

## Minutes of the ordinary meeting of Leith Central Community Council, held in the McDonald Road Library on Monday 18 August 2014 at 7.00pm

Actions and decisions are **RED ITALIC UNDERLINED SMALLCAPS**. **NEM CON** means that no-one spoke or voted against a decision. URLs added by minutes secretary.

### 1 Introduction, attendance and apologies

#### 1.1 Attendance

Marion Donaldson	LCCC	Liz Ballantyne	resident
Anne Finlay	LCCC (treasurer)	Mungo Delap	resident
Adrian Graham	LCCC	Josee Pimbert	resident
John Hein	LCCC (chair)	Snezana Dichovska	student
Ross McEwan	LCCC	Richard Wilson	resident
Julian Siann	LCCC	Jim Scanlon	Leith Links CC
Harald Tobermann	LCCC (vice-chair)	Ella Taylor-Smith	Broughton Spurtle
Alex Wilson	LCCC	Cllr Angela Blacklock	Leith Walk ward (Labour)
Bruce Ryan	minutes secretary	Cllr Nick Gardner	Leith Walk ward (Labour)
Leah Lockhart	Greener Leith	Malcolm Chisholm MSP	Edinburgh North and Leith (Labour)

#### 1.2 Apologies

Charlotte Encombe LCCC (secretary) | Irene Sweeney LCCC | Cllr Deidre Brock Leith Walk ward (SNP)

### 2 Minutes of the meeting of 16 June 2014

#### 2.1 Approval

Subject to adding the chair's apology to item 1.2, approved (proposed A Wilson, seconded H Tobermann)

#### 2.2 Matters arising

##### 2.2.1 34B Haddington Place (item 3 of June minutes [https://leithccc.files.wordpress.com/2011/10/2014\\_06\\_16-final.pdf](https://leithccc.files.wordpress.com/2011/10/2014_06_16-final.pdf))

Cllr Gardner (also Cllr Blacklock and A Wilson) had been asked by the *Evening News* for his opinion on this proposal, and so asked LCCC if it had a view or concerns. A Wilson mentioned use of natural rather than reconstituted stone. He observed general public approval at the recent exhibition about this development. H Tobermann noted that the plans were very close to student population-density guidelines for this part of Edinburgh. He was happy in principle that the gap site where this development would be built should be used.

##### 2.2.2 Management of online comments/advertisements

H Toberman noted people can submit comments on posts to LCCC's website – these must be moderated (by B Ryan or LCCC's secretary) before they appear. Previously, BR has asked office-bearers for guidance, leading to delays and potential differences of opinion. HT also suggested an expectation of swift replies. To avoid such problems, HT suggested either shutting down the comments facility (and asking people to email their comments) or delegating handling comments to someone who had the time to deal with them.

BR suggested enabling comments and developing a policy to deal with them, hence avoided signalling that the CC is not interested in citizens' opinions. He noted that he, M Donaldson and L Lockhart (a professional digital communicator) were working towards using the CC's Twitter account to find out what people want and hence work towards the CC's duty to ascertain, co-ordinate and express community opinions. He accepted that online methods are not perfect but they provide a channel for such input. He offered to develop a comment-handling policy, and to take on comment handling duties.<sup>1</sup> HT was content with this, and no-one spoke against it.

**ACTION: BR TO DRAFT COMMENT-HANDLING POLICY AND HANDLE COMMENTS HIMSELF UNLESS IT IS NECESSARY TO REFER TO LCCC.**

HT also suggested paying to remove all advertising from the website, some of which is quite inappropriate. MS reported that removing advertising would cost around US\$90 (about £55) per year. Having checked that LCCC had available budget, removal of advertising was agreed *nem con*.

**ACTION: MS TO IMPLEMENT REMOVAL OF ADVERTISING<sup>2</sup>**

The chair asked whether the website should be moved to his server to save costs. (Hosting and related costs total under £40 per year.) MS was not in favour this – *inter alia* moving would be time-consuming.

### 3 Community Police Officer report

No police representative – hence no report

<sup>1</sup> So far LCCC has received fewer than 4 non-spam comments. (BR has routinely trashed spam comments.)

<sup>2</sup> Implemented 20 August 2014, actual cost US\$30

## 4 Kyle Drummond, CEC – update on Shrubhill

Mr Drummond was not present. H Tobermann reported that he had contacted Edinburgh Council (CEC) because Shrubhill/Shrub Place had appeared in a publication about prime development sites in Edinburgh. As a result, CEC promised to send someone to speak to LCCC – HT wished to find out whether CEC was actively doing something about the site. HT noted that Shrub Place is owned by Places for People (<http://www.placesforpeople.co.uk>) while the Shrubhill House site is owned by the company who built on the corner of Blair St and Cowgate. HT noted that buildings on the site had been demolished, leading to lots of dust, and so suggested extra street-cleaning was needed so that people are not forced to live with mess all through the process. He asked the LA councillors whether the developers could be made to pay for cleaning. Chair suggested that CEC should clean up anyway, not waiting for negotiations with developers. HT noted that planning permission for student accommodation is in place – it is unlikely that LCCC can change this.

## 5 Leith Walk repairs and improvements

HT reported that a rolling programme to implement the approved designs from Pilrig St/Iona St northwards is now in progress – about ¾ of the first section (Pilrig St to Dalmeny St) has been completed. HT believes workmanship not too bad but will request (via stakeholder meeting) an accompanied inspection of a completed piece to see whether it meets LCCC's expectations. It appears that progress is behind schedule, and that there are peculiarities, e.g. moving lamp-posts after laying pavement. HT will also request for another run of patching for the sections north of Pilrig St that are not due to be fully renovated for up to 2 years hence, using general repair contingency budget.

A Graham reported that newly laid paving slabs (north of Pilrig St) were broken, possibly by vehicles driving on them before they had been grouted. (Grouting creates stability.) He has marked these so they can be replaced.

A Wilson expressed anger and dismay that, contrary to requests via stakeholders' group (first raised 16 January 2013), no specification for or information about bus-stop construction was provided. LCCC representatives had consistently asked for reinforcement underneath stops to prevent rutting and potholes soon developing, as has occurred on the relatively recently rejuvenated Leith St. (AW stated that since the road is being excavated anyway, reinforcement at this point would add little cost to the project.) AW stated that contractors had received no specification for underpinning bus-stops, and [hence] were not doing so. (See photos in *Sputtle*: <http://tinyurl.com/nw7e3k7>, also CEC's response that they are using suitably strong materials.)

AW also noted that the contractors (Crummocks) soon slipped behind schedule, and contacted Alan Dean (CEC project co-ordinator) who promised extra resources to catch up. AW suggested this implied that CEC had chosen its contractor poorly – a different contractor had rejuvenated Constitution St very well. AW stated that there has now been more slippage, while work sites are a mess that inconveniences local businesses and residents, and that this implies poor work practices, poor management or both.

AW noted that from the start it was clear that new paving slabs were being placed around existing lamp-posts, hence either leaving them in the middle of the widened pavements or necessitating further work moving them to the new pavement edges (hence extra costs, and *Evening News* reportage: <http://tinyurl.com/orlpen4>). AG suggested this was why new slabs hadn't been grouted. AW suggested that CEC had not listened to stakeholder input, even though he and J Siann (both engineers) could have helped create suitable specifications, and that current works would not lead to a street of which locals could be proud.

HT noted that potholes etc due to lack of bus-stop reinforcement were bad for motor-vehicles and their passengers, and dangerous for cyclists. In contrast, recent work on Princes St had included reinforcing bus stops, so these issues were not occurring there. HT suggested that contractors should bear the costs of retrofitting reinforcement – but that retrofitting would extend the project and add unwarrantedly to the 7 years' inconvenience since the aborted tram-works. HT suggested that the tight project management, often requested by LCCC and other stakeholders, was not present.

ACTION: AW, HT TO RAISE ISSUES AT NEXT STAKEHOLDER MEETING.

## 6 Friends of Pilrig Park report

L Ballantyne reported that all was going quite well. A clean-up was to take place next Saturday. A path from Cambridge Gardens had now been resurfaced.

## 7 Planning subcommittee report

### 7.1 Edinburgh Local Development Plan feed back

J Siann spoke about the Edinburgh Local Development Plan (LDP). This sets out Edinburgh's town planning for the next 5 years, having been through a long process of consultation. It's about to be put out for 6 weeks of representations (22 August – 3 October) during which public can submit views to CEC. It will be available at all

Edinburgh libraries and on CEC website at <http://tinyurl.com/mhvtn79>. JS has also asked for a hard copy, while A Graham has suggested to CEC that each CC should receive a copy.

JS had attended a seminar in the Council Chambers on 2 July – here several community councilors raised concerns about using green belt sites for housing. The Scottish Government had found a shortfall in housing land provision by CEC, especially now that Leith docks area is not available. Also, unless CEC designates specific sites for housing in the green belt, developers are free to apply to build anywhere because the Council is considered not to have provided adequate land.

However, JS and other CC reps believed that CEC has underestimated available brownfield (BF) sites. Hence he contacted M Chisholm MSP, noting that a considerable number of BF sites, well-placed for transport and other infrastructure, exist – particularly in the Leith area. It turned out that CEC plans were based on strategic documents and surveys of BF sites. JS believes CEC's data may be inaccurate: although records are dated June 2014, in July, CEC requested public suggestions of sites suitable for housing. Also, developers may be banking land, thus making it currently unavailable. JS suggested that this would be ameliorated by a 'us it or lose it' legal requirement, as has been circulated in England. HT noted an example of land-banking recently allowed by CEC. Cllr Blacklock noted that there is currently no way to force use of BF sites instead of greenfield (GF)/greenbelt (GB) sites.

JS requested LCCC to look at the LDP's *Housing and Land Study*. HT asked whether representations about the whole plan can be made on whole plan – they can.

Cllr Gardner noted that while building on GB would be highly unpopular, Edinburgh (particularly Leith) has a very high population density and related need of amenities – hence pressure on GB for housing and other uses.

M Chisholm agreed that BF availability data may be inaccurate and suggested that GB/GF use should be postponed at least until data was made accurate. JS suggested identifying available BF sites (especially in Leith) and pressuring CEC to use them, rather than leaving them derelict for long periods.

R McEwan asked how housing densities on BF sites are calculated, noting that Muirhouse densities had recently been reduced by 50% (= loss of 1500 houses and flats). He also noted setting aside land in Granton for museums instead of housing, and suggested use of high-density (HD) housing, e.g. on the large, apparently ignored areas of Granton. (NG noted – and RM concurred – that the land in Granton is part of LDP calculations.)

HT noted that the significance of the LDP is that it sets the building agenda for next 5 years: individual plans/developments will need to conform to it. Hence LDP indirectly states how many houses will be built on each site. This changes land-values (more houses = more value) but receives little democratic scrutiny. HT noted several nearby BF sites that would be influenced by LDP – while matters are quite far advanced, LCCC could still have some affect on LDP. Cllr Blacklock noted that housing densities in the plans were not the same as those that would be built. HT noted that the lower the density in BF sites, the higher the pressure on GB.

ACTION: JS TO READ LDP IN DETAIL AND REPORT TO NEXT MEETING.

## **7.2 14/02790/FUL and 14/02791/LBC (<http://tinyurl.com/bvnjcl8>): 9 Pilrig Street**

HT noted that this development is of interest because it is very likely to become an HMO or B&B, despite the owner denying this. The owner also owns and runs some HMOs/B&Bs nearby. (Submitted plans include small kitchen, each bedroom with en-suite bathrooms. Lower ground floor plans are at <http://tinyurl.com/pb5x7rv>.) HT sought LCCC's support for submitting an objection – he feared that this development would add to the already disproportionate number of HMOs in the area – and the related problems with noise, drugs etc.

A nearby resident stated that CEC's policy for the area was to encourage single-occupancy residential use (SORU), and that the owner had been given permission for alterations on that basis, yet HMO-suitable fittings are already being installed. Dispersed HMOs are acceptable, in his opinion, but not concentrations of them. He further stated that (concentration of) HMOs destroy(s) communities and bring(s) other problems – these can take years to undo – and noted the large amount of HMOs nearby. He requested LCCC's support in combatting a 'blatantly obvious' HMO development, by prompting CEC departments to work together to support the original SORU policy, and asked the Cllrs for advice on combatting this development. He noted that there were already 3 other applications for similar developments in this area. A Graham stated that this is not social housing or creating homes – it's purely business.

R McEwan asked how HMOs could be prevented. Cllr Gardner has asked K Haycock (head of private rented sector) to look into Pilrig St generally. (Leith Links area has some restrictions on HMOs. J Scanlon stated that while CEC doesn't place homeless people in LL, other local authorities may do so.) A Graham noted that where two shops on Leith Walk were amalgamated, the owner left money in escrow for eventual restoration – could similar be imposed here? (No, according to Cllr Blacklock.) HT noted that CEC used to have distributed accommodation for homeless families, rather than massing them together, and that CEC is legally obliged to house families, hence the pressure to create HMOs.

Cllr Blacklock suggested the resident submitted an objection – some applications are refused.<sup>3</sup> A Graham suggested taking as many people as possible to relevant CEC meetings. HT noted that listed building consent (needed for the proposed changes) has not yet been granted, hence there is time to object.

NG stated that concerns about residents in existing HMOs should be reported to police or private rented sector team (contact: 0131 469 5151 or [hmo@edinburgh.gov.uk](mailto:hmo@edinburgh.gov.uk)). HT noted that police had been to the owner's dwelling twice in under a week – he intended using FOISA to find out how much police time had been used – in his opinion owners of HMOs should be liable for such costs.

**ACTION: SECRETARY TO SUBMIT AN OBJECTION ON BEHALF OF LCCC**

### **7.3 Low uptake of CEC support for canvassing local opinions of major planning applications**

CEC had asked why only 2 CCs had taken up financial support for such opinion-finding. HT responded on behalf of LCCC that the amounts available were insufficient, that CCs had many other duties, that the mechanism was too slow and that such support should be automatic. His full response is at <http://tinyurl.com/la6fp3q>.

**DECISION: HT'S RESPONSE ENDORSED NEM CON**

## **8 Office-bearers', Edinburgh Councillors', MPs' and MSPs' reports**

### **8.1 Treasurer**

LCCC's finances are healthy - annual grant of £989.06 from CEC has just arrived. See appendix 1 for signed-off 2013-4 accounts. See appendix 2 for current balance sheet.

### **8.2 M Chisholm MSP**

He has received many complaints about parking. A private member's Scottish Parliament (SP) bill to make poor parking illegal has not been progressed because it is a reserved matter. M Lazarowicz MP is now introducing a bill to the UK Parliament to enable SP to legislate. Following Greener Leith and *Evening News* articles on declining numbers of fines for littering and dog-fouling, MC has contacted CEC. There is also great concern about a development at Sandyhill, just outside LCCC area – a developer may have started work without planning permission. Cllr Gardner noted that CEC has been quite energetic about this matter.

## **9 AOCB**

### **9.1 Referendum debate (30 June)**

M Donaldson reported that this had been very well attended, and that there had been lots of engagement via Twitter. The event had cost £79 (budget was £100), thanks to free loan of PA. Many attendees left email addresses with LCCC secretary. Overall this event had great community engagement, part of LCCC's function.

A Finlay has seen increased cycling on pavements. Recently she saw a sign in Joppa saying 'no cycling on pavements' and asked whether this sign had been placed by locals. A Graham noted that this was a dangerous area of road (cobblestones and wind) – he preferred a £30 fine over dying.

AF was also concerned about 23/25 Dalmeny St, where there has been much police presence. AF has also seen antisocial behaviour and drug activity there. She asked how these buildings are used. **ACTION HT TO FOISA POLICE INTERVENTION AT HMOs ACROSS EDINBURGH**

AF noted that the advertising board on Croall Place was switched off. Previously AF saw that displays were changing every 3 seconds and hence there was effectively a moving display.

AF also asked whether there was any news on the Easter Road Lidl. **ACTION: CLLR GARDNER TO ASK LIDL**.

AF reported on the planning and enforcement training she had attended. (See appendix 3.)

L Lockhart noted that she, M Donaldson and B Ryan had been working to develop how LCCC could use Twitter to engage with its community. The only current use of LCCC's Twitter account is auto-tweeting of new posts by LCCC's website. HT wished there to be a named person to whom such duties were delegated, but welcomed hearing about policies etc at the next meeting.

B Ryan noted CEC's had requested feedback on its trade-waste scheme. See <http://tinyurl.com/mlxcgpa> for details.

## **10 Date of next meeting**

22 September

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<sup>3</sup> Cllr Blacklock has now (20 August) asked planning enforcement if they are aware of works at 9 Pilrig Street.

**Appendix 1: signed-off 2013-14 accounts****Leith Central Community Council Accounts to 31 March 2014****Income and Expenditure Account 1 April 2013 - 31 March 2014**

	Notes	2013 £	2014 £
<b>INCOME</b>			
Administration Grant (CEC)		986.06	0
Other income		0	0
		<u>986.06</u>	<u>0</u>
<b>EXPENDITURE</b>			
Grants given		0.00	200.00
Affiliation fees		40.00	0.00
Training & Conferences		0.00	100.00
Minutes Secretary		240.00	150.00
Website		0.00	29.20
Hire of equipemnt-LGBT		18.68	
Printing and Stationery		0.00	0
		<u>298.68</u>	<u>479.20</u>
<b>SURPLUS</b>		<u>687.38</u>	<u>-479.2</u>

**Balance Sheet on 31 March 2014**

	Notes	2013 £	2014 £
<b>CURRENT ASSETS</b>			
Cash at bank		1221.80	1482.98
Petty Cash		<u>0.00</u>	<u>0.00</u>
		<u>1221.80</u>	<u>1482.98</u>
<b>CURRENT LIABILITIES</b>			
Uncleared cheques		0.00	0.00
Unpaid bills	1	0.00	0.00
		<u>0.00</u>	<u>0.00</u>
<b>NET CURRENT ASSETS</b>		<u>1221.80</u>	<u>1482.98</u>
<b>Represented by</b>			
General Funds		616.46	1221.80
Surplus/Deficit for year		687.38	-479.20
		<u>1303.84</u>	<u>742.60</u>

Signed:

(Treasurer)

(Chairperson)

Date:

18/8/14

**Independent Review**

I have examined the above statement of accounts of Leith Central Community Council for the year ended 31st March 2014. I certify that these statements reflect the income and expenditure of Leith Central Community Council for the year ended 31st March 2014. I certify that these statements reflect the income and accordance with the books and records of the Treasurer.

Signed:

(Accounts Examiner)

Date:

11/07/14



**Appendix 2: current balance sheet**

DATE	DESCRIPTION	Cheque No	Credit	Debit	Balance	Bank Balance
2014	Balance b/f					£1,432.98
19.5.14	Minutes( Mar 2014) B Ryan	425		50		£1,382.98
16.6.14	Marion Donaldson	429		£100.00		£1,282.98
25.6.14	Minutes (Apr 2014) B Ryan	426		£50.00		£1,232.98
?.8.14	Edinburgh Council grant		989.06			£2,222.04
TOTALS			£989.06	£200.00		

  

Balance b/f	£1,432.98
Income	£989.06
Total Income	£2,422.04
less expenditure	£200.00
BALANCE	£2,222.04

**Appendix 3: council planning & enforcement training for representatives of community councils at City Chambers on 7<sup>th</sup> June 2014**

I attended the above training day on Council Planning and Enforcement.

Counsellor Jim Perry warmly welcomed us. He is Chair of the Planning Committee and has worked with the committee for two and a half years. There followed a series of presentations, the first by Acting Head of Planning and Building Standards, David Leslie. He spoke about the *Development Plan* and how it is strategic, setting the framework for developing the city. *The Local Development Plan* is where community councils can get involved. He spoke about *major applications* and the *Edinburgh Planning Concordat*, i.e. what it is and what is the statutory framework for dealing with applications. At this point community councils have a say in the pre-application stage.

Another presentation dealt with how planners make decisions, the use of statutory framework and how the council department decides whether they or the Planning Committee needs to make a decision on an application (i.e. level of complexity). Appeals and reviews were also covered.

Lastly a presentation covered *enforcement* of planning decisions and we looked at the statutory framework for taking *enforcement action* and what happens if a *notice* is served.

**POINTS OF INTEREST**

- Meeting the people involved in the technicalities of planning and who make decisions
- Getting an up-to-date contact list
- Good to understand the logic of decision making – ie technical not moral
- Good to know there are a variety of planning booklets available.
- Understand the hierarchy of planning, national to local and the reporters (40 in Scotland) who have final say.
- Existence of **Community Engagement Fund** – up to **£300** per development application which helps community councils reach out to secure local viewpoints and help pay for mailshots, public meeting, leaflets etc.
- Lastly, every community council should sign up to the **Edinburgh Planning Concordat** so as to receive early information about planning applications. According to information given to me Leith Central Community Council has yet to do so.

Anne Finlay

LCCC treasurer

9.6.2014