

Deputations

City of Edinburgh Council

10.00 am Thursday, 28th October, 2021

Virtual Meeting - via Microsoft Teams

Deputations

Contacts

Email: gavin.king@edinburgh.gov.uk

Tel: 0131 529 4239

Nick Smith

Service Director, Legal and Assurance

This page is intentionally left blank

CITY OF EDINBURGH COUNCIL

Item No 4

THE CITY OF EDINBURGH COUNCIL

28 OCTOBER 2021

DEPUTATION REQUESTS

Subject	Deputation
4.1 In relation to Item 11.2 on the agenda – Motion by Councillor Neil Ross – Amplification of Sound in Public Places	(a) GRASS – Grassmarket Residents Association (written submission attached) (b) New Town and Broughton Community Council (written submission attached)
4.2 In relation to Item 11.3 on the agenda – Motion by Councillor Neil Ross – Raising HMO Standards	(a) Marchmont and Sciennes Community Council (written submission attached) (b) Southside Community Council (written submission attached)
4.3 In relation to Item 11.11 on the agenda – Motion by Councillor Webber - Early Days Prevention of Adverse Childhood Experiences	WAVE Trust
4.4 In relation to Item 12.3 on the agenda – Motion by the Lord Provost – Recognition of Dr Elsie Inglis	Girlguiding Edinburgh

From: Gillian Tait

Sent: 26 October 2021 14:03

To: Gavin King <Gavin.King@edinburgh.gov.uk>

Subject: Deputation re Motion to Full Council: 'Amplification of Sound in Public Spaces'

Dear Gavin King

I am writing to express my wholehearted support for Councillor Neil Ross's motion on the control of amplified sound in public spaces. I am a long-term resident of the Grassmarket (I've lived there for 35 years), and a member of the residents' association GRASS, whose chair Elspeth Wills has brought this motion to my attention.

It would be hard to overstate the negative impact that amplified sound from the street, from buskers and street entertainers, has had on the life of residents in the Grassmarket in recent years. Musicians now routinely use portable amplifiers that are powerful enough to fill a stadium with their sound, and in the arena-like space of the Grassmarket it bounces off buildings all around, making the noise impossible to escape in any room of the flat. It is noise pollution of the worst kind, making concentration impossible for those like myself who work from home, as well as ruining enjoyment of quieter domestic activities.

Noisy busking, together with the uncooperative or aggressive attitude of most amplified buskers, have been a major factor in the decision of many former neighbours to leave the area. It can cause stress and acrimony within relationships, and I would go so far as to say that it was a factor in the breakdown of my own marriage. The lack of regulation, and confusion over who to complain to, certainly makes matters considerably worse. Police rarely see such complaints as a priority, particularly in these post-Covid times, and generally take well over an hour to attend the scene, if indeed they come at all. The council's rather small and polite anti-busking notices, where they existed, had only a limited effect; many buskers simply ignored them, and they were easily vandalised or removed.

Controls are urgently needed. I wholeheartedly support this motion from Councillor Ross.

Yours sincerely

Gillian Tait



*NTBCC Submission: Amplification of Sound in Public Spaces
Full Council 28 October 2021 Item 11.2*

The New Town and Broughton Community Council (NTBCC) welcome and support Cllr Neil Ross's motion (11.2) for the regulation of amplification of sound in public spaces.

We recognise the concerns of residents, businesses and visitors at the high level of amplification, sometimes used by buskers and street entertainers, in places such as Princes Street that are within the NTBCC area.

We echo Cllr Ross in asking officers to create straightforward ways for residents and businesses to report disturbances arising from the amplification of sound in public spaces, from whatever sources.

We believe there is no easily defined and enforceable level of acceptable amplified sound, especially in places with high ambient street noise. Instead NTBCC recommend a simple ban on amplification, following the successful Copenhagen policy, with musicians and other performers required to use natural acoustic sound.

Simon Holledge

Engagement Officer/Public Spaces Lead

New Town and Broughton Community Council (NTBCC)

26 October 2021

From: alison
Sent: 24 October 2021 10:57
To: Gavin King <Gavin.King@edinburgh.gov.uk>
Subject: Raising standards in HMO licensing

Dear Mr King,

This is the "written deputation" for the Marchmont & Sciennes Community Council (MSCC) on the motion tabled by Neil Ross (see below) about raising standards in HMO licensing. This has always been an area of concern for us here in Marchmont and Sciennes with its extremely high percentage of student flats which are HMOs - and for years we have regularly had residents contacting the Community Council with their various concerns, be it bad behaviour, noise, waste dumping, much of which is caused by the high level of HMOs in our area.

Within the MSCC there is a consensus view that the raising of standards can only be a good thing! We agree with every point put forward for discussion :

1. It is key that residents hear about an HMO application when it is made - and giving enough time to lodge objections. It should be sent to every address in the area - either electronically if poss, or paper if not, even if it is a notice affixed to the entry stairway door. A notice on a lamp-post is not sufficient!
2. Providing 24/7 emergency contact details for when there are problems would be very beneficial. We have posters in our MSCC Noticeboards, but how many people actually will see that when there is a sudden problem. Again, a notice in the communal stairway would be useful (not one that can be easily pulled down)!
3. Fly-tipping and illegally dumped waste is a big problem - as are the irregular collection of bins in a student area. So any changes for the better would be welcomes. The bottle bins are overflowing in many sites in our Marchmont/Sciennes area, with broken glass all around which is a hazard for dogs' paws and for anyone who should fall; let alone the horrible sight of bottles lying everywhere around the bin!

We at MSCC very much hope that there will be some positive and beneficial changes to this situation.

Yours aye,
Alison Service
Councillor: MSCC
0131 667 7437
7 Sciennes Road, Edinburgh EH9 1LE

----- Forwarded message -----

From: Neil Ross <Neil.Ross@edinburgh.gov.uk>
Date: Wed, 20 Oct 2021 at 15:20
Subject: Raising standards in HMO Licensing
To: M&S Community Council <marchmontsciennes.commcouncil@googlemail.com>

Dear Chair & Secretary of Marchmont & Sciennes Community Council

Raising standards in HMO Licensing

So you are aware, I have tabled the following motion for debate at the next meeting of the full Council on Thursday 28 October. I am concerned by the number of residents, who have submitted objections to HMO licences, telling the Council's Licensing Sub Committee about difficulties they have experienced either in finding out about the licence application or in contacting the landlord or agent to resolve a problem. I have also highlighted an issue of communal bin abuse by contractors employed by landlords or agents. I have therefore tabled this motion to try to raise standards and best practice in HMO Licensing. If you support this, I would be grateful if you could submit a deputation, either in writing or verbally at the meeting, to outline concerns raised by residents in your area. The deadline for submission of a written deputation or a request to make a verbal deputation is 2.00pm on Tuesday 26th October. If you have any questions, please let me know.

Council -

Notes there are a number of elements of HMO licensing where standards applying to landlords could be raised and best practice amongst letting agents could be encouraged, for example,

1. The issue of application notices to residents -

The regularity of complaints by neighbouring residents that the site notice relating to an HMO application is often not easily seen during the required period of 21 days suggests that residents would be better informed of HMO licence applications if they were given a copy of the site notice, either paper or electronic.

2. The issue of emergency contact details to residents -

Changes in the residents neighbouring HMO licenced properties over the three year period of a licence mean that the current requirement for landlords and agents to provide contact details, [including 24/7 emergency contact details](#), to every occupier in the same building as the licence applicant's premises and any adjoining premises could be improved by making this an annual requirement.

3. The problem of fly tipping and/or abuse of residential waste facilities by contractors employed by landlords or agents –

The increasing use by the Council of enforcement action and the issue of fixed penalties to businesses and landlords found to have illegally dumped waste in the street or abused residential waste facilities suggests that a new HMO condition requiring adherence to acceptable waste disposal practices by landlords, and agents and sub-contractors acting on their behalf, might discourage this behaviour by contractors employed by landlords or agents.

Therefore, requests a report to the Regulatory Committee in two cycles on ways to raise standards amongst landlords and to encourage best practice amongst letting agents, in particular, to address the matters highlighted above but also other areas where improvements can be made either via changes to HMO conditions or the HMO application process or by other means, both compulsory and voluntary. The report should reference the current HMO Licensing context, where relevant.

I have also tabled motions on the 'Amplification of Sound in Public Places' and on 'Engine Idling'. If you are interested in either or both of these, please let me know and I will send you the text of the motion.

Regards

[Neil Ross](#)

Liberal Democrat Councillor for Morningside Ward
Liberal Democrat spokesperson on Finance

E: Neil.Ross@Edinburgh.gov.uk

M: 07738 116055

T: 0131 529 4476

Liberal Democrat Group / 6th Floor / City Chambers / High Street / Edinburgh EH1 1YJ

Surgeries

[Contact me to arrange a meeting at a time and place that suits you.](#)

Data Protection

To serve the interests of my constituents and to fulfil my role as an Elected Member, I need to collect, store, use, share and dispose of personal data. In doing so, I abide by the data protection principles set out in General Data Protection Regulation and the Data Protection Act 2018. My privacy notice on the Council's website explains how I do this. You can find this at <https://democracy.edinburgh.gov.uk/mgUserInfo.aspx?UID=142>

This email and files transmitted with it are confidential and are intended for the sole use of the individual or organisation to whom they are addressed.

If you have received this eMail in error please notify the sender immediately and delete it without using, copying, storing, forwarding or disclosing its contents to any other person.

The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.

DEPUTATION FROM THE SOUTH-SIDE COMMUNITY COUNCIL, SUPPORTED BY THE SOUTH-SIDE ASSOCIATION

Our recommendations for improvements to the regulations and requirements for granting of licences for HMOs are as follows. They can be grouped under three headings. The final point regarding the proportion of HMOs on a stair may require input by Planning, but we flag it up here as an issue for the Council to take further as good practice.

CONVERSION AND MAINTENANCE

Issues of inappropriate, low cost, fittings being used to fulfil regulations (door closing mechanisms that slam doors shut are a constant source of annoyance to neighbours and are often cause serious vibration issues in older properties). Over-front-door lights being fireproofed from the outside, rather than the inside, thereby being akin to boarded windows is detrimental to the stairs of older properties. There should be stricter requirements for specifications for conversions in terms of affect to neighbouring properties, not merely in terms of the property itself.

There should be a requirement that the property is kept in good order and that should include repainting of the front door of the tenement if it has been defaced by graffiti or is otherwise in a poor condition and that the entry system should be working properly. We suggest that it should be a requirement for licencing of HMOs in tenements for the property owner to demonstrate that the stair is properly factored and not left to add-hoc arrangements.

There is an issue of fly tipping of furniture and bedding and whitegoods between lets, often into the common bins and equally often just left in the street near or by the bins.

COMMUNICATION

Issues of communication channels with property owners and their agents are a serious impediment to maintenance of stairs and back greens (they are rarely effectively kept active and updated). It should be a requirement of license renewal that contact details are clearly stated and updated on a regular basis, and any changes sent to all householders on the stair. It would be very useful if a central register of such details was available.

CONTROL OF BEHAVIOUR OF TENNANTS

Probably the most frequent complaint regarding HMOs is anti-social behaviour of tenants and there being little effective way of stopping it (parties, late night loud music/conversation &c). HMO licences should be withdrawn where other residents complain, and there should be a clear process for logging complaints to the licensing authority.

We believe that particularly with many HMOs in student occupancy, there is an educational aspect in that few of the tenants have experience of living in tenements and are not used to having upstairs and downstairs neighbours. Licenses should only be granted if the property owner can demonstrate that all tenants are made aware of their social responsibilities to others on the stair.

‘SATURATION’ OF HMOs

We believe that HMO licenses should be granted in a fixed proportion to the number of properties on the stair. Once there are large numbers of HMOs on stairs they seem to have a tendency to drive out remaining owner-occupiers and lease holders.

This page is intentionally left blank