

## Minutes of the ordinary meeting of Leith Central Community Council, held in Nelson Hall, McDonald Road library on Monday 20 February 2017 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 Attendance and apologies

#### 1.1 Attendance

Jack Caldwell	LCCC	Julian Siann	LCCC
Roberto Colasuonno	LCCC	Harald Tobermann	LCCC vice chair
Jeremy Darot	LCCC	Bruce Ryan	Minutes secretary
Charlotte Encombe	LCCC secretary	Richard Price	New Town & Broughton CC
Darius Garab	LCCC	PC Lauren Mitchell	Police Scotland
Andrew Harlick	LCCC	PS Craig Tweed	Police Scotland
John Hein	LCCC chair	Cllr Nick Gardner	Leith Walk ward (Labour)
Iona McLeod	LCCC	Cllr Marion Donaldson	Leith Walk ward (Labour)
Lorraine Moore	LCCC treasurer	Ben Macpherson MSP	Edinburgh Northern & Leith (SNP)
Damian Sefton	LCCC	7 residents	

#### 1.2 Apologies

Alan Dudley LCCC | Sheila Kennedy LCCC | Deidre Brock MP Edinburgh North & Leith (SNP)

### 2 Approval of Minutes of 16 January 2017 meeting

Approved as-is (proposed I McLeod, seconded J Caldwell, *nem con*)

### 3 Matters Arising

None

### 4 Planning

#### 4.1 Transforming the planning system (consultation closes 4<sup>th</sup> April)

Ben Macpherson MSP (BM) reported, either in his main presentation or in response to questions

- The Scottish Government (SG) has launched a big consultation on the planning system, which proposes changes to community councils' roles. This is an opportunity for CCs and individuals to contribute to reform.
- SG first consulted in May 2016 to obtain information from 'interested parties'. This led to the current [Places, People and Planning consultation document](#), which has 20 key proposals.
  - An LCCC member suggested that hard copies of the consultation document should be in libraries: taking notes from and commenting on a 200-page online-only document is not so easy.
  - One of the key proposals is around urban density, a major issue in LCCC's area.
- It is expected that the consultation will lead to a Bill, which will be debated (and maybe amended) and then presumably passed as an Act by the Scottish Parliament.
  - However, some provisions may be introduced by secondary legislation (guidelines, regulations etc produced by Scottish Ministers using powers under the Act). This may allow some '[agility](#)'.
  - However, some LCCC members were concerned that the Bill should be clear and unambiguous.
- Other proposals concern changing planning fees, leading to more financial resources for planning systems.
- The consultation also considers change around local infrastructure, and pre-application engagement.
  - For example, a local levy on developers<sup>1</sup> would raise fund for local infrastructure such as primary schools, GP practices, childcare.
  - LCCC members suggested that such changes are welcome but that enforcement is key here; allegedly developers' contributions are easily waived or not collected. It was also suggested that councils do not allocate sufficient resources to enforcement, hence enforcement of both levies and building according to approved plans should be hard-wired into the system, and levies should be ring-fenced. Also, enforcement of existing regulations, decisions etc should occur, enabled by sufficient resources.
  - Cllr Gardner noted that council officials are generally over-tasked, that planning processes take time (and hence have costs), and that CEC does not have a dedicated planning enforcement team – would the changes increase councils' planning budgets, via increased funding from SG and/or increased fees?
- Consideration of local input would:
  - shift from consulting to early engagement, and outreach to e.g. young people (using e.g. [charrettes](#))
  - give CCs stronger roles: there would be a duty on developers to consult during plan preparation.
- There would be some training around good practice.

<sup>1</sup> This is the [Town and Country Planning \(Scotland\) Act 1997](#) (Section 75) but SG considers that changes are needed here.

- The consultation document is opposed to **3<sup>rd</sup>-party right of appeal** (possibly because automatic right to appeal would constipate the system) but it was suggested (citing Heriot Hill as an example) that there is room for subtlety here, e.g. if a lone Reporter decides against consistent decisions in the planning process.
  - Cllr Gardner suggested that final appeals should be more transparent and/or heard by a 'tribunal' of three Reporters openly debating the issue.
  - There was concern over the cost of appeals. While Councils currently cannot appeal, it was suggested that Councils' decisions may be partly influenced by the potential cost of appeals against them.
  - A resident suggested (citing Canonmills Bridge as an example) that public, local non-specialist opinions should be taken into account even when planning regulations permit otherwise unwelcome changes.
- An LCCC member was concerned about the low level of social housing (SH) in recent house-building applications – could enforcement of SH provision be introduced?
  - BM responded that 25% of any new housing development must be 'affordable' housing (AF).
  - A resident suggested that (social) housing is unaffordable, due to unrestrained house prices and buy-to-let, leading to reduction in use/viability of local shops and services, and multi-generational mortgages.
  - BM responded that while mortgage financing is a 'reserved' matter and so cannot be covered by this process, the expected 'city deal' may deliver a large amount of SH/AH. Also the [Private Housing \(Tenancies\) \(Scotland\) Act 2016](#) creates 'rent pressure zones', which may help here. Also, [the right to buy has been removed](#), leading to an expansion of SH/AH.
- Concerning fast-tracking use of brownfield sites CE, the consultation document considers introduction of fast-tracking zones, and the SNP manifesto considers taxing unused land.
  - An LCCC member welcomed the latter but was concerned that fast-tracking brownfield sites might lead to poor decisions and/or bad design. Another member noted that while in England, there is a policy of 'use your permission or lose it', this does not occur in Scotland and so brownfield sites are left unused.
  - A resident acknowledged that while there is need for more housing, 'it must be the right housing in the right place at the right time'.

*ACTIONS: H TOBERMANN TO DRAFT LCCC RESPONSE FOR NEXT MEETING, LCCC MEMBERS TO SUBMIT THEIR OWN RESPONSES*

#### 4.2 Consultation on Raising Planning Fees (closes 27 Feb 2017)

H Tobermann noted that this [consultation](#) suggests increasing fees up for larger developments. However, he suggested that such fees should be devolved to councils, not set by SG. *ACTION – H TOBERMANN TO COMMENT TO THIS EFFECT (AGREED NEM CON)*

### 5 Community Police Officer's Report

The Police Scotland (PS) representatives reported as follows

#### 5.1 Following up from December and January reports

- There has been no new graffiti in the Sherrifbank area, so PS is confident the perpetrator has been caught.
- A male was arrested with £2500 of stolen property, which has been returned to its owners
- In January, youths damaged 15 vehicles, causing over £5000 damage. The perpetrators have been found using CCTV and other enquiries.

#### 5.2 Looking ahead

- PC Knox and CEC will focus on graffiti issues in Albert St. If this goes well, it be rolled out to other areas.
- There will soon be 2 days of action on antisocial behaviour in Leith Walk: PS will work with the NHS etc.

#### 5.3 January crime statistics

- 13 attempted house-breakings; 8 actual house-breakings to dwelling; 2 actual HBs to non-dwellings
- 29 common assaults; 5 serious assaults (leave a permanent scar, or require stitches.); 2 robbery & assaults
- 1 drink driver, 3 driving without license, 5 driving without insurance
- 21 common thefts (people stealing from other people); 20 shoplifting thefts
- 5 opening a lock-fast place (mainly motor vehicles {MVs}); 6 thefts of MVs; 4 theft from insecure MVs.

An LCCC member reported youths trying to steal a bicycle and cause other trouble in Dalmeny St. Later, the same youths were seen causing trouble in Leith Walk. PS responded that their night patrols will be vigilant.

Another LCCC member asked for updates on recent pub robberies in Leith Walk. PS responded that they have no intelligence of pubs being targeted. PS will attend [Pubwatch](#) and take appropriate action

Concern was expressed about crime spreading from north of city to Leith. PS responded that there was some theft of motorcycles on Pilrig St, and that there is a momentum of youth crime in north Edinburgh because crime is not being reported. PS noted that reporting crime does work – they were able to obtain and execute two warrants for drug activities thanks to crime being reported. [CrimeStoppers](#) allows anonymous reporting.

There was concern that PS cannot act against underage perpetrators. PS will act responsibly and professionally. It was suggested that maximising parents' embarrassment over child criminals would be effective.

## 6 LCCC Office Bearers' Reports

### 6.1 Treasurer

- She has now arranged transfer of signatories. (They are currently herself and LCCC's chair).
- She also has a form that would enable LCCC secretary to become a signatory.
- Invoices from *The Spurtle* and the minutes secretary have now been paid.

### 6.2 LCCC communications group

- A recent poster campaign has attracted new attendees from the Colonies. Posters advertising forthcoming meetings will go out soon.
- S Kennedy and I McLeod are now maintaining LCCC's Twitter account, and obtaining lots of retweets (= publicity). SK and IM plan to rationalise who LCCC follows on Twitter. It was suggested this includes following other Edinburgh Twitter-using CCs, and that SK and IM review LCCC's existing Twitter policy.
- It was also suggested that LCCC starts using Facebook.
- The key to LCCC's noticeboard is still AWOL. **ACTION: LCCC TO FOLLOW THIS UP IN ITS MARCH MEETING.**

### 6.3 LCCC's participation in Civic Forum

H Tobermann noted that this forum, underpinned by the [Cockburn Association](#), is good interface between planning stakeholders. **DECISION: HT AND L MOORE WILL ATTEND FORUM MEETINGS (AGREED NEM CON)**

### 6.4 LCCC's participation in Transport Forum

H Toberman noted that while this Forum may be moribund, it is still useful. He will continue to attend its meetings, but asked for other volunteers.

## 7 Planning

### 7.1 LCCC minded to comment on two neighbouring applications (in the context of 16/03138/FUL Anderson Place/West Bowling Green Street)

7.1.1 Proposed residential development of 77 units at 24, 26-28 West Bowling Green Street (16/00427/FUL)

7.1.2 Demolish existing buildings, form new residential development at 30 South Fort Street (16/03218/FUL)

H Tobermann noted that [16/03138/FUL](#) already has planning permission, and that the deadline for submitting comments on [16/00427/FUL](#) and [16/03218/FUL](#) is nigh. Together these would create around 400 new houses.

- HT noted that other local plans have superseded the 2008 masterplan brief for the Bonnington area, which called for a mix of residential and small-commercial uses. Also John Lewis is about to sell its site near this potential development. B Macpherson noted that the consultation document (see item 4.1 above) proposes a link between development planning and community planning. He has also recently met with John Lewis, and with developers to encourage commercial uses, such as studio space for creative industries.
- A resident suggested that there is a social argument for mixed use, namely avoidance of ghettoization.
- Another resident asked whether traffic flows from these developments have been investigated.
- HT suggested that new developments should encourage cycling and walking, and discourage car-use, have better lighting. A resident suggested they should also encourage local amenities.

**ACTION: HT TO SUBMIT COMMENTS BASED ON THE ABOVE AND PREVIOUS LCCC DECISIONS.**

### 7.2 Update on status and drawing up of masterplan for Powderhall Waste Station

HT noted that this is currently lying idle, and may not be reopened (operations will go to Millerhill in 2018), and suggested that LCCC strongly requests a full plan, including how contamination will be dealt with.

- It was suggested that the nearby unused railway line is added to the cycle network.

**ACTION: HT TO SUBMIT REQUEST BASED ON THE ABOVE (AGREED NEM CON)**

## 8 Transport

### 8.1 Leith Walk Programme: Phase 4 (Iona St to McDonald Rd) and Phase 5 (McDonald Rd to Montgomery St)

HT noted that phase 4 is in progress, and that the program manager (Michael Motion [MM]) has acted to make the site tidier, improve signage and generally keep the work on schedule. HT had been concerned about lighting issues (which are CEC's responsibility) but MM has sorted this. HT also noted that the red light camera outside ScotMid will be removed, as will the associated pavement cabinet, and that tactile indicators will segregate on-pavement cycling lanes from pedestrian areas.

HT noted that some objections to phase 5 were considered by CEC in January. They will now go into the Scottish Minister enquiry process. Tendering for the work cannot occur until that process is finished.

### 8.2 LCCC working group on parking

I McLeod reported that the group had met, to consider whether parking regulations should be introduced over much of LCCC's area. There are options, so they intend to consult locally. They have endeavoured to contact the relevant CEC official to find out about options before consulting, but have not yet received a reply.

## 9 Environment

### 9.1 Update on contact with other Friends groups: Dalmeny Street and Montgomery Street, Hillside

Friends of Montgomery Street Park submitted the following:

Our plans to improve the playground in have been delayed a little, but we hope to be back on track soon. Parks officers from CEC advised us that the particular pieces of play equipment we had chosen have been problematic elsewhere in the city (some have been set on fire, the wooden supports in others have rotted). We are looking again at the options. Meanwhile, we will be launching the Montgomery Street Park Biodiversity Garden on [Earth Day, Saturday 22<sup>nd</sup> April](#). The event will run from 2pm - 4pm and will include the unveiling of Bee and Bug Biomes which were designed by local groups. We'll also do some planting and litter picking.

We are starting to make plans for a Summer Fair on Saturday 9th September. We're looking for volunteers to help with planning as well as on the day. [Our next planning meeting, and the quarterly meeting for our group](#), is on Thursday 9th March at 8pm. Please get in touch via our website or Facebook page for more details.

### 9.2 Friends of Pilrig Park report

FoPP is holding a tidy up this Saturday (25<sup>th</sup> February), 10:30 to 12 noon.

## 10 Councillors' reports, MSPs' reports, MP's report

### 10.1 Cllr Gardner

- He reported that it is likely that, despite previous promises to the contrary, Leith St will be closed for the St James redevelopment. Closure would be after the 2017 Edinburgh festival, and may go on until the 2018 festival. Options include Leith St being open to public transport, pedestrians and cycles some of the time it is closed to other traffic. This matter will be further discussed at the stakeholder meeting on 27 February.
  - LCCC suggested a policy of lane rental, i.e. developers are financially penalised for overlong closures.
  - LCCC also suggested that CEC has a history of poor contract negotiation, and needs better negotiators.
- He also commended young people taking up political activity, noting the [United Colours of Leith](#) *inter alia*.

### 10.2 Cllr Donaldson

- She noted the [Report on the construction of Edinburgh schools](#) had found poor construction and inadequate supervision, for example omission of wall-ties due to pressure for speed.
  - An LCCC member suggested that schools receiving pupils from the closed schools received insufficient warning or staff compensation, and that private contractors should be charged for malfeasance.
  - Ben Macpherson stated that CEC had obtained compensation from the contractors, but HT suggested that it had not reached the affected schools.
  - Another LCCC member suggested that PFI problems are not over, citing issues around self-certification.
- She has been shadowing community police officers, including seeing that areas are accessible.
- She requested memories of shows at Leith Theatre are sent to [stories@leiththeatretrust.org](mailto:stories@leiththeatretrust.org).

### 10.3 Ben Macpherson MSP

- He commended the [1 day without us](#) event, celebrating migrants' contributions to society, at the Mound.
- He noted that CEC has contracted some legal work to private solicitors, to reduce pressures on CEC lawyers.
- He is happy to address LCCC again on pertinent issues, and noted publication of the [Child Poverty Bill](#).

## 11 Open Forum /Bulletin

- D Garab promoted [ELREC's survey on community councillor diversity](#). (This survey closed on 20 February.)
- L Moore commended the recent training on alcohol licensing.
- LM noted that that planning training, organised by Leith Links CC, will take place on 6 March (6:30 pm).

## 12 AOCB

- The secretary commended the recent pub quiz organised by Leith Links CC.
- She noted there is a consultation on pedestrian facilities in Pilrig St. She and others looked at whether a pedestrian crossing is needed by Cambridge Avenue. Responses are due by 27 February.
- She noted that Elm Row post office will be modernised, closing on 4<sup>th</sup> March and reopening on 16 March.
- The chair noted that post in Montgomery St postbox will now be collected in mornings. **ACTION: CHAIR TO SUBMIT OBJECTION**
- Leith Links residents' association is setting up a number for complaints about smells.

## 13 Future Meetings (usually 3<sup>rd</sup> Monday of the month) and meeting topics/presentations

### 13.1 future dates: 20 March 2017, 17 April 2017, 22 May 2017.

### 13.2 future presentations/discussions

#### 13.2.1 March: quarterly area crime statistics

#### 13.2.2 date TBC: North East Locality Manager Natalie McKail (or maternity cover)