

Minutes

The City of Edinburgh Council

Edinburgh, Thursday 12 March 2015

Present:-

LORD PROVOST

The Right Honourable Donald Wilson

COUNCILLORS

Elaine Aitken
Robert C Aldridge
Norma Austin Hart
Nigel Bagshaw
Jeremy R Balfour
Gavin Barrie
Angela Blacklock
Chas Booth
Mike Bridgman
Deidre Brock
Steve Burgess
Andrew Burns
Ronald Cairns
Steve Cardownie
Maggie Chapman
Maureen M Child
Nick Cook
Gavin Corbett
Cammy Day
Denis C Dixon
Karen Doran
Paul G Edie
Catherine Fullerton
Nick Gardner
Paul Godzik
Joan Griffiths
Ricky Henderson

Dominic R C Heslop
Lesley Hinds
Sandy Howat
Allan G Jackson
Karen Keil
Richard Lewis
Alex Lunn
Melanie Main
Mark McInnes
Adam McVey
Eric Milligan
Joanna Mowat
Gordon J Munro
Jim Orr
Lindsay Paterson
Ian Perry
Alasdair Rankin
Vicki Redpath
Cameron Rose
Frank Ross
Jason G Rust
Alastair Shields
Stefan Tymkewycz
David Walker
Iain Whyte
Norman Work

1. Motion by Councillor Mowat – Local Development Plan

a) Deputation – Friends of Curriemuirend Park

The deputation expressed concerns at the problems Curriemuirend Park was having due to the delay in the progress of Local Development Plan 2. They indicated that this had held up any proposed initiatives they had for the park such as tree planting and were also unable to involve local schools in their projects due to the uncertainty over the park's future.

They stressed that they would have preferred an outcome to the Local Development Plan in February rather than now having to wait until May 2015.

b) Motion by Councillor Mowat

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

“Council notes:

1. that the proposed City of Edinburgh Local Plan has not been brought forward for consideration of the unresolved issues and authorisation of the submission of the second proposed plan to Scottish Ministers for examination;
2. that the current Edinburgh City Local Plan was adopted on 28 January 2010 making it 5 years old, this plan was prepared with the end date of 2015;
3. that there have been a number of planning appeals determined in the Council's favour on the ground that a plan was being brought forward and progressing according to the Council's proposed LDP schedule;
4. that there are a number of contentious sites in the plan for which planning applications are being submitted;
5. that further delay in determining the plan reduces the Government's and the public's confidence in the Council's ability to take planning decisions for the City and that this exposes the City and her communities to “planning by appeal” which is undemocratic and abnegates the Council's responsibility;

and in light of this unacceptable delay to the determination of the Local Plan calls for:

an emergency meeting of the Planning Committee to be held within 14 days to allow the Committee to consider:

- i. the summary of Unresolved Issues for submission to examination;
- ii. whether to authorise the submission of the Second Proposed Plan to Scottish Ministers for examination along with the representations themselves and background documents including an Environmental

- Report Addendum and a Report of Conformity showing participation measures undertaken;
- iii. an updated Development Plan Scheme so that it can be circulated to everyone who submitted representations.”

Motion

To approve the motion by Councillor Mowat

- moved by Councillor Mowat, seconded by Councillor Heslop

Amendment

1. To note that the current Edinburgh City Local Plan was first adopted in early 2010; and was envisaged to have a potential end date during 2015.
2. To further note that the Planning Committee meeting, of 19th June 2014 formally instructed a wide range of actions to be undertaken; in relation to the eventual determination of the second proposed plan (LDP2).
3. To additionally note that, subsequent to the 19th June meeting, the Cammo site was appealed to the Scottish Government Reporter and it was now their decision (not the Council’s decision) that would determine the final planning outcome of that specific site.
4. To acknowledge that there was still a need to formally examine the remaining unresolved issues, and ultimately reach an eventual determination of the second proposed plan (LDP2), as soon as practicable.
5. To further acknowledge the crucial importance of creating a spatial strategy that allowed the Planning Committee to manage the projected growth for the city and for the wider South East of Scotland Region.
6. To also note that in order to take an absolutely final decision on the proposed housing sites in the Local Development Plan, Council needed to have complete certainty on the sites that remained in the Plan and to consider all of the representations made with regard to the proposed housing sites in the Plan and alternative sites which had been suggested. Thereafter it would be possible to respond to some of the local objections concerning the potential loss of greenbelt.
7. To finally note however, that the Plan did ultimately need to ‘add up’, and would involve the release of sufficient additional land to accommodate the construction of at least 8,484 new homes.
8. To therefore agree, for all the reasons above, to aim to complete its consideration of the second proposed Local Development Plan (LDP2) at the scheduled Planning Committee meeting on 14th May 2015.

Should the Minister determine the outstanding appeal prior to the 14th May 2015 then a Special Planning Committee meeting be called.

- moved by Councillor Perry, seconded by Councillor Dixon

Voting

The voting was as follows:

For the motion	-	14 votes
For the amendment	-	40 votes

Decision

To approve the amendment by Councillor Perry.

2. Minutes

Decision

To approve the minutes of the Council of 5 and 12 February 2015 as correct records.

3. Questions

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

4. Leader's Report

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

- Councillor Cardownie – Appreciation for help and support
- Councillor Howat – Congratulations on appointment as Leader of the SNP Group
- Sue Bruce, Chief Executive – Appreciation
- EDI Staff – Congratulations
- Thanks to Jim Paris, City Officer for service and support

The following questions/comments were made:

Councillor Rose	-	Thanks to Councillor Cardownie for work as Depute Leader
	-	Councillor Howat – best wishes for new role
	-	Sue Bruce, Chief Executive – appreciation for work done
	-	Putting the city at the centre of the Scottish constitutional debate

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| Councillor Burgess | <ul style="list-style-type: none"> - Changes to SNP Leadership – acknowledgement - Sue Bruce, Chief Executive – Forthcoming retirement - City Deal – Investment in new infrastructure |
| Councillor Rust | <ul style="list-style-type: none"> - Future leadership of the Council |
| Councillor Gardner | <ul style="list-style-type: none"> - Racism, hate crime, Islamaphobia, Anti-Semitism – Event on 21 March 2015 |
| Councillor Edie | <ul style="list-style-type: none"> - Racism, hate crimes, Islamaphobia, Anti-Semitism – Event on 21 March 2015 - Sue Bruce, Chief Executive – appreciation for work done - Thanks to Councillor Cardownie - Councillor Howat – best wishes for new role - Funding Neighbourhood Partnerships |
| Councillor Redpath | <ul style="list-style-type: none"> - Fashion Week – encourage to support young talent |
| Councillor Tymkewycz | <ul style="list-style-type: none"> - Nadiya Savchenko, former service personnel held captive in Moscow |
| Councillor Fullerton | <ul style="list-style-type: none"> - Positive feedback from Education Scotland on Edinburgh’s education services |
| Councillor Cardownie | <ul style="list-style-type: none"> - Jim Paris, City Officer - retirement - Dave McKay – campaign to celebrate his life in an appropriate way - Role of SNP Group within Capital Coalition |
| Lord Provost | <ul style="list-style-type: none"> - Jim Paris, City Officer - Participation in the London Marathon |
| Councillor Orr | <ul style="list-style-type: none"> - 250th Anniversary of the birth of Thomas Muir |
| Councillor Main | <ul style="list-style-type: none"> - Elderly residents with complex needs awaiting Social Work assessments |
| Councillor Cairns | <ul style="list-style-type: none"> - Thanks for money raised for hospital |
| Councillor Work | <ul style="list-style-type: none"> - Congratulations to the Scottish Youth Parliament |

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| Councillor Shields | - Thanks to young members of the South Side Community Centre for hospitality and engagement with QA Forum |
| Councillor Howat | - Thanks for members support
- Thanks to Councillor Cardownie
- Sue Bruce, Chief Executive – forthcoming retirement
- Success of Coalition – joint aims |

5. Pensions Committee Appointments

As part of the implementation of governance changes required to accommodate the new arrangements for the Local Government Pension Scheme the Council was asked to appoint two non-councillor members to the Pensions Committee.

Decision

- 1) To approve the appointment of Darren May and John Anzani as members of the Pensions Committee, being nominated from the employer and member groups respectively.
- 2) To note that the new Pension Board would be established on 1 April 2015 with 5 trade union representatives and 5 employer representatives.

(Reference - report by the Director of Corporate Governance, submitted)

6. Appointment to the Board of the Village Pub Theatre

Details were provided on an invitation for the Council to appoint a representative for the first time to the Board of the Village Pub Theatre, which was an evolving community-led theatre project based at the Village, South Fort Street.

Decision

To appoint Councillor Brock to the Board of the Village Pub Theatre.

(Reference – report by the Director of Corporate Governance, submitted.)

7. Edinburgh Prison Visiting Committee Appointment

The Council had previously been advised of the Scottish Government's intention to transfer the responsibility for voluntary Visiting Committees to a new prison monitoring service. Current indications were that this would now take place in late summer 2015 although there might also be a three-month handover to the new agency.

Due to recent resignations the numbers in Edinburgh had fallen and given the approaching transfer of responsibilities it had been agreed that public advertisement for replacement members would not be appropriate. Instead soundings had been

made of neighbouring Visiting Committee members to establish whether they would be prepared to assist Edinburgh.

Decision

- 1) To agree the appointment of Mr Robyn Murray as a member of the Edinburgh Prison Visiting Committee until the Visiting Committee's replacement by a prison monitoring system and subject to the usual checks.
- 2) To continue the terms of office of the remaining Edinburgh appointed members of the Visiting Committee for a similar period.
- 3) To note that Edinburgh's appointments to the Visiting Committee would therefore comprise:-
 - Gregor McNie
 - Marie McQuillan
 - Robyn Murray
 - Mickey Piper
 - Fergus West

(References – Act of Council No 6 of 27 June 2013; report by the Director of Corporate Governance, submitted.)

8. Appointments to Committees etc

Changes to Committee membership etc had been proposed by the Capital Coalition.

Decision

- 1) To appoint Councillor Howat as Depute Leader of the Council.
- 2) To make the following further appointments:
 - Corporate Policy and Strategy Committee - Councillor Howat to replace Councillor Cardownie as a Committee member and as Vice-Convenor
 - Planning Committee and Development Management Sub-Committee - Councillor Dixon to replace Councillor Howat as Vice-Convenor
 - Festival and Events Champion - Councillor Lewis to replace Councillor Cardownie
 - Transport and Environment Committee - Councillor Bill Henderson to replace Councillor Lunn
 - Regulatory Committee/Licensing Sub-Committee - Councillor Lunn to replace Councillor Bill Henderson.

9. Health and Social Care Integration Scheme – Final for Submission

The Corporate Policy and Strategy Committee had approved the Draft Integration Scheme between NHS Lothian and the City of Edinburgh Council, in line with the requirements of the Public Bodies (Joint Working) (Scotland) Act, for the purposes of public consultation.

The Final Integration Scheme, which outlined the consultation process and responses; a summary of the changes to the Draft Integration Scheme; and the Final Integration Scheme for submission to the Scottish Government, was presented.

Decision

- 1) To note the responses to the consultation and the approach taken due to the timescale for submission.
- 2) To note the requirement to review the terms of reference and membership of some Council Committees and other governance arrangements in light of the creation of the Integration Joint Board and the Scottish Government expectations about its operational role.
- 3) To approve the Final Integration Scheme for submission to the Scottish Government.
- 4) To agree that any minor changes required by the Scottish Government following submission to secure approval be delegated to the Council's Chief Executive in consultation with the Leader of the Council.
- 5) To add to Paragraph 6.3.5 of the Final Submission, a new subsection:
“(f) Head of Housing”.
- 6) To add in Paragraph 6.3.6 of the Final submission after “home care” the word “housing”.

(References – Corporate Policy and Strategy Committee 20 January 2015 (item 6); report by the Chief Executive, submitted)

Declaration of Interests

Councillor Ricky Henderson declared a financial interest in the above item as a Non-Executive Director of NHS Lothian.

Councillor Edie declared a financial interest in the above item as Chair of the Care Inspectorate and left the meeting during the Council's consideration.

10. Succession Planning - Chief Executive

Details were provided on the process for the search and appointment of a successor Chief Executive which included indicative timescales for the process.

Decision

- 1) To note the report by the Chief Executive.
- 2) To agree that a further report be brought forward to the Corporate Policy and Strategy Committee on 24 March 2015.

(Reference – report by the Chief Executive, submitted)

11 Annual Treasury Strategy 2015-16 – referral from the Corporate Policy and Strategy Committee

The Corporate Policy and Strategy Committee had referred a report on the proposed Treasury Management Strategy for the Council for 2015/16 which included an annual Investment Strategy and Debt Management Strategy, for approval

Decision

To approve the Treasury Management Strategy for 2015/16.

(References – Corporate Policy and Strategy Committee 24 February 2015 (item 6); referral report from the Corporate Policy and Strategy Committee, submitted)

12. Integrated Children's Services – referral from the Education, Children and Families Committee

The Education, Children and Families Committee had referred a report on the progress of the Integration of Children's Services in Edinburgh and the proposed model of governance for the process from April 2015 onwards, for approval.

Decision

- 1) To approve the arrangements for the Integrated Children's Services Board as set out in Appendix 1 to the report by the Director of Children and Families.
- 2) To appoint Councillors Fullerton, Godzik and Jackson as members of the Integrated Children's Services Board.

(References – Education, Children and Families Committee 3 March 2015 (item 14); referral report from the Education, Children and Families Committee, submitted)

Declaration of Interests

Councillor Edie declared a financial interest in the above item as Chair of the Care Inspectorate and left the meeting during the Council's consideration.

13. 6VT Youth Cafe – Motion by Councillor Godzik

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

“The Council notes that 2015 will be the 21st anniversary of 6VT, and recognises that in those 21 years the organisation has supported thousands of vulnerable children and young people, and their families. Also that the organisation will be moving to new premises this year and asks the Lord Provost to mark both the move and the 21st Anniversary of 6VT in an appropriate manner.”

Decision

To approve the motion by Councillor Godzik.

14. Scottish Youth Parliament Campaign – POVERTY: See It Change It – Motion by the Lord Provost

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

“Council notes the Scottish Youth Parliament’s **POVERTY: See It Change It** campaign which aims to raise awareness of child and youth poverty in Scotland and to combat the stigma associated with it.

The campaign calls on elected members to support its aims and principles and to commit to tackling child and youth poverty in Scotland. Council believes that poverty is unacceptable in Scotland and pledges to do all that it can to make the aims of the campaign a reality.”

Decision

To approve the motion by the Lord Provost with the adjustment to replace the word “notes” in the first paragraph with “is delighted”.

15. Fossil Fuel Divestment – Motion by Councillor Booth

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

“This Council:

1. Notes the recent decision by the City of Oslo to partially divest from fossil fuel investments, and further notes that Oslo joins a growing number of cities and institutions around the world, including Oxford City Council, Dunedin City Council in New Zealand and the University of Glasgow, to agree to partially or completely divest from fossil fuels;
2. Notes the report to Corporate Policy and Strategy Committee on 3 December 2013 on Lothian Pension Fund Engagement Activities which set out the current arrangement for reviewing the social and environmental impact of the three Local Government Pension Funds under the Council’s administration

which concludes that the fiduciary duty must be paramount in all decision making around the funds;

3. Notes that recent studies, including by Impax Asset Management, have found that fossil fuel-based funds may underperform funds which exclude fossil fuels, and further notes reports including from business leadership think-tank Ceres which identify substantial unreported risks in fossil fuel funds, which suggest the fiduciary duty may be best served by divestment from fossil fuels;
4. Notes recent clarification from Cabinet Secretary for Finance John Swinney MSP that local authorities may decide that fulfilment of their Public Bodies Duties under the Climate Change (Scotland) Act 2009 requires them to reduce the carbon emissions associated with their funds and investments;
5. Calls for a report to Corporate Policy and Strategy Committee within three cycles setting out the feasibility, costs and benefits of introducing a partial or complete fossil fuel divestment strategy for the three Local Government Pension Funds under the Council's administration."

Decision

To approve the following adjusted motion:

"This Council:

1. Notes the recent decision by the City of Oslo to partially divest from fossil fuel investments, and further notes that Oslo joins a growing number of cities and institutions around the world, including Oxford City Council, Dunedin City Council in New Zealand and the University of Glasgow, to agree to partially or completely divest from fossil fuels;
2. Notes the report to Corporate Policy and Strategy Committee on 3 December 2013 on Lothian Pension Fund Engagement Activities which set out the current arrangement for reviewing the social and environmental impact of the three Local Government Pension Funds under the Council's administration which concludes that the fiduciary duty must be paramount in all decision making around the funds;
3. Notes that recent studies, including by Impax Asset Management, have found that fossil fuel-based funds may underperform funds which exclude fossil fuels, and further notes reports including from business leadership think-tank Ceres which identify substantial unreported risks in fossil fuel funds, which suggest the fiduciary duty may be best served by divestment from fossil fuels;
4. Notes recent clarification from Cabinet Secretary for Finance John Swinney MSP that local authorities may decide that fulfilment of their Public Bodies Duties under the Climate Change (Scotland) Act 2009 requires them to reduce the carbon emissions associated with their funds and investments;

5. Calls for a report to Corporate Policy and Strategy Committee within three cycles setting out the feasibility, costs and benefits of introducing a partial or complete fossil fuel divestment strategy.
6. Asks the Convener of the Pensions Committee to request a report, on the potential impact to the fund of divesting in fossil fuels, to be brought forward to that Committee in the next quarter.
7. Instructs the Head of Finance to review these proposals in the context of the Council's ethical investment policy.”

Appendix 1

(As referred to in Act of Council No 3 of 12 March 2015)

QUESTION NO 1

By Councillor Balfour for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 12 March 2015

Question (1) What consultants have been hired in the last 5 years?

Answer (1) 2009/10 -103
2010/11-170
2011/12 -170
2012/13 – 133
2013/14 – 131

The name/s of each consultant/consultancy are contained in the reports to:

Finance and Resources Committee:- August 2010, September 2011 and September 2012;

Finance and Budget Committee:- September 2013;

Finance and Resources Committee:- September 2014;

2014/15 – the name/s of consultants used will be included in the report to Finance and Resources Committee in September 2015.

Question (2) What have each been employed to do?

Answer (2) Project details for each consultant/consultancy are contained in the reports to:

Finance and Resources Committee:- August 2010, September 2011 and September 2012;

Finance and Budget Committee:- September 2013;

Finance and Resources Committee:- September 2014;

2014/15 – project details for each consultant/ consultancy used will be included in the report to Finance and Resources Committee in September 2015.

Question (3) What have each been paid?

Answer **(3)** Details of payments to each consultant/consultancy are contained in the reports to:
Finance and Resources Committee:- August 2010, September 2011 and September 2012;
Finance and Budget Committee:- September 2013;
Finance and Resources Committee:- September 2014;
2014/15 – details of payments to consultants will be included in the report to Finance and Resources Committee in September 2015.

Question **(4)** Is there a measure of their success ie demonstrable evidence of successful outcomes?

Answer **(4)** Consultancy management and performance monitoring duties have to date been undertaken by the relevant commissioning service.
Since 2012/13 the impact of each consultancy appointment on service delivery and/or outcomes has been included in the reports to the Finance and Resources/ Budget Committee.

QUESTION NO 2

By Councillor Balfour for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 12 March 2015

Question (1) In the last 12 months how much has each Convener billed to the internal catering service for refreshments, tea/coffee, biscuits and other foods?

Answer (1) The management information we currently have does not allow us to disaggregate between Conveners and Political parties however, the overall expected spend this financial year is £37,000 against a budget of approx £32,000. This figure includes other costs for example, food for Council meetings.

Question (2) In the last 12 months how much has each Political party billed to the internal catering service for refreshments, tea/coffee, biscuits and other foods?

Answer (2) The cost of internal catering is not broken down into political parties as it is all coded to one catering budget at this point in time.

Question (3) In the last 12 months how much has been billed to the internal catering service for refreshments, tea/coffee, biscuits and other foods for external meetings organised and attended by Councillors?

Answer (3) The catering costs associated with external lets are not recorded in the manner requested. As with questions 1 and 2, there is a catering budget to which all charges are made.

Question (4) In the last 12 months how much has each Director, including the Chief Executive billed to the internal catering service for refreshments, tea/coffee, biscuits and other foods?

Answer

- (4) In the last 12 months the spend for internal catering for the Chief Executive and Directors is as follows:

Chief Executive	£7,419.54
Director of Corporate Governance	£633.50
Director of Children and Families	£1,168.75
Director of Economic Development	£576.45
Director of Health and Social Care	£209.45
Director of Services for Communities (This includes £659.50 for long service awards which is charged to the Directorate's budget)	£1,032.55

Supplementary Question

I have two brief supplementaries. The first one, the Administration likes to talk about being open and accountable and transparent and yet in these figures none of that happens – there is simply one figure for every Councillor and for every Group. I wonder whether in the spirit of open transparency whether the Convener would agree that starting from the new financial year there should be different groups so that the people of Edinburgh can know exactly what is being spent by who.

The second question Convener is, it has been brought to my attention that some meetings which are open to the public where people come in and give of their time free of charge, they are no longer being served tea and coffee at this meeting. This seems to me slightly rude and would he agree with me that where there is a meeting where we are asking people to come and give of their own time without charge, they should be at least offered a jammy dodger and a coffee.

**Supplementary
Answer**

I thank Councillor Balfour for his question and for the supplementaries. Yes I am very happy to consider, in fact I intend to instruct officers to come up with a much better set of figures than are currently available. I think it's something that I've raised before in this Chamber, it's about the quality of management information in some areas of the Council's activities and I think there is scope for improvement and I'm keen that we make those improvements wherever that's possible and that no doubt as we go forward under Organise to Deliver and so on that's something we'll continue to bear in mind.

On your other question about those people coming in to give of their own free time to get involved in activities of the Council's, on the Council's side or indeed where the Council may be operating externally, I'm very happy to take that forward. I think particularly when you have people from the voluntary sector, and we know how much we value the work they do, I'm happy to consider that we do provide them with at least that minimum level of hospitality.

QUESTION NO 3

By Councillor Mowat for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 12 March 2015

Question (1) How many agency staff are employed by the Council?
Please show by division

Answer

(1)

Service area	Number of agency workers on assignment
Children and Families	
Resources	1
Schools and Community Services	3
Support to Children and Young People	34
Children and Families Total	38
Corporate Governance	
Communications	1
Corporate Programme Office	1
Customer Services	106
Finance	12
Property Conservation	13
Corporate Governance Total	133
Economic Development	
Economic Development Total	2
Health and Social Care	
Older People and Disability Services	355
Chief Social Worker Division	12
Health and Social Care Total	367
Services for Communities	
Community Safety	28
Corporate Property	38
Environment	89
Housing and Regeneration	32
Transport	49
Services for Communities Total	236
COUNCIL TOTAL	776

Question (2) What is the cost of these staff to date?

Answer (2) Current year agency expenditure, to the end of January 2015, is £16.35m.

Question (3) How many are performing core functions?

Answer (3) A definition of the term 'core functions' is necessary to respond to this question. However, if the definition of 'core functions' is front-line service delivery then there are 600 agency workers identified in the answer to Q1 who are assigned to job roles with customer or public facing elements.

Question (4) How much greater is this cost to employing staff directly?

Answer (4) A number of factors determine whether directly recruiting to a post is more or less costly than engaging a temporary agency worker. These include pension scheme membership, agency assignment length and the type of role.

Question (5) Please provide details of contract lengths?

Answer (5) The length of current assignments are summarised below:

0-3 months	3-6 months	6-12 months	Over 12 months
404	152	86	134

Note:

- Assignments covering ad-hoc shifts are included within the 0-3 months banding.