p> <p>Schools Out (5-14 yrs) TEAM (8-12yrs) That's me (13-18yrs) Welcome to football (15-24yrs (26))</p> <p>Time for me (11-18yrs) Mental health Workshops (11-18yrs) Mental health workshops 16+ adults</p> <p>PHEW Groupwork (18-24yrs (26)) PHEW 1-1 (18-24yrs (26))</p>
<p>NE Lot 1e</p> <p>£115,000</p>	<p>Lets Talk</p> <p>Edinburgh Community Yoga</p> <p>Tinderbox</p> <p>Edinburgh & Lothian Greenspace Trust</p>	<p>Weekly health drop in's, (a) 5-11yrs and parents- (b) 12-26 yrs (c) Therapeutic 1-1 slots (d) Time for me sessions</p> <p>Yoga programmes</p> <p>Therapeutic music group programmes</p> <p>Gardening project</p>

<p>NE Lot 1f £115,000</p>	<p>The Junction Young People Health and Wellbeing</p> <p>The Citadel Youth Centre</p> <p>Pilemy Development Project</p> <p>YMCA</p> <p>Multicultural Family Base</p> <p>The Ripple</p> <p>Miricyl</p>	<p>Block counselling access</p> <p>Family worker 1-1, Parenting Groupwork, Young People Wellbeing groupwork</p> <p>1:1 Support and family support, Girls Emotional Wellbeing Group</p> <p>Mosaic Groupwork, 1-1 Support</p> <p>Young People's Wellbeing groupwork (10-15yrs), Wellbeing groupwork parents/carers</p>
<p>NW Lot 1g £100,000</p>	<p>Stepping Stones</p> <p>Intercultural Youth Scotland</p> <p>Granton Youth</p> <p>Muirhouse Youth Development Group</p>	<p>Outreach Support</p> <p>Counselling sessions for CYP identifying themselves as BAME and/or POC</p> <p>Group 1-1 Counselling (10+yrs)</p> <p>1-1 Support</p>
<p>NW Lot 1h £100,000</p>	<p>Stepping Stones</p> <p>Intercultural Youth Scotland</p> <p>Granton Youth</p> <p>Westerhailes Youth Agency</p>	<p>Outreach Support</p> <p>Counselling sessions for CYP identifying themselves as BAME and/or POC</p> <p>Group 1-1 Counselling (10+yrs)</p> <p>1-1 and Groupwork support</p>
<p>NW Lot 1i £100,000</p>	<p>Stepping Stones</p> <p>Intercultural Youth Scotland</p> <p>Granton Youth</p> <p>Pilton Youth and Childrens Project</p>	<p>Outreach Support</p> <p>Counselling sessions for CYP identifying themselves as BAME and/or POC</p> <p>Group 1-1 Counselling (10+yrs)</p> <p>1-1 Support</p>

<p>City Wide Lot 2A</p> <p>£140,000</p>	<p>Barnardo's Families Outside</p>	<p>Support to families with intensive support based on planned intervention</p> <p>Support to CYP</p> <p>Provide flexible spaces crisis intervention response</p> <p>Provide light touch signposting or referral to MHWB family support</p> <p>Provide access to Drop in sessions</p> <p>Provide Groupwork sessions</p>
<p>City Wide Lot 2C</p> <p>£100,000</p>	<p>Barnardo's Tailor Ed Autism Initiatives</p>	<p>1-1 support (5-16yrs)</p> <p>Group training opportunities for parents and siblings</p> <p>1-1 support (16-24yrs)</p>

There is a contract in place for Edinburgh Together which is delivered by a consortium comprised of Barnardo's, Canongate Youth and Children 1st. The contract provides for therapeutic support to children, siblings and their families. The annual value is £670,000.

A contract is also awarded to Richmond's Hope to support children affected by bereavement. The contract value is £48,000 per annum for the delivery of bereavement counselling and therapeutic age-appropriate activities to bereaved children and young people. This may be on a one to one or group basis depending on the needs of the young person.

A contract is awarded to Circle and Sunflower Garden (Crossreach) to support children affected by parental substance use. The contract is jointly funded with EADP, for an annual value of £485,000. Circle works alongside families to help them build upon existing strengths to make and sustain positive lifestyle choices. Children are provided with 1:1 support in schools or the local community. Creative approaches are used to help children express their emotions, build their confidence and develop resilience to help them cope with any difficulties. Sunflower Garden offer counselling, art therapy and therapeutic support on a 1:1 and/or groupwork basis.

City of Edinburgh Council also has a Service Level Agreement with NHS for £53,000 per annum to fund 0.8 FTE of a CAMHS worker to provide a responsive and timely service to meet the clinical mental and emotional health needs (including where this impacts on behavioural presentation) of the children and young people accessing a Social Work service from Young People Services.

A contract is awarded to Bright Light to provide up to 1000 hours of counselling to families in poverty for an annual spend of £50,000.

The Council has also awarded a ten-year contract to Scottish Nursing Guild for the provision of emergency mental health. The spend varies depending on the need.

Action for Children EH1 contract value is approx. £155,000 per annum. The Provider is contracted to engage the young person in a range of sustainable activities (affordable to the child or family after the completion of intervention) which will enhance life experiences, social skills, self-confidence and independence skills. The Provider supports the child, young person and their family through crisis periods, particularly at evenings and weekends, by reinforcing parenting work, assisting in the identification of emergency kinship care arrangements and defusing conflict.

Mental health support provisions and wellbeing interventions are also directly purchased calling off existing framework contracts to address the local need identified by the Head Teachers, the Practice teams and the teams around the child. These may include counselling, therapeutic support, play-therapy, art therapy and music therapy.

Other forms of support are also available like coaching and mentoring through the staff employed in 9 of our High schools in conjunction with the MCR approach.

The list of providers is not exhaustive and includes:

Place2 Be
With Kids

The Citadel

Humanutopia
She Scotland
Tree of Knowledge
U-Evolve

Beth Reid creative therapy
Circle
Fischy Music
Granton Youth
Miriam McHardy counselling
Nordoff-Robbins Music Therapy
Wester Hailes Youth Agency

Apex Scotland
Barnardo's -
Canongate youth
Cyrenians

Multi-Cultural Family Base
The Junction

Action for Children
Children 1st

If further detail is required, it may be more appropriate to provide a briefing to the Elected Member in order to provide appropriate protection for commercial interests, and the identity of individual service users.

Question

(2) Last month I asked the convener:

Can the convener confirm how many children and young people access counselling services directly funded by council contract spend within C,E&JS?

And I was told that:

‘This information is supplied by each provider to their contract manager as part of the contract monitoring process. Information will be collated manually and provided as soon as available. Contract Management procedures are being reviewed by CEJS and will continue to be a priority to ensure the data informs the service in a timely and comprehensive manner’

Can the convener please provide this information now, or give a timeline and process by which it will be provided (i.e. an update to committee, a report or a briefing note)?

Answer

- (2) Alongside our Educational Psychology and Additional Support for Learning Services, counselling is provided to all children and young people by 31 counsellors employed by City of Edinburgh Council. This core funding equates approximately £1m per annum. The number of children and young people accessing this service in academic year has been provided in November.

In specific circumstances, when schools and teams in the local communities identify needs that cannot be met via City of Edinburgh Council resources, they are able to access contracts and frameworks as appropriately and as flexibly as required.

Multi-provider frameworks offer the flexibility the City of Edinburgh Council needs to meet the requirement timely, locally and effectively, however due to the nature of these

provisions (community- based, needs-led) the data on uptake is held at schools' level and cannot be collated until the new contract management process is implemented, pending approval of the Award of the framework for Accredited Pathways and Certified Counsellors and Therapists in August 2024.

The city-wide needs addressed by central contracts last year provided for 304 children and young people and their families. As requested, the number only refers to direct counselling services and does not include the majority of provisions for therapeutic and wellbeing support referred to in Q1.

Question

(3) Last month I asked the convener:

Can the convener please set out the details as above but specifically in relation to:

- (a) Children and young people at risk of or experiencing homelessness
- (b) Children and young people in families where a parent or carer has issues with addiction or substance misuse?

And received the response:

‘The Council has a joint contract with EADP to address the specific need of children affected by parental substance use.

The volume of referrals and interventions is discussed during contract monitoring activities. Information will be collated manually and provided as soon as available.’

Can the convener please provide this information now, or give a timeline and process by which it will be provided (i.e. an update to committee, a report or a briefing note)?

Answer

(3) As stated in November, the Council does not gather the details of each referral, which remain confidential to the referrer or to the young people if self-referring. Scottish Government does not require this categorisation when reporting on outcomes.

By the very nature of the service some of the children and young people are at risk of homelessness or are affected by parental substance use but that is not a precursor for accessing this service and is not information which we gather.

A dedicated contract, however, is awarded to deliver support to children affected by parental substance use. The contract is jointly funded with EADP, for an annual value of £485,000 for 22/23. In 22/23, 155 children accessed the support provided by Circle and 78 accessed the support provided by Sunflower Garden through this contract

Question

(4) Last month I asked:

How much of this spend, if any, is statutory?

This information was not provided, as the amount of council spend on contracts to provide mental health support for children and young people was not provided.

Can the convener please provide this information now, or give a timeline and process by which it will be provided (i.e. an update to committee, a report or a briefing note)?

Answer

(4) Counselling and wellbeing interventions are not considered statutory provisions.

The contracted spend can be considered critical spend, to address a requirement that flows from population need and individual strategies directed to local intervention in the learning communities, in addition to the core services delivered by City of Edinburgh Council.

Question

(5) Last month I asked:

When are these contracts up for review?

And I was given the answer

‘The details can be found on the contract register published on City of Edinburgh Council website.’

As I was unable to determine which contracts on the contract register are for mental health support for children and young people, could the convener please provide a list of the relevant contracts and their review dates?

Answer

(5) The Flexible framework for Accredited Pathways and Certified Counsellors and Therapists contract opportunity closed on Monday 4th December. The implementation date is anticipated to be June 2024.

CAPSU contract – Children Affected by Parental Substance Use currently awarded to Circle and Sunflower Garden) end date is June 2024.

Edinburgh Together contract, currently delivered by Children 1st, Barnardo’s and Canongate Youth end date is March 2024.

Bereavement counselling, currently delivered by Richmond’s Hope end date is August 2027.

YPS mental health service contract currently delivered by NHS Lothian review date is March 2024.

Emergency Mental Health support contract end date is August 2024, with the option to extend for up to 5 years.

EH1 contract currently awarded to Action for Children end date is July 2024.

Community Mental Health contract review date is October 2024.

QUESTION NO 18

By Councillor Nicolson for answer by the Vice Chair of the Edinburgh Integration Joint Board at a meeting of the Council on 14 December 2023

As Chalmers Sexual Health Services and services relating to Astley Ainslie Hospital will no longer provide reports to the EIJB:

Question (1) How will the EIJB monitor these vital Sexual Health Services in Edinburgh?

Answer (1) The 4 Integration Joint Boards in Lothian are currently reviewing and strengthening the performance management arrangements for hosted services. (Hosted services are run by NHS Lothian on a pan Lothian basis and commissioned by each of the 4 IJBs). Sexual health services will be considered as part of this process.

Question (2) How can Council raise issues and concerns to improve these services for residents in Edinburgh?

Answer (2) Anything relating to the operation of the service should be routed via NHSL. If the issue was one of strategy, then it could be raised via the IJB.

Question (3) What explanation has been given for these services (based in Edinburgh) being moved to a different IJB when the majority of the service users are within the City of Edinburgh?

Answer (3) The Edinburgh Integration Joint Board remains responsible for commissioning these services for the people of Edinburgh. Operational management of these pan Lothian services is the responsibility of NHS Lothian. Further information was included in the briefing note circulated to elected members on 28th September 2023.

QUESTION NO 19

**By Councillor Macinnes for answer
by the Convener of the Finance and
Resources Committee at a meeting
of the Council on 14 December 2023**

At the 21 November Finance and Resources Committee we were provided with a report on Revenue Monitoring 2023/24 Month Five. An underspend of £1.88m is forecast in that report with some indication that change to that figure may occur.

Question (1) Can the Convener confirm on what exact date she was made aware of that figure by officers?

Answer (1) I was made aware of the projected £1.88m underspend when the finalised report was sent to me on 7 November 2023, the same day it was published in APM papers.

Question (2) Can the Convener confirm that she agrees that decisions on underspend allocation are a matter for elected member decision-making and that, in her role as Convener, she will protect this position and ensure that Finance and Resources group spokespersons are fully informed immediately whenever the ongoing position emerges?

Answer (2) I agree that the projected underspend allocation is a matter for elected members to decide.

The projected underspend is a constantly evolving position, and it would place an unfair burden on officers to continually keep F&R group spokespeople, including myself, updated at every change. If there are any drastic changes that need immediate attention, I will ensure F&R spokespeople are briefed, however, Committee reporting is the established governance route for keeping members updated on current Council-wide positions on all policy areas, not just the budget.

QUESTION NO 20

**By Councillor Macinnes for answer
by the Convener of the Finance and
Resources Committee at a meeting
of the Council on 14 December 2023**

Question (1) Can the Convener indicate what conversations (and when) she has had with senior finance officers on what individual budget proposals are coming from officers and when we can expect them? Has she sought an explanation of why we are now at the end of November (at time of writing) and we still have not had any specific proposals with information on their implications?

Answer (1) On the run up to the 24/25 budget setting in February, the Labour Group has requested briefings from Directors to talk through the budget in their service area. Any group can do the same if they wish.

Finance officers have worked with Directors to identify various means of savings other than significant changes to service delivery which has brought the gap to £11.9m from £58.6m as reported at November F&R. Any savings proposals to bridge this remaining gap will go to the relevant Executive Committee for scrutiny before the February Council Budget meeting.

Question (2) While there has been some information brought forward in the recent 'Revenue Budget Framework and MTFP 2024/29 - progress update', does she agree that this does not substitute for specific budget proposals?

Answer (2) Although I agree these do not substitute for detailed savings proposals, the agreed approach this year has been to take proposals to the relevant Executive Committees for full scrutiny.

QUESTION NO 21

**By Councillor Dijkstra-Downie for
answer by the Convener of the
Transport and Environment
Committee at a meeting of the
Council on 14 December 2023.**

Of the 44 EV charging points due to be operational by autumn 2023 (as per the Council website):

Question (1) Which of these charging points are not yet operational?

Answer (1) There are 10 charging sites which are not yet operational.
These are:

- Barnton Grove, Edinburgh – two 7kW chargers with four bays
- St Clair Road, Edinburgh – four 7kW chargers with eight bays
- Craigleith Crescent, Edinburgh – two 7kW chargers with four bays
- Northfield Road, Edinburgh – two 7kW chargers with four bays
- Craighall Road, Edinburgh – two 7kW chargers with four bays
- Chalmers Street, Edinburgh – two 7kW chargers with four bays
- Sciennes, Edinburgh – two 7kW chargers with four bays
- Rose Lane, Queensferry – two 7kW chargers with four bays
- Oxfangs View, Edinburgh – two 7kW chargers with four bays
- Prestonfield Avenue, Edinburgh – two 7kW chargers with four bays

Of these, nine are nearing completion and are due to go live by February 2024. This will see a total of 20 charging units, serving a total of 40 bays, added to the ChargePlace Scotland network. Unfortunately, due to grid connection issues, the remaining site at Rose Lane, Queensferry will be delayed further into the new year. Officers are working closely with SP Energy Networks and the contractor to ensure these chargers go live as soon as possible, and it is anticipated that the final site will be live by April 2024. Once the works are complete at Rose Lane, a total of 22 charging units, serving a total of 44 bays, will be added to the ChargePlace Scotland network.

- Question** **(2)** For each of these, could you detail:
- a) What is the reason that they are not yet operational?
 - b) When will they become operational?
- Answer** **(2)** a) There have been delays due to grid connection and metering issues, which has ultimately delayed the commissioning process.
- b) As noted above, the proposed go live date for the majority of chargers will be by February 2024, with the remaining site going live by April 2024.