

FIFE COUNCIL
21 SEPTEMBER 2023

QUESTION TIME

Question 1 from Councillor Jonny Tepp

How is glyphosate used by the council in Fife given its perceived dangers to humans and biodiversity?

Answer

Scottish Government information shows that nearly every Council uses Glyphosate as a herbicide to control weeds and protect infrastructure. The public sector has a limited choice of active substances which are approved in amenity settings. Unlike many other herbicides, glyphosate is systemic and broad-spectrum, effectively controlling both grasses and broadleaved weeds, making it one of the most widely used, cost-effective tools for weed management. Glyphosate has been approved for use in both agricultural and amenity environments for over 40 years.

Whilst there has been some controversy about glyphosate use, this active substance is currently approved for use in both the European Union and Great Britain. Assessments by the European Food Safety Authority (EFSA) and the European Chemicals Agency (ECHA) concluded that glyphosate met approval conditions for use and did not pose an unacceptable risk to human or environmental health. The current Great Britain glyphosate approval expires in December 2025 and the Health and Safety Executive (HSE), will be robustly assessing all regulatory evidence.

The Council recognises the environmental harm that glyphosate can cause to biodiversity and ecosystems. To minimise this damage, the Grounds Maintenance Service has developed an integrated weed management programme that reduces the need for herbicide use. Two annual herbicide applications are made to hard surfaces and all soft surface treatments have stopped. The hard surface treatments are applied to road channels, pavements, kerbs, footpaths, playgrounds and car parks.

There are no other non-chemical alternatives as effective as Glyphosate herbicide, which has a longer lasting effect and is significantly cheaper than other weedkilling applications. The Council will continue to consult with other Councils on industry developments and trial alternative products. The ultimate objective is not to use glyphosate herbicide but without an effective alternative, there is a significant risk of weed growth damaging hard surfacing and drainage systems.

Supplementary Question

Can we consider excluding playgrounds from the list of areas treated with glyphosate?

Answer

Yes, I am happy to discuss this with the service.

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QUESTION TIME

Question 2 from Councillor Sean Dillon

What progress has the administration made towards introducing Short Term Let Control Areas, specifically in the East Neuk & St Andrews?

Answer

This question specifically addresses planning controls over short-term let premises. The Head of Housing Services, Head of Legal and Democratic Services, and Head of Protective Services were remitted by Cabinet Committee at its meeting on 9 March 2023 to report back to that Committee with an update on licensing following implementation of the licensing arrangements. Cabinet Committee also asked for a detailed timeline with regard to short-term let control areas, particularly within the East Neuk area, as soon as practicably available. A report is scheduled for Cabinet Committee in November.

The Planning (Scotland) Act 2019 includes provision for the establishment of short-term let control areas (STLCAs). This is distinct from the licensing requirements introduced by the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 which came into effect on 1 March 2022 and requires Local Authorities to develop a licensing scheme for short-term lets.

The purpose of a STLCA may be to meet one or more of the following policy objectives:

- to help manage high concentrations of secondary letting (where it affects the availability of residential housing or the character of a neighbourhood);
- to restrict or prevent short-term lets in places or types of building where it is not appropriate; or
- to help ensure that homes are used to best effect in their areas.

Within a STLCA, a change of use to a short-term let will always require planning permission. It is not a ban on short-term lets but will allow planning policies to be used by local planning authorities to assess applications for such a change of use and allow communities and individuals the right to make representations through the planning application process.

A Short Term Let Working Group has been established involving representatives from Housing Services, Protective Services, Planning Services, Business & Employability

Services, and Democratic and Legal Services. The Working Group focuses on monitoring the implementation and operation of the new licensing scheme and assessing the evidence to inform whether there is a case for one or more STLCA in Fife. To date, an information audit has been carried out to assess the case for one or more STLCA in Fife. The question refers to East Neuk & St Andrews; no one area in Fife is being given more attention than another although the officer group is aware that St Andrews has the largest percentage of STL applications by far – approximately 35% to date – and the East Neuk residential stock is affected by second homes.

Work is ongoing to identify information gaps and to carry out an assessment, including business impact and the effect on resident communities. The licensing scheme will provide evidence of the scale and distribution of STLs across Fife. The biggest and most critical information gap to date is understanding the total number of applications the Council may receive. The rate of applications has been accelerating in recent weeks and it is anticipated that this trend will continue until the licence application deadline (30 September 2023), but most operators may still have to apply before the deadline.

Fife Planning and Housing officers invited representatives of the Association of Scottish Self Caterers to discuss their views on potential STLCA's and held that meeting in September.

A legal challenge has been raised against City of Edinburgh Council on its planning policy on STLs which will be heard at a hearing scheduled for November. In addition the Association of Scotland's Self-Caterers has written to Perth & Kinross Council to seek a delay to the consultation on the designation of a Short-Term Let Control Area on the grounds that the data and evidence-base presented by Perth and Kinross Council is not fit for purpose. Highland Council has also had to suspend the designation of its Planning Control Area in Badenoch & Strathspey on the basis that the policy may be unlawful. To avoid similar challenges, officers are conscious of the need to use robust and credible data when preparing our own evidence base. The outcome of the Edinburgh legal challenge will provide clarity on how the control scheme will be interpreted by the courts and allow us to mitigate litigation risk.

Notwithstanding the need to consider the legal issues before the courts, Planning Services will report on the available evidence and whether there is a case for one or more STLCA in Fife as part of the Local Development Plan Evidence Report currently being prepared. A detailed timeline would not be available until it is determined that there is a case for a STLCA. The Evidence Report will be reported to Cabinet Committee early in 2024 and is programmed for submission to the Fife Council meeting on 21 March 2024.

Supplementary Question

Can the administration guarantee there won't be another 7 year delay in implementing?

Answer

Given the recent legal challenge we need to ensure the correct process is followed. A timeline for this will be submitted to Cabinet Committee.

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QUESTION TIME

Question 3 from Councillor Nicola Patrick

It was noted in the minutes of the Environment and Protective Services Scrutiny Committee in February 2022 that works would be undertaken to provide pedestrian/cyclist access to recycling centres in Kirkcaldy, Dalgety Bay and Lochgelly.

At this time assurances were given that works would begin in summer 2022. This hasn't happened despite Councillor David Barratt asking a similar question in December 2022 and being assured works were to be progressed in early 2023. Given we are now in summer of 2023, when should we expect works to commence?

Answer

Officers are currently preparing a paper to be presented at Cabinet Committee that will provide an update to elected members on Pedestrian/Cycling access at Recycling Centres, this is scheduled to happen no later than November.

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QUESTION TIME

Question 4 from Councillor John Beare

Do any buildings/structures that the Council owns, manages, leases, or currently leases to third parties contain Reinforced Autoclaved Aerated Concrete (RAAC)?

Question 5 from Councillor John Beare

When were any buildings/structures that the Council owns, manages, leases, or currently leases to third parties which contain Reinforced Autoclaved Aerated Concrete (RAAC) last inspected by an appropriately qualified structural engineer or civil engineer?

Question 6 from Councillor John Beare

When will any buildings/structures that the Council owns, manages, leases, or currently leases to third parties which contain Reinforced Autoclaved Aerated Concrete (RAAC) be next inspected by an appropriately qualified structural engineer or civil engineer?

Question 7 from Councillor John Beare

Following inspection, how many buildings/structures that the Council owns, manages, leases, or currently leases to third parties which were found to contain Reinforced Autoclaved Aerated Concrete (RAAC) were considered as being at: critical risk, high risk, medium risk, and low risk?

Question 8 from Councillor John Beare

What urgent remedial works have been or are being undertaken, where critical risks have been identified in buildings/structures that the Council owns, manages, leases, or currently leases to third parties which contain Reinforced Autoclaved Aerated Concrete (RAAC)?

Question 9 from Councillor John Beare

What urgent remedial actions have been or are being undertaken where high risks have been identified in buildings/structures that the Council owns, manages, leases, or currently leases to third parties which contain Reinforced Autoclaved Aerated Concrete (RAAC)?

Question 10 from Councillor John Beare

What is the inspection and assessment regime for any buildings/structures that the Council owns, manages, leases, or currently leases to third parties which contain Reinforced Autoclaved Aerated Concrete (RAAC) where medium and low risks have been attributed?

Question 11 from Councillor Craig Walker

What correspondence has the Council had with the building occupiers in all buildings the Council owns, manages, leases, or currently leases to third parties that contain or may contain Reinforced Autoclaved Aerated Concrete (RAAC) including the families of schoolchildren if there are school buildings with RAAC?

Answers

Q4 - In February 2020, the School Estate was specifically reviewed for RAAC and it was not identified. Likewise, it has not been identified in the wider estate. In light of recent media interest, we have initiated further precautionary reviews across all our buildings. This includes double-checking the School Estate as well as the remainder of the Council's public buildings including those used by the Trusts and Cireco. These checks extend to all buildings that the Council owns, manages, leases or leases to third parties. A precautionary review of council houses has also been initiated. Although at an early stage, it is not anticipated that the review will identify any significant challenges with RAAC in the Council's housing stock.

Q5 - As RAAC has not been identified in the Council's estate, no inspections have been carried out. However, the reviews of the estate are carried out by an appropriately qualified chartered civil/structural engineer.

Q6 - As RAAC has not been identified in the Council's estate, there is no planned inspection regime. In the event that RAAC were identified, inspections would be carried out at a frequency dictated by the identified level of risk.

Q7 - RAAC has not been identified in the Council's estate.

Q8 - RAAC has not been identified in the Council's estate.

Q9 - RAAC has not been identified in the Council's estate.

Q10 - RAAC has not been identified in the Council's estate.

Q11 - RAAC has not been identified in the Council's estate.

Supplementary Question

Given the concerns in the community about the use of this building material product which ceased to be used in 1982 I think it is important that it is on record that there is no known RAAC in any of our buildings.

Note the review of all Fife Council buildings and houses and would seek assurances that members will review briefings on the outcome of both review?

Answer

Yes.

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QUESTION TIME

Question 12 from Councillor Lesley Backhouse

How many properties have been brought back into Council ownership through the Buy Back Scheme in each of the last 5 years?

Answer

18/19 - 6
19/20 - 26
20/21 - 83
21/22 - 50
22/23 - 118

The number of properties acquired so far in 2023/24 is 37 (30 completed and 7 in the pipeline).

The Council is looking to match its 2022/23 performance in 2023/24.

Supplementary Question

Given we have over 2000 open homelessness cases with over 1000 in temporary accommodation don't you think that buybacks of less than 300 in 5 years is insufficient to meet the growing demand we have for homelessness and the given we only have 61 new 1 bed properties in fife in last 4 years, given that most of homeless as single males that we should be increasing the number of buybacks at speed?

Answer

We buy back properties to meet specific needs and are accelerating this programme.

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QUESTION TIME

Question 13 from Councillor Lesley Backhouse

How many homes have been provided by our partner organisations in the Fife Housing Partnership to Care experienced young people?

Answer

In the last financial year (April 22 to end of March 23), 55 Care Experienced Young People were housed by Social Landlords in that year - 45 of those young people were housed by Fife Council, and 10 were housed by Kingdom Housing Association.

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QUESTION TIME

Question 14 from Councillor Lesley Backhouse

The former Communities and Housing sub-Committee on 3.2.22 considered a 'Garden Fencing Policy' and approved draft policy principles with the intention to develop a Housing Services Garden Fencing Policy by late 2022. When will the draft policy be brought to Committee for consideration?

Answer

A report with recommendations for a housing garden fence policy will be submitted for the consideration of Cabinet in November.

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ITEM 7 – QUESTION TIME

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