

# Council Questions and Answers

## City of Edinburgh Council

10.00 am Thursday, 22nd August, 2019

Main Council Chamber - City Chambers

### Questions and Answers

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# Agenda Annex

## Item no 5.1

### QUESTION NO 1

**By Councillor Jim Campbell for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

#### **Question**

On what date were either, or both, Transport for Edinburgh and Lothian Buses first informed in writing of the Councils intention to adopt a EURO VI standard for diesel power vehicles to enter the proposed LEZ for Edinburgh?

#### **Answer**

The emission standard applicable for Low Emission Zones will be set by the Scottish Government as part of the Transport Bill (which is currently being considered by the Scottish Parliament).

The Scottish Government Consultation on Low Emission Zones (published on 6 September 2017) included the proposal for the EURO VI standard and Lothian Buses responded to this.

Council officers are continuing to discuss Low Emission Zones, City Centre Transformation and the City Mobility Plan with Transport for Edinburgh and Lothian Buses.

## Item no 5.2

### QUESTION NO 2

**By Councillor Neil Ross for answer  
by the Convener of the Housing,  
Homelessness and Fair Work  
Committee at a meeting of the  
Council on 22 August 2019**

**Question** (1) Is the Convener aware of instances reported in the national press of Council tenants abusing their tenancy agreements by sub-letting on a short-term basis?

**Answer** (1) Yes.

There has been a recent article about Lochalsh and Skye Housing Association writing to tenants to remind them of the obligations of their tenancy agreement, and that by operating a business from their home they are at risk of violating that agreement by renting out their entire home or a single room to visitors.

It has also been reported that a Council tenant in England has been ordered to pay £100,000 after being taken to Court by Westminster Council for illegally subletting a social housing flat through Airbnb with over 300 reviews dating back to 2013.

**Question** (2) What action has the Council taken to identify any short-term letting of Council tenancies?

**Answer** (2) Housing Officers have a patch of around 200 tenancies. When a tenant signs up for a tenancy they sign a Scottish Secure Tenancy Agreement which sets out the respective rights and responsibilities of the Council and tenants.

Secure tenants in Scotland have the right to sub-let all or part of their homes if they seek their landlords' permission first. Landlords cannot unreasonably withhold their permission. These and other responsibilities and rights of landlord and tenant are explained when a tenant initially signs the tenancy. Tenants are reminded again of the obligations contained in the agreement during a follow up visit.

Patch officers are in regular contact with their tenants and if they find out about an unauthorised sublet they will investigate it fully, gather evidence, contact the tenant and explain the correct procedure for requesting permission to sublet. Staff would also notify the Fraud Investigation Team if the tenant is claiming benefits and any arrangement they have may impact on their entitlement.

If required the case would be taken to court, however in most cases the sublet will be resolved before formal action is required.

Processes are in place to ensure that the multi-disciplinary team looking at short term lets follow up and identify if a property is Council owned.

**Question** (3) How many instances of short-term letting of Council tenancies have been found in the past twelve months on a per ward basis?

**Answer** (3) Officers have identified two cases of holiday lets (short term lets) and these cases have been resolved. One of these cases was in City Centre and the other in Portobello/Craigmillar.

A review of the planning enforcement cases investigated by the multi-disciplinary team in last 12 months involved no council tenancies.

The Council lets 20,000 homes and there are over 12,000 short term lets in the city.

**Question** (4) What action has the Council taken to deal with instances of sub-letting and does this include the issuing of fines and evictions?

**Answer** (4) See question 3.

**Question** (5) What is the Council's policy to allow Council tenants to sub-let a spare room?

**Answer**

- (5)** Tenants are entitled to request permission to sub-let part of their home (take in a lodger). Permission would normally be given for requests for a period of up to six months provided there are no reasonable grounds for refusal such as legal action is being taken to repossess the tenancy or the proposed arrangement would lead to overcrowding. This approach recognises that for some tenants taking in a lodger may help with the costs of running a home.

## Item no 5.3

### QUESTION NO 3

By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019

**Question** (1) How many bookings were made for the uplift of bulky waste items in each of the last five years?

**Answer** (1)

Year	Uplifts
2015	12,348
2016	9,259
2017	18,147
2018	20,275
2019 (to 14 Aug)	10,382

When comparing year-to-date (1 Jan to 14 Aug), the figures are:

Year	Uplifts (to 14 Aug)
2015	7,981
2016	6,107
2017	11,551
2018	12,722
2019	10,382

**Question** (2) How many bookings have been made for the uplift of bulky waste items in each month since the start of 2019?

**Answer** (2)

Month	Uplifts
January	1,645
February	1,492
March	1,345
April	1,467
May	1,434
June	1,158
July	1,299
August (up to 14 <sup>th</sup> )	542

**Question** (3) What performance target exists in terms of the time period between bookings and assigned collection dates?

**Answer** (3) There are no performance targets in place in terms of the time period between booking an uplift and the collection dates. I have asked Officers to develop performance targets and to implement a plan to improve performance.

**Question** (4) For bookings made so far this year, what percentage have had bulky items collected a) within two weeks b) within four weeks c) within six weeks d) within eight weeks and e) after more than eight weeks?

**Answer** (4)

<b>Waiting Period</b>	<b>Uplifts</b>	<b>% of total</b>
Within two weeks	1,093	10.6%
Two to four weeks	3,576	34.5%
Four to six weeks	4,150	40.1%
Six to eight weeks	1,479	14.3%
Over eight weeks	54	0.5%

Whilst customers are offered the first available slot they can also request a specific day later in the month/year (for example, to align with the delivery date of new furniture); this would increase the wait time for these specific jobs however it is not possible to report these separately.

## Item no 5.4

### QUESTION NO 4

**By Councillor Lang for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

At the February 2019 meeting of the Council and in response to question 5.12, the Convener provided a timetable for actions to address parking issues in Newbridge. This included the preparation of an outline design of possible restrictions and the commencement of a TRO process in March 2019 and to advertise a draft TRO in May 2019.

**Question** (1) Has an outline design been prepared yet?

**Answer** (1) Yes, an outline design has been prepared.

**Question** (2) When does she now expect a draft TRO to be advertised?

**Answer** (2) The required consultation with statutory bodies has already taken place for the proposed changes in Newbridge and the TRO is planned to be advertised in September 2019.

## Item no 5.5

### QUESTION NO 5

**By Councillor Johnston for answer  
by the Convener of the Transport and  
Environment Committee at a meeting  
of the Council on 22 August 2019**

**Question** (1) What progress has been made with Graffiti tagging database?

**Answer** (1) Officers have been investigating the potential use of the existing Confirm system as a tagging database. Using this system will allow officers from multiple teams to report graffiti and tags in a single system. Discussions will take place with ICT colleagues to determine feasibility. Alongside this, officers are arranging to meet Police Scotland to ensure that there are opportunities for information sharing and/or access.

**Question** (2) How many 'tags' are in the database and how many have been linked to the individuals' response?

**Answer** (2) There is not yet a database in place.

**Question** (3) How many enforcement notices has the council issued to the owners of private properties who have failed to tackle graffiti?

**Answer** (3) None to date.

A new role of Network and Enforcement Manager is being recruited to at this moment to take the lead on a number of services, including the new Street Enforcement service (a final structure for which is being finalised). As part of this service, it is anticipated that Graffiti Removal Notices (under the Anti Social Behaviour etc (Scotland) Act 2004) will be within the remit of the new Street Enforcement service, and that the number of notices served will increase.

Prior to this, letters are being sent to the relevant statutory undertakers (utility companies) to notify them of our intention to commence the serving of these notices and ask them to commence more proactive and voluntary removal of graffiti from their property in the first instance.

## Item no 5.6

### QUESTION NO 6

**By Councillor Douglas for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

**Question** (1) When are the Council expecting to develop and publish a surface water management plan?

**Answer** (1) The Council are expecting to deliver surface water management plans in line with the Local Flood Risk Management Plan by 2021.

**Question** (2) What assistance are they planning to provide in the meantime to residents who now find their properties are at an increased risk of flooding?

**Answer** (2) The Council will continue to provide an emergency response and provide advice in relation to flood risk and measures that they may be able to implement themselves.

Information on protective measures is available on the Scottish Flood Forum website

<https://scottishfloodforum.org/resources/preparing-for-flooding/>

## Item no 5.7

### QUESTION NO 7

**By Councillor Laidlaw for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

#### Question

Can the Convener:

1. Update Council on the progress that has been made on the sponsorship of roundabouts which seems to have made little progress in the past year?
2. Inform Council if any special considerations are preventing the City of Edinburgh from mirroring successful sponsorship schemes active in the other Lothian local authorities and Fife?

#### Answer

1. A procurement exercise was undertaken late in 2018, with a preferred partner being selected to work with the Council on the delivery of a number of roundabout and verge advertising sites.

There have been ongoing negotiations with the preferred bidder for several months with the aim of signing the contract and progressing with site improvements and sponsorship opportunities.

Unfortunately it has not been possible to agree the contract and officers are now working on alternative options. The options being considered are:

- a. Engaging the second highest bidder from the procurement exercise to discuss the potential to work with them
- b. Re-opening the procurement process and advertising the contract again

Delivering the roundabout and verge sponsorship through the use of in-house maintenance and design resources, alongside the recruitment of a dedicated employee that would manage the commercial aspects of the initiative.

2. There are no special considerations that have been identified that would prevent this from being the case. The preferred partner has experience of working with several other Scottish local authorities and best practice from these other areas has been reflected in our own contract specification.

## Item no 5.8

### QUESTION NO 8

**By Councillor Miller for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

#### Question

Edinburgh is a signatory of the Charter of Brussels, which sets out practical and realistic targets to have a positive impact on cycling by 2020. Could the Convener please identify:

- a) which targets have been met, including Edinburgh's most recent measurements
- b) which targets have not yet been met, what actions/plans will ensure Edinburgh is successful by 2020, including our current scores

[https://ecf.com/sites/ecf.com/files/Charter\\_of\\_Brussels.pdf](https://ecf.com/sites/ecf.com/files/Charter_of_Brussels.pdf)

#### Answer

The Council signed the Charter of Brussels in 2009. It set very ambitious targets for local authorities to achieve by 2020:

- increase mode share to 15% by 2020;
- reducing the risk of a fatal accident by 50%;
- working on bicycle parking and bicycle theft policy;
- participating in projects to increase cycling to school and work;
- investing in measures to increase bicycle tourism; and
- co-operating with stakeholders including cycle user groups and others.

The Council's Active Travel Action Plan ([http://www.edinburgh.gov.uk/download/downloads/id/7316/active\\_travel\\_action\\_plan\\_2016\\_refresh.pdf](http://www.edinburgh.gov.uk/download/downloads/id/7316/active_travel_action_plan_2016_refresh.pdf)) was developed partly to address the commitments of the Charter and

includes all of the actions that are being progressed to encourage walking and cycling in the city. It is intended that a new ATAP will be put in place during 2020.

Numbers of people cycling

	2010/11	Latest estimate
Cycling to work (Edinburgh residents)	4.8%	7.5% (2017)
All trips by bike (Edinburgh residents)	Approx. 2%	3% to 4% (2015)

The best available information suggests that between 2009-2011 and 2016-2018, the risk of a cyclist having a fatal or serious crash per km travelled in Edinburgh fell by over nearly 30%.

In respect of the other actions:

- 2,300 on-street bicycle parking racks have been installed, providing over 4,700 spaces;
- initiatives such as ‘school streets’ and works with schools to prepare, implement and monitor School Travel Plans have been progressed. Annual surveys suggest that the proportion of children cycling to school increased by around 25% from 2010 to 2019; and
- With support from the Smarter Choices Smarter Places programme, the Council has worked with 65 large employers over the past four years to encourage walking, cycling and public transport travel to work.

Transport and Environment Committee on 20 June approved a new active travel investment programme for the next five years which includes major investments in cycling infrastructure to support continuing improvements in these areas.

## Item no 5.9

### QUESTION NO 9

**By Councillor Miller for answer by the Convener of the Transport Committee at a meeting of the Council on 22 August 2019**

#### **Question**

Could the Convener of Transport & Environment please give the number of incidences of vehicles contravening the “Summertime streets” vehicle-free or restricted vehicle access streets in the Old Town.

#### **Answer**

This information was not specifically collected as part of this initial summertime streets implementation.

Camera survey equipment has been used at specific locations for short periods to monitor pedestrian numbers and behaviours both before and during the implementation of summertime streets.

Whilst the cameras can capture vehicle movements in certain locations, they are not able to detect whether the vehicle is committing an infringement.

## Item no 5.10

### QUESTION NO 10

**By Councillor Young for answer by the Convener of the Transport Committee at a meeting of the Council on 22 August 2019**

#### **Question**

Can the Convener guarantee that bookings will no longer be taken for cruise liner visits at Hawes Pier in Queensferry for future periods covering the Ferry Fair?

#### **Answer**

The Council no longer accepts cruise liner bookings for the Ferry Fair weekend. It is considered that during the Monday to Thursday of the Ferry Fair week, bookings can be accepted as the additional traffic can be managed by the one-way traffic system.

### QUESTION NO 11

**By Councillor Young for answer by the Convener of the Transport Committee at a meeting of the Council on 22 August 2019**

#### **Kirkliston Traffic Study Report**

The above traffic study was committed to in May 2017 and carried out in June 2018. Unfortunately a final public report on the findings and proposed action plan has still to be published.

- Question** (1) When will the report on the results of the traffic study at the Kirkliston cross-roads and other parts of West Edinburgh be made public?
- Answer** (1) The draft Traffic Study report was circulated to the Stakeholder Group and Councillors on 4 April 2019. A follow up meeting is planned for early September and the final report will be published four weeks after this meeting.
- Question** (2) What progress has been made in developing options to alleviate the congestion issues at the Kirkliston cross-roads since ward councillors and the representatives of the community council were briefed in December 2018?
- Answer** (2) This has been incorporated in the traffic study undertaken. There are two specific options for Kirkliston which have been included in the study report and will be discussed at the upcoming Stakeholder and Councillor meeting.
- Question** (3) What timetable exists to progress actions in light of the traffic study results?
- Answer** (3) Following agreement of the interventions and actions arising from the traffic study an implementation plan will be developed. This will take account of any infrastructure improvements and investment required.

## Item no 5.12

### QUESTION NO 12

**By Councillor Young for answer by the Convener of the Finance and Resources Committee at a meeting of the Council on 22 August 2019**

#### **Reminder Demand and Final Notice Letters for Council Tax**

As these are some of the most frequent 'standard letters' issued by the Council, please provide information on the review process - specifically:

- Question** (1) How often is the wording (factual info, tone of voice and terminology) reviewed and at what seniority level?
- Answer** (1) The recovery templates are reviewed annually as part of the Council Tax annual billing project. The documents are reviewed at an operational level and approved by the senior manager responsible for the Council Tax service. As part of the most recent review the bill template was simplified and assessed for 'Plain English' content. The correspondence is, however, required to include reference to specific legislation.
- Question** (2) When was the last time the letters were reviewed?
- Answer** (2) The documents were last reviewed in December 2018.
- Question** (3) When was the last time any 'customer research' was carried out to get feedback on the letter wording? What was that feedback?
- Answer** (3) While there has been no direct customer research activity, a root cause analysis is undertaken quarterly of all our customer complaints. This analysis supports any further changes to the bill template. This process will be further enhanced by the deployment of new software by the end of 2019, that will simplify the process for amending letter templates.
- Question** (4) Have the letters been reviewed by any debt advice agencies or equalities organisations to advise on issues such as plain English, accessibility for those with support needs, and tone of voice impact on vulnerable adults?

**Answer** (4) There has been no direct engagement with agencies in relation to the wording on the recovery documents. This will be built into our 2020 Annual Billing programme and complements our ongoing project to support vulnerable customers.

**Question** (5) How many complaints have been received about the wording used in the council tax letters in the last year (either 2018 calendar year or the most recent 12 months)?

**Answer** (5) The total complaints received for Council Tax and Non Domestic Rates for 2018/19 was 1190. The complaints received regarding the council tax recovery letter wording equate to 0.33% of the total complaints received (4 complaints).

### QUESTION NO 13

**By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

#### **Flood Guidance**

The Council website provides flood guidance on getting sandbags ready and lists premises where these can be collected.

**Question** (1) How often is this list reviewed and updated?

**Answer** (1) The list is reviewed and updated when properties are changing or request to be removed. The premises where sandbags are stored are routinely inspected every three months, and during periods of heavy rain. Stocks are replenished where required, most recently replenished on 9 August.

**Question** (2) When was the last time it was reviewed and updated?

**Answer** (2) The list has been reviewed following the recent severe weather and was updated to remove Powderhall Depot and to add Sighthill Fire Station. There are now 7 fire stations across the city that have a limited amount of sandbags available.

Tollcross Fire Station - 6 West Tollcross EH3 9QN

Crewe Toll Fire Station - 223 Telford Road EH4 2PW

Liberton Fire Station - 19 Kirk Brae EH16 6TS

Newcraighall Fire Station - 90 Newcraighall Road EH21 8QS

Marionville Fire Station - 51 Marionville Drive EH7 6BH

South Queensferry Fire Station - Ferryburn, Rosebery Avenue EH30 9QS

Sighthill Fire Station – 376 Calder Road EH11 4AT.

**QUESTION NO 14**

**By Councillor Osler for answer by the Convener of the Transport and Environment Committee at a meeting of the Council on 22 August 2019**

**1 Road Works in Restalrig Area**

At the beginning of the month residents in the Restalrig area reported works happening with in one case no notice being given to residents and in another case less than 24 hours notice with the result that residents with disabilities were unable to make arrangements to maintain access to their home and all residents were faced with the threat of having their cars towed to make way for those works.

**Question** (1) What is considered an acceptable notice period for residents with regard to road works in their area?

**Answer** (1) Any applicant for a Temporary Traffic Regulation Order (TTRO) should print the notice and display on site at least three days prior to the works commencing. No waiting cones and corex signs highlighting the restrictions are expected to be placed on site a minimum of 24 hours prior to the works starting.

However, for planned works, the Council would like the contractor to give residents as much notice as possible.

**Question** (2) Was this notice period adhered to at Restalrig this month?

**Answer** (2) The Contractor has advised that they followed this procedure.

**Question** (3) If not, why was the notice period so poor or even non-existent?

**Answer** (3) The Contractor has advised that this was not the case.