

Minutes of the ordinary meeting of Leith Central Community Council, held in Nelson Hall, McDonald Road library on Monday 18 March 2019 at 7:00pm

Actions and decisions are RED ITALIC UNDERLINED SMALLCAPS. NEM CON means that no-one spoke or voted against a decision.

1 Welcome, introductions, attendance, apologies, declarations of interest, order of business

1.a Attendance

1.a.i LCCC members

Name	2018								2019			
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Clara Boeker	??	??		??			A					
Jack Caldwell		A			A							
Roberto Colasuonno		A					*		NA - resigned			
Jeremy Darot		A			*	A	*		A	A		
Alan Dudley									A		Ap	
Charlotte Encombe				A	A							
Pierre Forissier	??	??		??	??	??	??		??	??		
Nick Gardner		A				A						
John Hein		*										
Sheila Kennedy						A					Ap	
Iona McLeod		A		A							NA - resigned	
Lorraine Moore						A			A	A		
Damian Sefton		*		A	*		*			*	*	
Julian Siann							A					
Harald Tobermann					A	V						
John Wilkinson	??	??		??					A			
Bruce Ryan				A								
Cllr Marion Donaldson		A		*		A	A		A	NA - resigned		
Cllr Amy McNeese-Mechan	A			*		A	A		A			
Cllr Susan Rae	A	A					A			A		
Cllr Lewis Ritchie		*		A		*	*			*	*	
Ben Macpherson MSP		A		A	*	*	*		A	*	*	
Deidre Brock MP	A	A		A	A	*	A		A	A	Ap	

????????A = not present, sent apology, * = not present, did not send apology

1.a.ii Others

PC Kevin Weaver Police Scotland Sally Millar Leith Links CC
 Lynne McMenemy Edinburgh Council planning Ella Taylor Smith Broughton Spurtle
 Naomi Sandilands Edinburgh Council planning 13 residents and visitors

1.b Apologies

Alan Dudley LCCC Deidre Brock MP Edinburgh North & Leith
 Sheila Kennedy LCCC 13 residents and visitors

1.c Declarations of interest

J Caldwell (Leith Walk by-election candidate)

1.d Thanks

The chair thanked the now-resigned Iona McLeod for her work on parking, clean streets and licensing.

1.e to agree: co-option of new Community Council member Pierre Forissier

This co-option was agreed *nem con*.

2 Approval of minutes of 18 February 2019 meeting

Approved subject to correction of 8a (who I McLeod had written to). Proposed J Wilkinson, seconded J Siann, *nem con*

3 Matters arising from previous minutes (and not on agenda below)

- Item 4 (police surgeries): PC WEAVER TO EMAIL DETAILS TO B RYAN
- Item 8a (licensing conditions): I Mowat has emailed details – see Appendix 1

4 Community Police Officer's Report

PC Weaver reported

- 'Rough sleeper' patrols starting at 7am are on-going. These are intended to help rough-sleepers, not give them trouble
- Police have been undertaking visits to primary schools on (internet) safety and nursery schools on road safety.
- They are also running drop-in sessions, e.g. at Junction Place, for people with drug & drink problems.
- Operation Contrition (patrols on Leith Walk targeting drugs and drink) is getting good results.

- Morning patrols in Leith Walk, Springfield and Dixonfield about antisocial cycling have spoken to several people.
- Police dealt with a non-viable explosive device in Annandale St.
- They will speak to Dominos about poor parking. It is not an offence to park on on-road cyclepaths but people 'be mindful'. See appendix 2 for further information. [SGT WEAVER TO SUPPLY REGULATIONS TO BRUCE, BRUCE TO CIRCULATE](#)
 - Obstruction caused by parking is an offence but parking on [advisory] cycle-lanes is not.
 - Parking on bus-stop is to be dealt with by traffic wardens. This is not a police matter.
 - Parking on on-pavement cycle-paths is an offence
 - It is an offence to cycle on pavements but cyclists will not be charged if they do so to avoid poorly parked vehicles.
- There will be police surgeries in McDonald Rd library every Wednesday (12 noon to 2pm)

5 City Plan 2030

H Tobermann introduced this as an opportunity to influence the 'laws' on planning that underpin planning decisions.

5.a **Briefing by CEC Local Plan Team (Lynne McMenemy, Naomi Sandilands)**

See also [slides](#)

- The local development plan (LDP) sits within a hierarchy: the National Planning Framework and [SESplan \(slide 4\)](#).
 - A new version of SESplan has been sent to Scottish Ministers for approval.
- The last LDP was adopted in 2016 ([slide 5](#)).
 - It is used daily by CEC to decide on planning applications.
 - It needs to be updated every 5 years.
 - Hence CEC is currently preparing a consultation document: *Choices for City Plan 2030* ([slide 6](#)).
 - In doing so, CEC will consider what worked and what did not work in the current LDP, to find preferred options.
 - The new LDP must be meaningful and clear, as free of jargon as possible.
 - It will be include a monitoring statement and environmental report.
 - Notice of progress will be given in CEC's Development Plan Scheme.
- The context of the LDP includes the *2050 City Vision* and its four themes *fair, inspired, connected and thriving* ([slide 7](#)).
 - Under the City Vision are several strategies: *housing, City Plan 2030, 3 'connecting our city, transforming our places' projects, economy*.
- *City Plan 2030* is to forwards the themes of *2050 City Vision* ([slide 8](#))
 - It will show what Edinburgh could be like in 2030 ([slide 9](#)).
 - It will be framed in terms of what is and is not possible, what can be changed, why CEC is consulting and SESplan 2.
 - Because SESplan 2 is still before Scottish Ministers, *Choices for City Plan 2030* cannot yet be finalised.
 - However, CEC is gathering relevant information, e.g. potential brownfield sites ([slide 10](#)), greenfield areas ([slide 11](#)).
 - CEC is also engaging with communities, e.g. autumn 2018 engagement events ([slide 12](#)).
 - The results of these consultations will show where people think there is capacity for change.
- Future consultation on *City Plan 2030* is outlined on [slide 13](#) and [slide 14](#).

5.a.i Monitoring

This section outlined what CEC monitors to help produce *City Plan 2030*.

- A monitoring statement is statutorily required for any LDP.
- CEC will monitor changes in Edinburgh's physical, economic, social (including population changes) and environmental characteristics, and the impact of the current LDP on these ([slide 16](#)), to provide an evidence base for policies.
 - CEC is aware that Edinburgh's population is growing significantly ([slide 17](#)), and of population density ([slide 18](#)).
 - CEC is monitoring sites allocated for housing to see which are used and what they deliver ([slides 19 to 21](#)).
 - CEC also monitors sites arising in addition to the LDP and housing density. There is an annual housing land audit.
 - This is important when considering public transport ([slide 22](#)), employment opportunities ([slides 23 to 25](#)) and office-space ([slides 26, 27](#)) and student accommodation ([slides 28 to 30](#)), school rolls ([slide 31](#)) and green space ([slides 32, 33](#)).
 - Data is publically available on the [CEC atlas](#) and the LDP interactive map ([slide 34](#)). Further data will be published in the next few months.
- CEC planning can be reached via [@planningedin](#), [planningedinburgh.com](#), [edinburgh.gov.uk/cityplan2030](#) and [cityplan2030@edinburgh.gov.uk](#).

5.b **Q&A, comments from LCCC**

- Can data to be published earlier, so CCs can engage and point out issues?
 - CEC is considering whether it can publish data now.
- Are there plans for any other green spaces in Edinburgh, instead of building everywhere and destroying the green belt?
 - CEC is trying to preserve green space.
- Can the data (which is public) be published as shapefiles, because we now have a spatial data platform?
 - Planning is in conversation with the CEC open data team to try to achieve this.
- Transient visitors policy assumes students are transient but what statistics are being used just now? Also, the current standards for green spaces assume no transient/student entitlement to green space.
 - CEC is trying to find a good way to monitor AirBnB use.
 - It currently monitors applications for change of use, and has some enforcement strength.
 - The local open space strategy considers quality and access every 5 years. There has been some improvement.
 - Open space NE actions plans can be monitored, e.g. work to make Leith Links a 'premier standard' park.
- Why is student [ACCOMMODATION](#) not close to universities?

5.c Discussion of LCCC priorities and focus for the Local Development Plan

- How can LCCCs interact with a review of the under-pressure Bonnington area?
- Has CEC identified guidance that are not yet [formal] policy?
 - Guidance is written after plans are developed. These may lead to changes in policy.
 - LDPs and similar are accompanied with other guidance, some of which is statutory, some of which is not.

5.c.i LCCC 'wish-list'

- L Moore: please avoid 'bog-standard' architecture, e.g. the 'boring, uninspiring' Western Harbour plans.
 - H Tobermann suggested there is a national design statement but that this is not being applied locally.
- C Encombe: there is a lack of good-quality green space in highly populated areas, e.g. the un-named park close to Leith Theatre, Coallie Park, small 'unloved' spaces in LCCC area.
 - This will be in the open space audit.
 - H Tobermann added that green space policy must take student numbers into account.
- C Boeker: Does CEC publish figures on consultations, e.g. numbers of inputs, failures of consultation? This also applies to developers. IN short, there is a lack of meaningful consultation.
- N Gardner: CCs and some local groups have much local knowledge, and so can help make consultations effective.
- B Ryan: have any CCs taken up the offer (in the CEC planning concordat) of money to undertake local consultations?
- L Moore: could CEC publish when land is sold to developers, rather than waiting until [outline] plans are submitted?
- S Rae: I have asked for consultation via various youth groups because this plan covers their future up to 2030.
- A resident: Can Leith be a test area for more meaningful engagement, as the Scottish Government promotes?
- P Foressier: CC members are volunteers, and are being stretched too thin. Can resources be provided?

ACTION LCCC PLANNING COMMITTEE TO COLLATE LCCC WISH-LIST, THEN FORWARD IT TO CEC PLANNING REPRESENTATIVES.

6 Planning**6.a to note: changes to the Council's Scheme of Delegation and Community Council's Statutory Consultee status**

- H Tobermann noted that not all planning applications are considered by CEC's planning committee (PC).
 - There are around 4000 applications per year, and most of these have minimal affect on any CC's area.
 - Such applications are decided by case officers, based on local plans, and such decisions are fairly transparent.
 - Until recently, 6 objections was enough to put a case on CEC's planning committee's agenda.
 - But now the requirement is for 20 objections, because the planning committee workload is high.
 - CCs can ask to be statutory consultees. The process is now easier, and will put cases on the PC agenda.
 - CCs only have 7 days from publication of applications to make such requests, so CCs are permanently 'on duty'.
- B Ryan added that CCs are automatically statutory consultees for developments of 50 or more units.
- N Gardner favours the former '6 objections' rule, but noted that many applications were permitted 'on the nod'.

6.b to note: report from Edinburgh Civic Forum 5 March 2019 (Civic Forum agenda)

H Tobermann noted that this was a useful forum, and that the Cockburn Association is preparing briefings on the forthcoming LDP. He suggested that LCCC should use these as inspiration for its own planning inputs.

6.c to note: status of current planning applications March 2019

J Siann noted that there has been a 'blitz' of applications: many were permitted and few were refused.

- Hence he has archived many permitted applications on LCCC's planning records.
- The current applications include the longstanding issue of the John Lewis site in Bonnington.
- There is an application to build flats on at the site of the old tram depot at Shrub Hill. This has been suddenly withdrawn, then resubmitted *de novo*. See [cross-section drawing](#).
 - He suggested that the link building' design is discordant with the design of the original sheds, and that the projection should be brought back within the profile of the sheds (which have conservation status).
 - The internal design for the actual sheds proposes a zinc roof, replacing a tiled roof, which would be too reflective.
 - He has objected on behalf of LCCC.

◦ **ACTION: PLANNING COMMITTEE TO CIRCULATE LINK TO LCCC PLANNING DOCUMENT**

6.d to note: Stead's Place updates**6.d.i correspondence from [Fyfe Hyland \(Drum Grp\)](#) in response to Save Leith Walk's 'Open The Shops' campaign****6.d.ii correspondence with [University of Edinburgh \(UoE\)](#)****6.d.iii LCCC request to [Planning Convenor](#) (and ward councillors)**

- These were noted. P Foressier suggested that UoE is not a passive partner in this application. He has asked to meet with UoE.
- H Tobermann has contacted the chair of CEC's PC.

6.e to note: proposed new date for pre-application consultation on 19/00415/PAN (rear of 139 Leith Walk) and request for charrette-type workshop

- H Tobermann noted that a developer has submitted a pre-application notice (PAN) for this site. LCCC asked the developer to come to its April meeting, but this was declined because the site's owner is in hospital.
- He suggested that the developer is invited to LCCC's June meeting.
 - He added that the developers have a staffed exposition at McDonald Rd library on 22-23 April.
- Information on charrettes can be found on [wikipedia](#)

7 Parks & Green Spaces

7.a **to note: Friends of Pilrig Park report**

- J Wilkinson is now treasurer of FoPP.
- FoPP is organising a clean-up at end the of March (30 March, 11am)
- There is also a clean-up in Montgomery Street Park that afternoon.

7.b **to note: update on [Water of Leith walkway](#)**

- H Tobermann noted that Miller has said it will not open the walkway at weekends until it is sure the walkway is safe, but HT suggested that that this is spurious – the walkway is already safe. Hence he has asked CEC to confirm it is safe.
- J Caldwell noted that there is a sign saying the walkway will open in August 2018.

7.c **to note: update on [proposals to improve local green spaces](#) in collaboration with Edinburgh & Lothians Greenspace Trust and neighbouring community councils**

C Encombe noted aspirations for a feasibility study of the 'string of pearls' parks.

8 Transport & Clean Streets

8.a **Tram Extension Project**

8.a.i **to note: deputation by LCCC and Community Councils Together on Trams (CCTT) to Transport & Environment Committee (TEC) 28-02-19 (briefing)**

H Tobermann noted that CCTT undertook a deputation to TEC, and received a good hearing from some councilors.

8.a.ii **to note: [CCTT joint statement](#) issued prior to Full Council Meeting 14-03-19**

CEC has decided to go ahead with the tram extension. CCTT did not dwell on the current lack of Hardie report.

8.a.iii **to note: next steps, impact on LCCC area of construction**

- CEC will now engage with contractors. There are around 1200 utility problems on Leith Walk to correct.
- CCTT will now directly engage with the contractors, especially during the 'early contractor involvement' period, on issues such as the police box, floating bus stops, the exit from Shrub Place, trees and the general practicalities for businesses during construction.
 - A resident suggested that CEC was not very informative to residents during construction of the original tram line, and that money should be spent on current needs rather than the future of trams.
 - C Encombe responded that on of CCTT's major concerns is lack of an up-to-date environmental report.
 - N Gardner suggested that residents in the tram 'building site' should be charged less council tax.

8.b **to note: [Strategic Review of Parking](#) – results of Area 1 Review**

- According to p.168 of the review, CEC is now checking how bad congestion is around the city.
 - It was suggested that CEC is poor at collecting data, citing previous examples of 'nonsense' data.
 - H Tobermann noted that CEC promises it will do this work in LCCC's area in May.

9 LCCC Governance and Office Bearers' Reports

9.a **Governance issues**

9.a.i **to note: [Review of Scheme for Community Councils](#)**

- H Tobermann noted that scheme reviews are obliged by legislation. The consultation notes that CCs need [financial] resources to pay for admin services, run charrettes, etc. Also, views are sought on CC elections.
- S Millar noted that CCs in NE locality will meet on 20 March (6:30, Kirkgate). This is a good networking opportunity)

9.a.ii **to agree: review of membership of LCCC committees and working groups**

- It was noted that LCCC's licensing and parking groups are now short-staffed due to I McLeod's resignation.
- **ACTION: LCCC OFFICE-BEARERS TO PREPARE TABLE OF COMMITTEES AND WORKING GROUPS WITH A VIEW TO RATIONALIZATION ASAP.**
 - See appendix 3 (data compiled from LCCC website by B Ryan)

9.a.iii **to note: proposed protocol for LCCC agendas**

It was suggested that the draft protocol (see appendix 4), already circulated to LCCC members, is adopted at the May AGM, then tested over the following year, with further necessary updates being considered and implemented at the next AGM.

9.a.iv **to note: community council elections in October and possibility of [collaborative promotion](#) with neighbouring CCs**

- It was noted that Leith Links CC had undertaken a successful drive for membership, resulting in a contested election.
- It was suggested that CEC CC election communications are too generic, and that LLCC's leaflets were specific and generated interest.
 - It was noted that leafleting should be managed so that every home is covered.
 - S Millar noted that printing leaflets cost around £300 but that LLCC members delivered them to houses. She suggested starting early, e.g. 3 months before elections, to stimulate candidacy.

9.b **to note: Comms Group Report**

J Caldwell noted that LCCC members had received information on a possible projector, and that the library's provision of a TV is not a good solution to LCCC's needs to resent visual items. A long-throw projector should cost £300.

- It was noted that the library cannot store the projector, so a member would need to house it between meetings.
- It was suggested that the projector could be offered to the library as a community asset if they will store it but LCCC gets first call on it at its meetings.

DECISION: PURCHASE OF A PROJECTOR (COST LIMIT £300) WAS AGREED NEM CON SUBJECT TO STORAGE AND COMMUNITY ASSET IDEAS BEING AVAILABLE.

9.c to note: Treasurer's Report

- L Moore noted that LCCC's current balance is £2093.82
- She stated that she will step down as LCCC's treasurer at LCCC's May AGM. Hence she would like volunteers now to achieve a smooth transition.

10 to note: reports from other office bearers**10.a Licensing**

See licensing update (appendix 5)

10.b Leith Gala

C Encombe noted that this will be on Saturday 8 June. She asked for LCCC members, especially those not on LCCC committees or working groups, to take turns on the shared stall. S Millar added that it is a good way to attract new members.

10.c Parking working group

- C Encombe noted that the group has essentially achieved its aims (getting CEC to review parking in LCCC's area), and suggested folding this brief into the Transport and Clean Streets remit.
- J Caldwell suggested waiting until a core member of the parking working group is present.

11 Bulletin, open forum, AOCB

- J Siann noted the 'Meanwhile' site at the bottom of Leith Walk wishes to develop a garden, so there is a start-off meeting on Sunday 24 March (2pm to 4pm).
- J Wilkinson noted that a mast has been moved.
- P Foressier noted that there is an online petition to open the Stead's Place shops.
- J Darot noted that there is a Friends of Dalmeny Park on 19 March.
- J Caldwell noted that he had attended a meeting about the Powderhall consultation, and that some Scottish Government funding had not been available. He suggested that LCCC follows up [NTBCC's work](#) on this issue.
- C Encombe noted forthcoming tenement maintenance legislation, and suggested that this is the subject of a presentation at LCCC's AGM. See appendix 6 for more detail.
 - A resident offered to contact a possible relevant speaker.

12 Future Meetings (usually 3rd Monday of the month) and meeting topics/presentations

See [agenda](#)

Appendix 1: I Mowat's email about audibility condition for licensing

Paragraph 7-2 of the [current licensing policy](#) states

Where relevant representations are made, the Board will make an objective judgement as to whether other conditions may need to be attached to a licence to secure achievement of the licensing objectives. Any such conditions will be consistent with section 27 of the Act. Any conditions arising as a result of representations will primarily focus on the impact of the activities taking place at the licensed premises, on those attending the premises and members of the public living, working or engaged in normal activity in the vicinity of the premises, and will cover matters that are within the control of the licenceholder. In particular where the operating plan indicates that music is to be played in premises, the Board will always consider the imposition of *a condition requiring amplified music from those premises shall not be an audible nuisance in neighbouring residential premises.*"

However prior to 2016 the condition was more onerous – it *required amplified music to be inaudible in nearby residential properties* – and the condition was changed as a result of a campaign by 'Music is Audible' to which NTBCC and other CCs objected. Since then pubs have been gradually seeking a change to the new less onerous condition. However, the good news is that the Licensing board has sometimes refused applications to change where there have been residents living in the Tenement in which the licenses premises, as we thought was the case for the Windsor.

Appendix 2: information on parking provided by Sgt Weaver

Parking on Pavements

Whilst it is currently not an offence to be parked on the pavement in Scotland, per se, legislation does exist to allow officers to deal with these type of incidents.

In most cases the offence of causing an obstruction will be most pertinent. There is no exact definition of obstruction, but a rule of thumb would be whether or not a pram or wheelchair could still navigate past, without having to go onto the roadway.

In most instances it will be necessary to examine the individual circumstances and determine what, if any, offences have been committed.

Drive On A Pavement

It is an offence to drive on a pavement under **Section 129(5)** of the Roads (Scotland) Act 1984.

- a person who, in a footway, footpath or cycle track, as the case may be drives, rides, leads or propels a vehicle or horse, or any swine or cattle, commits an offence

Obstruction

It is an offence under **Section 129(2)** of the Roads (Scotland) Act 1984 for a person who:

- without lawful authority or reasonable excuse, place or deposit anything in a road so as to obstruct the passage of, or endanger, road users

It is an offence under **Regulation 103** of the Road Vehicles (Construction and Use) Regulations 1986 for

- A person in charge of a motor vehicle or trailer who causes or permits the vehicle to stand on a road so as to cause any unnecessary obstruction of the road.

Cycle Track

It is an offence under **Section 129(6)** of the Roads (Scotland) Act 1984 for a person

- who parks a motor vehicle wholly or partly on a cycle track.

(Cycle Track - where over a road the public have right of passage by pedal cycle only, or by pedal cycle and foot only, the road is a "cycle track" — Section 151)

A cycle track which forms part of the roadway would not be covered by this offence and officers should consider one of the previous obstruction offences or whether or not the driver may be parking in breach of a local order. However, it is also possible that the driver is entitled to park on such a cycle lane.

Parking Caravans or Trailers on Roads

It is not illegal to park a caravan on a road, but certain criteria must be met:

- The nearside of the caravan must be parked as near as possible to the nearside kerb i.e. with the flow of traffic so that oncoming vehicles will see the rear reflectors
- It must not obstruct the road, domestic driveways, or otherwise cause a hazard.
- It must be lit at night with front position lamps

Obstruction

It is an offence under **Regulation 103** of the Road Vehicles (Construction and Use) Regulations 1986 for

- A person in charge of a motor vehicle or trailer who causes or permits the vehicle to stand on a road so as to cause any unnecessary obstruction of the road

Lighting

Regulation 24 of the Road vehicles Lighting Regulations 1989 require that a caravan or trailer left on a road between the hours of sunrise and sunset must have front position lamps fitted and lit.

A front position lamp is defined as *'a lamp used to indicate the presence and width of a vehicle when viewed from the front'*.

Appendix 3: LCCC committee and working group membership

Data taken from LCCC website 2019_03_24. Where known, convenors and spokespersons are underlined.

- **Communication and co-operation:** Jack Caldwell, Sheila Kennedy, Bruce Ryan
- **Licensing:** Sheila Kennedy
- **Parking:** Charlotte Encombe, Sheila Kennedy, Julian Siann
- **Parks:** Charlotte Encombe, Nick Gardner
- **Planning:** Clara Boeker, Nick Gardner, Lorraine Moore, Damien Sefton, Julian Siann, Harald Tobermann
- **Transport and clean streets:** Harald Tobermann, Sheila Kennedy, Clara Boeker, clean streets subcommittee members
 - **Clean Streets:** Sheila Kennedy, John Wilkinson

Appendix 4: draft LCCC agenda protocol

1. This draft protocol attempts to spell out existing practice that has evolved over the last few years and is intended to inform a discussion on the whether and how the LCCC agenda process could or needs to be revised. This discussion would feed into a revised version for formal adoption at a subsequent LCCC meeting.

Statutory context

2. The Scheme for Community Councils regulates as follows:
 - 3.8 In order to fulfil their responsibilities as effective and representative, community councils shall:
 - a. Inform the community of the work and decisions of the community council by posting agendas and minutes of meetings in public places, such as libraries, online and notice boards [...]
 - b. Circulate agendas and whenever possible draft minutes of community council meetings at least seven days prior to the date of a meeting [...] [...]
 - 9.3 Dates, times and venues of regular meetings of the community council shall be fixed at the first meeting following ordinary elections and thereafter at its annual general meeting. [...]
 - 9.4 Notices calling meetings of the community council and its committees shall be posted prominently within the community council area before the date of any such meeting and, where possible, be advertised by other such suitable means. ([City Of Edinburgh Council Scheme For Community Councils](#))
3. LCCC currently fulfils these requirements by:
 - **fixing meeting dates** for the following year at our May AGM (currently: third Monday every month, apart from July and December) (9.3)
 - these **dates are published** on every agenda and are available on our website (9.4)
 - a **meeting notice** and **agenda** ('outline agenda' to distinguish it from the 'detailed agenda', discussed below) is emailed to LCCC members and those residents and interested parties who have joined LCCC's GDPR compliant mailing list set up for this purpose at least seven days before these dates (3.8, 9.3)
 - these notices and outline agendas are also **posted on our website** and are, where possible, further distributed via "social media" and **posters** on notice boards. (9.4)

Non statutory detailed agenda

4. In addition, and in the interest of transparency and efficiency of meetings, a **detailed agenda** is produced, adding up to three features to the outline agenda, while remaining congruent with the latter:
 - (a) sub-items, identifying actions (eg to note, to agree, to ratify, to discuss) and a concise wording to allows LCCC members to understand what is to be discussed/agreed/etc
 - (b) links to papers or websites that are the subject of the sub-item
 - (c) estimated timings are added to guide the meeting participants
5. In order to spend the minimum amount of time on each sub-item during the meeting (so that meetings finish some time before midnight ...), each sub-item consists of a concise wording which may then be enlarged by a verbal report at the meeting; more often, due to the complexity of the issues LCCC has to consider, the details behind a sub-item are best described by a paper which may be produced by a third party (eg a CEC committee paper) or is produced by an LCCC member (eg the table listing status of current planning applications); or a link will be added to planning application or drawing on CEC's planning portal.
6. The finished detailed agenda - often with wordings, papers and contributions arriving until close to meeting day is emailed as a PDF to LCCC members and everyone on the mailing list as early as possible. Where this is very close to meeting day, every effort is made to have additional paper copies at the meeting.
7. As is clear from the above, the production of the detailed agenda is a fairly labour-intensive process but has been deemed to be worthwhile, as it helps LCCC members to understand clearly what is to be discussed or agreed at the meeting and provides them with access to relevant background information and thus promotes informed debate. It also minimises a plethora of unstructured emails circulating papers before a meeting and keeps it all in one place.
8. The **structure of LCCC's agenda** is determined in part by the aforementioned Scheme for Community Councils, partly by reports from LCCC's committees and by evolved practice or invited speakers. A typical (outline) agenda has the following standing items (with the order sometimes varied to reflect the relative weight of the item):
 1. Welcome, introductions, attendance, apologies, declarations of interest
 2. Approval of minutes of previous meeting
 3. Matters arising
 4. Community Police Officer's Report
 5. Main presentation item by invited speaker or an LCCC committee
 6. Planning
 7. Parks & Green Spaces

8. Transport & Clean Streets
 9. LCCC Governance and Office Bearers' Reports
 10. Bulletin
 11. Open Forum
 12. AOCB
 13. Future Meetings (usually 3rd Monday of the month) and meeting topics/presentations
9. All sub-items - whether added to detailed agenda or only at the meeting with the Chair's agreement - should fit under these standing items to comply with the Scheme for Community Councils.
 10. Over the last few months, LCCC has created a number of **additional working groups and subcommittees**, while the agenda process has not been adapted in parallel. Arguably, this reflects the increasing complexities arising from pressure on local authority resources and infrastructure, but is not matched by an increase in resources available to community councils. Nor is there unlimited voluntary time that LCCC members can invest.
 11. A review of the agenda process should therefore make it clear how these working groups report to LCCC meetings (as main items? at each meeting, or only if there are matters to report?) and how this impacts on LCCC members' workload.
 12. The **timeline for the agenda process** currently looks like this (in reverse order):
 - Day 0: LCCC meeting
 - Day -1 to -6: detailed agenda
 - Day -7: outline agenda with draft minutes from prior meeting
 - Day -14 to -8: collection and filtering of sub-items, determining the order of main items
 - Day -21 to -8: arrangements and papers of main presentation item
 - Day -28 to -21: production, review and circulation of draft minutes

Input opportunities to the agenda process

13. The majority of potential agenda items are generated by CEC, Scottish Government and other bodies, often with a timeline. These should be filtered by the relevant LCCC committee, as there is simply no capacity to consider all of them and fed into the agenda process as early as possible but not later than Day -8, accompanied by a concise wording. Committee convenors should also consider if the item is non-urgent and can be held over for the following meeting.
14. LCCC sub-items are most commonly worded as "to note" (no decision required/anticipated) or "to agree" (in which case the wording should clearly state what LCCC is asked to agree to). If this is not possible (eg because the item is still being discussed with third parties), it is recommended to word it like this: "to note: status/update of discussions with [THIRD PARTY] on [SUBJECT]". In addition, it is helpful, to have a paper (PDF or WORD) or link to a relevant website to illustrate or further explain the sub-item.
15. Other sub-items can be raised verbally by any LCCC member under AOCB at a LCCC meeting (with the request to add to next meeting's agenda). If the agenda has already been finalised, the chair can always rule at the beginning of the meeting to discuss an additional item.

Next steps

16. It is recommended, that LCCC members consider the above and where appropriate make suggestions in writing to allow the drafting of an updated agenda protocol – assuming there is sufficient consensus – with the view of adopting a finalised protocol at the May AGM.

Appendix 5: licensing update

Windsor Bar

Changes in the licensing for the Windsor bar were being heard at the Licensing Board in March. Any comments were due by 7th March. LCCC did not make any representation.

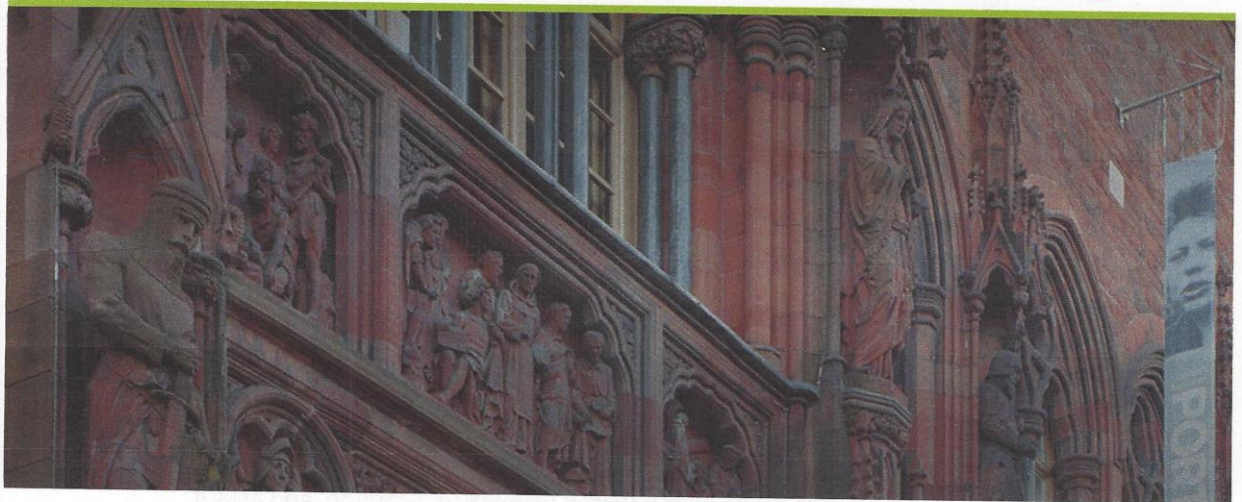
Increase on sale and off sale hours, add seasonal variations, films quiz nights as activities, allow certain activities out with core hours and delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to its Policy. Premises are situated on the ground floor of a tenement building on Elm Row. The operation is a single bar with male and female toilet facilities

Application for a catering licence at 301 Easter Rd

- PROPER OFFICER Ref No Name Address/Location
- Category Date and Time 399137
- Mr Muhammad Tahir Sharif, 301 Leith Walk, Edinburgh, EH6 8SA
- Late Hours Catering Licence Monday to Sunday 23:00 – 05:00
- Iona McLeod has submitted an objection on behalf of LCCC on the grounds of noise and nuisance as the premises are below a tenement building.

There was an email discussion with LCCC members before the last meeting and following this, it was decided to make a written objection on the grounds of the overnight nature of the licencing hours and the location of the premises at the foot of a tenement. Following this, a response has been received intimating that the application will be referred to the Council's Licensing subcommittee for determination. We will be advised of the date and time and can address the Subcommittee if we wish.

13 Appendix 6: information on tenement legislation



Scottish Parliamentary Working Group on Tenement Maintenance

Addressing the condition of Scotland's buildings and maintaining our built heritage.

The Scottish Parliamentary Working Group has been meeting since March 2018 with the purpose of establishing solutions to aid, assist and compel owners of tenement properties to maintain their buildings. Membership and minutes of the group meetings are listed below.

On 16th January 2019 the working group published **interim recommendations** (<https://www.befs.org.uk/wp-content/uploads/2019/01/SPWG-Interim-Recommendations.pdf>) to enhance the ability of tenement owners to work collectively encouraging and enabling effective maintenance and repair of their properties. The working group are seeking responses to these recommendations.

The three recommendations are interrelated with each being necessary to achieve culture change and long-term benefits for owners and properties. Full details of the recommendations are in these documents:

- ➔ **Owners Associations** (<https://www.befs.org.uk/wp-content/uploads/2019/01/SPWG-Owners-Association.pdf>)
- ➔ **Sinking Funds** (<https://www.befs.org.uk/wp-content/uploads/2019/01/SPWG-Sinking-Funds.pdf>)

➔ **Five Yearly Inspections (<https://www.befs.org.uk/wp-content/uploads/2019/01/SPWG-Building-Inspection.pdf>)**

These are interim recommendations and as such the working group are seeking comment and critique. Please respond by email to, research@befs.org.uk (<mailto:research@befs.org.uk>) by **Wednesday 27th February 2019**. The working group intend to make recommendations to the Scottish Parliament following the Easter recess.

In tandem with the above, BEFS and RICS, with additional financial support from the Scottish Government, commissioned a report from Professor Douglas Robertson. This paper examines: the current arrangements for ensuring that common repairs are undertaken within flatted property in Scotland, and asks if these arrangements are effective? **Full Report (<https://www.befs.org.uk/wp-content/uploads/2019/01/Common-Repair-Provisions-for-Multi-Owned-Property-in-Scotland-2019.pdf>)**.

MEMBERS

- ➔ Graham Simpson MSP, Convener
- ➔ Daniel Johnson MSP, Vice Convener
- ➔ Andy Wightman MSP, Vice Convener
- ➔ Stuart McMillan MSP
- ➔ Maureen Watt MSP
- ➔ Jeremy Balfour MSP
- ➔ Claudia Beamish MSP
- ➔ Kezia Dugdale MSP
- ➔ Gordon Lindhurst MSP
- ➔ John Mason MSP
- ➔ Stuart McMillan MSP
- ➔ Sandra White MSP
- ➔ Professor Douglas Robertson
- ➔ Dr Andrew Steven
- ➔ Andrew Milne MRICS
- ➔ Neil Watt

ORGANISATIONS

- ➔ BEFS, Secretariat **Contact** (<https://www.befs.org.uk/team/euan-leitch-director/>)
- ➔ RICS, Secretariat
- ➔ Scottish Federation of Housing Associations
- ➔ Glasgow and West of Scotland Forum of Housing Associations
- ➔ Property Managers Association Scotland
- ➔ Tenement Action Group
- ➔ RIAS
- ➔ Scottish Association of Landlords
- ➔ City of Edinburgh Council
- ➔ Existing Homes Alliance