

Merchiston Community Council: Minutes of Public Business Meeting (Zoom meeting)

Date: 20th September 2022

Chaired by Ian Doig, Chair of Merchiston Community Council (MCC)

Started: 19:00

Ended: 21:03

Attending:

MCC members: Ian Doig (ID, *Chair*), Vivien Kitteringham (VK, *Vice-Chair, Minutes Taker*), Danial Cairns (DC, *Secretary*) Roma Menlowe (RMe, *Zoom Host*), Frances Hawarden (FH, *Treasurer*), Bridget Stevens (BS), Joan Houston (JH), Declan Murray (DM), Mairianna Clyde (MC), Ewan Klein (EK), Amelie Haag, (AH, *Associate member for Boroughmuir High School*), Raina Bergasse (RB) (*Co-opted member – see below*).

Political Representatives: Cllr Neil Ross (NR, *LibDem, Morningside Ward*), Cllr Mandy Watt (MW, *Lab, Morningside Ward*), Ian Murray MP (*Lab, Edinburgh South*)

Residents: Kay Smith (KS), Eleanor Logan (EL), Peter Stewart (PS), David (no last name given), Rubén Manso (RMa)

Apologies: Helen Zealley (MCC), Cllr David Key, Cllr Ben Parker, Cllr Val Walker

1. Introduction and welcome - Ian Doig, MCC Chair

No declarations of interest.

2. Minutes of the last Public Meeting (on 21st June) were unanimously approved as a true record of the meeting.

No matters arising

3. Chair's Report

ID gave a brief summary of his report, covering the following points:

- A mention of the cost-of-living crisis, the recent bin strike and the problem of lack of money for the City of Edinburgh Council (CEC), including reference to the proposed tourist tax.
- Membership of MCC: Raina Bergasse was proposed as co-opted member of MCC (proposed by ID, seconded by RM, agreed unanimously).
There are still vacancies – suggestions for new members welcome
- Welcome to Amelie Haag, Associate Member from Boroughmuir High School. A second associate from Boroughmuir, Sam Moore, could not attend this time. Their appointment as associate members was approved unanimously.
Other schools have yet to reply to the invitation to nominate associate members to MCC
- Edinburgh Association of Community Councils (EACC): ID represents MCC on EACC. EACC is constrained because they have no regular funding and is negotiating with CEC. BS asks about the money contributed by MCC. This was to cover website costs but is

not a long-term solution.

EACC AGM is on 24th November, and they intend setting up a new EACC Board.

4. Planning Report – MC

23 Yeaman Place; An objection (previously circulated) has been submitted to the proposed student accommodation development at 23 Yeaman Place, citing overdevelopment, buildings overlooking back greens and height of buildings along the canal. RMa mentioned lack of response by CEC to Dalton’s license application and continuation of considerable noise disturbance.

Christian Community on Napier Road: The application by the Christian Community on Napier Road has been refused by CEC on aesthetic grounds. A revised application is likely.

McLarens at Holy Corner: The right of way is not being enforced and problems of access of service vehicles have not been addressed by the City Council. MC will continue to pursue this with planners and McLarens. No decision has been reported on the pink canopy at McLarens.

36-38 Yeaman Place: A new application for a café (with “restricted class 3” planning permission) still raises concerns regarding privacy and possible later withdrawal of restrictions. MC will pursue this further. Link to the application:

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=RHISXMEWMIV00>

8a Napier Road: Planning application (21/05149/FUL) to erect a new house in the garden of 8A Napier Road had previously been approved by CEC Planning Committee, but CEC had withheld approval from the proposed flue (linked to a wood-burning stove) on grounds of its ‘visual impact’. A new application (22/03081/FUL) had now been submitted to request the removal of the condition requiring alteration or removal of the flue.

This application was discussed at length in this meeting by MCC members, together with several residents and City Councillors Cllr Neil Ross and Cllr Mandy Watt.

Issues discussed included potential health problems arising from inclusion of a wood-burning stove, alleged variations from the previous application, privacy considerations relating to an apparently last-minute inclusion of a Velux roof window, and the visibility of the proposed solar panels, which had already been passed by the planners.

It was not clear to what extent objections to the original application could properly be raised again in the context of this latest application, given its narrow scope.

MCC recognised that any comments to CEC by the Community Council should be based solely on planning criteria; and that the central issues raised by this latest application were the design and placing of the flue. It noted CEC’s view that matters concerning emissions from the wood-burning stove engaged environmental health, not planning, legislation; and that the applicant would be subject to stringent environmental controls.

MCC acknowledged that some residents remained strongly opposed to the development in principle as well as to the revised siting of the proposed flue. After considerable discussion, views of those participating in the meeting were still divided, but the Chair observed that most people had by now firmed up their own opinions. It

was acknowledged that the formal decision would be made by CEC Development Planning Committee in light of all comments received by CEC.

The Chair raised the option of asking CEC for more time to formulate MCC's comments on the application. He would consider this further. He reminded members that they were free to submit comments in a personal capacity (whether supportive, objecting, or neutral), irrespective of the line taken by MCC. The community council's goal in public meetings was to facilitate discussion and to provide a platform for the respectful exchange of a range of views.

[Post-meeting note: It became clear shortly after the meeting that, due to the limited availability of MCC's Planning Lead, comments by MCC would have to be submitted within CEC's original deadline for public comment and that requesting an extension would serve no useful purpose. Members gave careful consideration to all the evidence – from residents, councillors, papers on the CEC portal, and the webcasts of all the discussions within the development planning committee – and decided that, on the issue of the location and design of the flue, MCC would submit a neutral response. MCC's comments were submitted by the Planning Lead within the deadline and now sit on the CEC planning portal.]

5. Licensing Report – BS: 2 new alcohol licensing applications:

- a. Axiom Hospitality, 69-74 Bruntsfield Place (aka The Bruntsfield Hotel). For a small outdoor decking area table service until 10pm, possibly with some music.
- b. Mr. Padam Kumar Sharma, 59 Slateford Road. (aka Shandon Spice). A provisional licence to last for 4 years, during which time plans may be made for alterations to the building.

BS proposed MCC consent to both, but with the proviso that if complaints were made about disturbance, litter etc. MCC reserves the right to object at a later date. This was agreed.

6. Polwarth Pavements Improvement Project

RMe: This has made good progress, including walkabouts with councillors and visits to affected businesses. Because of uncertainty about the Dalton's Scrapyard building proposals, the residents' drop-in was cancelled and focus at first will be on the Polwarth roundabout. Posters, flyers and a survey are being developed and support will be sought from Planning Aid Scotland for residents' events, traffic counts and analysis of survey results.

In response to an issue raised by resident KS, a letter will be sent to CEC regarding the potential safety hazard caused by the **bollards at the foot of Yeaman Place** – MCC will pursue this further.

7. Leaf-Clearing Project: Progress Report

JH: JH and HZ have liaised with CEC and leaf clearing will start in October, possibly using small working groups to encourage widening the area cleared. Posters and leaflets will be distributed, also to houses with large leaf trees, to encourage owners to clear leaves or remove overhanging branches.

There is a new contact at George Watson's school, where students will get involved. New volunteers are welcome: contact JH or HZ directly.

Email link: merchistonleafclearing@gmail.com

7. Treasurer's Report FH:

Finances are healthy, around £7000, including earmarked grant received from CEC Community Grants Fund for Polwarth Pavement Project.

Cheque for the bench at Polwarth canal was rejected at first due to a problem with the bank scanner, underlining the **need for a digitised system**. EACC is setting up a sub-group to look at that and there is hope that this can be moved into the digital age.

8. City Councillors' Reports:

Councillor Mandy Watt: City Councillors locally have been mostly involved in **bin hubs** and clearing up after the **bin strike**. There has mostly been positive feedback about the bin hubs. No exact date has been given for introduction to Merchiston yet.

City-wide there has been much praise for **Operation Unicorn** for the Queen's funeral arrangements, and in particular the role played by the Lord Provost.

Councillor Neil Ross: CEC has responded to **cost-of-living crisis** by allocating a surplus from last year to £100 each to recipients of school meals and advice and help for any residents needing help accessing benefits.

The **tourist tax** is firmly on the agenda for the Scottish Government and should be here within 2 years.

Asley Ainsley community trust wants feedback on its green space plan for the site.

At **Craighouse Hill** the asbestos has been removed and vegetation allowed to regrow. Good progress being made.

ID asked about plans to institute "**warm hubs**" in the City. MW: there are plans to look into using council buildings especially libraries for this purpose. MCC will be kept informed.

9. Issues Raised by Residents, and Other Reports:

Canalside bench behind Polwarth Church funded by a grant to MCC from CEC was unveiled on 17th Sept. Residents are encouraged to make use of it.

VK asked about bicycle storage, which is a problem for many residents in tenements. Could we encourage more on-street bicycle "hangars"? DM: more are planned but not for our area. NR: We should encourage people to lobby the relevant official at:

<https://www.edinburgh.gov.uk/cycling-walking/bicycle-security-storage/1>

A request for support from **Edinburgh Garden Partners** was raised and it was suggested that they give us a wording that we can put on our website.

Speeding e-scooters: NR confirms that these are illegal in public areas unless part of a hire scheme. MC: recently a forgotten by-law was rediscovered that limits speeds on the canal towpath. Could the CEC Transport and Environment Committee look into this and possible enforcement? VK: Could Sustrans get involved? RM: This is really a matter for Scottish Canals, who seem uninterested in getting involved. BS offered to suggest a more helpful contact at Scottish Canals.

10. Any Other Business -

ID: Raised a complaint about **lack of Police Scotland input into MCC meetings**, which would be welcomed, both to hear about local issues and to have the police listen to residents' concerns.

ID: Discussions about the **modus of future meetings** in person or online, and about archiving MCC public comments documents – discussion will be taken forward by MCC's Communications Group.

ID: Is MCC planning anything or facilitating anything at Christmas? No plans yet.

RMe drew attention to a new member of staff at EVOG focusing on **Ukrainian refugees in Edinburgh**, who is keen to work with community councils and encourage sharing best practice. RMe will contact him, ID suggested asking EVOG to give a presentation at a forthcoming public meeting. MCC will also consider making a further donation to support Ukrainian refugees in Edinburgh in the next few months.

11. Future Public Meeting Dates:

October 18th, November 15th, no public meeting in December, January 17th 2023.

Action points:

BS to send agreed response to licensing applications;

MC to continue to pursue planning breaches at McLarens and the new café application on Yeaman Place.

RMe to send letter to CEC concerning bollards at the foot of Yeaman Place.

VK and others to encourage residents needing bike storage to lobby CEC officials

ID to invite EVOG to give a presentation to a MCC public meeting, including cost of living crisis and Ukrainian refugees

Comms group to discuss future meetings format, and archiving MCC public documents.

Chair's Report – September 2022

- 1. Overview** – The greatest problem facing our community appears to be the looming energy costs crisis, together with cost-of-living inflation having risen dramatically to around 10%, 5 times the Government target of 2%.

MCC is limited in direct actions it can take as MCC has no staff resources and only a tiny budget to pay for running expenses of meetings etc.

I hope our CEC Ward Councillors will update MCC and residents on what actions CEC and other organisations can provide to alleviate fuel poverty and other hardships.

“Warm hubs” have been suggested, but the logistics of using public buildings such as libraries are more problematical than at first sight – would access and security be possible 24/7, what arrangements would be provided for seating, toilets and food, what are the staffing implications (role for volunteers here?) – and CEC would face substantial increased costs of heating public building for longer hours when all local authorities are already extremely stretched financially? And how would people get to and from warm hubs, especially those with mobility problems?

Energy cost increases are very worrying and will affect everyone, although in different ways. Government has not yet clarified what financial support will be available, nor how support will be targeted (whether targeted predominantly to those facing greatest hardship or universally to all citizens), nor clarified how long Government financial support will be provided. The “limited” increased domestic price cap of £2,500 merely reflects what an AVERAGE household is likely to pay this autumn, it is not necessarily the maximum payable; households that consume more energy than average and/or have large houses, are likely to be charged considerably more than the £2,500 “cap”.

Reducing energy consumption and increasing insulation has so far not been given the Government strategy priority they deserve.

Energy contracts comprise 2 elements normally – a standing daily charge (even if no energy whatsoever is consumed), and an energy consumption unit charge; therefore, even if householder halves their consumption, that may not half the bill because the standing charge still accrues!

Businesses have not yet been protected by an energy cap – Government support for businesses is still being discussed and appears short-term only. Businesses are already facing massive difficulties - increased energy costs, supply chain costs increases and staff shortages. Because of huge pressures, it is predicted that many businesses will not survive. Business failures of course also have major consequences

for communities, including loss of local services, loss of jobs, empty premises, loss of tax revenue etc.

- 2. Bin Collection and Waste Disposal** – Edinburgh City Council (CEC) was badly affected by the recent strike of bin collection and recycling staff. Problems escalated surprisingly quickly to crisis level, including unhygienic and unsightly rubbish disfiguring city streets and rapidly created unacceptable problems, including public health hazards, domestic and business waste storage problems and vermin – creating a very unsatisfactory environment for residents, businesses and of course for tourists.

It quickly became apparent how much residents depend on bin collection and other essential CEC services that work in the background - and their good work only becomes apparent if it stops! Bin workers have been very poorly paid historically and played a sterling role throughout Covid emergency. Most residents were sympathetic to demands for more pay for bin workers, especially considering escalating cost-of living.

However, part of the underlying problem in meeting council workers' requests for increased wages is that CEC is already considerably underfunded and is therefore limited in the costs and services it can sustain. The financial and resource implications for all CEC services of settling the bin workers strike may be a further reduction in other CEC services and/or further "efficiency savings" and possibly fewer jobs.

I noticed that new communal bin hubs have come into operation in the Grange. Not nearly as large as I feared and seemed more efficient than the previous smaller bins – I saw an automated bin lorry pick up and empty a large communal bin with far fewer staff than previously. New communal bins seem smarter than the previous battered communal bins, which seem inefficient because smaller and more numerous; they often overflow to the detriment of the local environment and public health (dramatically demonstrated by the bin strikes), and costs-wise, they need more workers to empty.

Other contributory issues to the rubbish disposal problems are excess "throwaway" packaging nowadays, and people who just discard litter all over the place! I have just returned from Switzerland, which is super-clean and efficient in disposing of rubbish, with negligible litter apparent, and by comparison Edinburgh appears very grubby! Improvements could be achieved by residents and visitors taking personal responsibility for responsibly disposing of their rubbish, objecting to excess packaging, tidying around their own streets, and having a zero-tolerance approach to litter, rather than some assuming someone else will clean up and dispose of rubbish at public expense. Edinburgh can and should do better on waste disposal!

- 3. Tourist Tax** – Edinburgh City Council is already facing huge financial pressures and there are clear signs that CEC is suffering from being considerably underfunded. Only around 20% of CEC finances come from the council tax: CEC is dependent on grants from Scottish Government for the other 80%. All local authorities are struggling with

insufficient Government grant income to meet the public services expected of them; therefore, tough choices and compromises have to be made.

Edinburgh City Council desperately needs additional financial resources along with long-term strategic and financial planning as a capital city, including facing increasing energy costs and inflation, residents in poverty crisis, social care costs and increasing costs accrued from accommodating numerous refugees from Ukraine, Syria, Pakistan etc - for which, I am told CEC gets little or no additional funding from Government but generates costs and strain on limited resources of staff and accommodation.

I have long advocated a Tourist Tax to strengthen the finances available to CEC. Tourists place additional costs on public services such as rubbish collection, litter and general “wear and tear” on public services. I have experienced Tourist Taxes in several other countries, and they are a negligible component in the overall cost of a tourist’s holidays – around the cost of purchasing a cup of coffee a day! A key “sweetener” in some countries is that, in return for a modest tourist tax, visitors receive vouchers for free public transport and free entrance to local museums and swimming pools etc, at no additional cost to the local authority but valuable to tourists.

CEC until now did not have powers to introduce a Tourist Tax. I am delighted that Scottish Government has agreed to permit local authorities to introduce a Tourist Tax. For CEC, this may initially generate around £15M and is a definite step in the right direction in broadening the City’s tax base and could be increased in future to strengthen the financial resilience of CEC and finance improvements to public services.

- 4. Membership Co-option Proposal** – MCC has several vacancies available for residents living in Merchiston who are interested in participating in local community issues to become involved in MCC activities. I have been exploring potential new members.

Raina Bergasse is a local resident who lives near Harrison Park. Raina had a discussion with Joan at MCC’s Union Canal Event and I followed up this introduction with Raina and she seems eminently suitable to join MCC’s team of committed volunteer members.

Raina’s message to me included: *“I would be interested in joining the community council and I do meet the criteria. I am indeed very interested in issues around the environment and sustainability, and also how these relate to social justice issues as well. More specifically within our community I am particularly interested in waste management and littering.*

My volunteer involvement in the past has been diverse; I worked with the National Trust, Planned Parenthood and Safe Spaces (a youth development and empowerment programme) at home in St. Lucia and here in Edinburgh I have volunteered with Edinburgh and Lothian Regional Equality Council's Climate Festival.

Currently I work for Changeworks, an environmental charity in Edinburgh and I think the knowledge I have gained from this role may be beneficial to the community with regards to domestic energy efficiency and savings on fuel bills, renewable

systems for homes and other support for householders struggling with the energy crisis. I also have experience as a freelance editor and content writer and would be happy to contribute these skills to any projects the council is working on.

Proposal – I propose that MCC co-opts Raina Bergasse as a member of MCC.

5. **Associates 2022-23** – I recently issued invitations to local schools to nominate Associates for MCC for 2022-23. Boroughmuir High School has been first to respond and has nominated two S6 pupils - Amelie Haag and Sam Moore.

Proposal - I propose that MCC appoint Amelie Haag and Sam Moore as Associates for 2022-23.

6. **EACC** – I represent MCC on the Edinburgh Association of Community Councils (EACC).

EACC has been attempting to step up its activities and meetings, under its new Chair, Steve Kerr, (Corstorphine CC) and Acting Secretary, Ken Robertson.

However, EACC is handicapped because it has no regular source of income. EACC does not receive grant income from CEC or elsewhere (unlike community councils which receive a small CEC grant each year to meet their running expenses).

EACC is consequently restricted in the activities it would like to develop to support CCs and their communities, such as developing its information-sharing website, sharing experience and good practice in community engagement, planning and licencing scrutiny, public transport, and partnership working with CEC and other public services on mutual objectives.

To finance its operations, EACC is therefore preparing a funding request to CEC for an annual grant to continue and develop services to CCs across Edinburgh, including, if grant income is obtained, employing an Information and Support Officer. Without finance, it is questionable whether EACC can continue.

I have been appointed to an EACC Steering Group which is planning ahead for the establishment of an EACC Board, an innovation for EACC; details still being discussed and will be finalised at AGM of EACC on 24th November, an online Teams meeting.

7. **Chair's Meetings as MCC's Representative:**

4th August – EACC Steering Group

18th August – EACC Steering Group

25th August – EACC Business Meeting with CEC Deputy Lord Provost Lezley Cameron

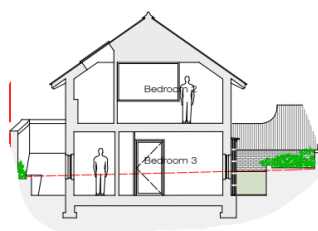
1st September - EACC Steering Group

12th September – SW Community Grants Funding Panel

15th September – EACC Steering Group

Ian Doig. Merchiston CC Chair. September 2022.

1. MCC's objection was lodged to the student development at 23 Yeaman Place (circulated earlier) on the grounds of over-development plus concerns about the low-lying infill buildings in the courtyard (which are overlooked by surrounding tenements) plus daylighting to them. Concerns were also raised about the heights and massing of the buildings fronting the canal.
2. The Christian Community church and priests's accommodation on Napier Road has been refused (though permission is granted for the church building and the principle of development) on the basis that the two elements (the church offices/accommodation block and the church building) are aesthetically jarring, and also because of the poor design of the accommodation block.
3. The planning enforcement decision on McLaren's refers only to the objections that were raised in respect of the ROW and a fascia sign. Planners consider that these 'enforcement' issues have now been dealt with so no further action is required. They have determined that as people can still manage to breenge their way past sitting diners and all the removeable clutter in the forecourt including gas-fired braziers they can still technically exert their right of way. Other planning breaches have not been addressed especially re. the tracking plan for access and exit of service vehicles or the fixed gas cylinder cabinet marked 'Danger' right next to the pavement and I intend to resubmit these objections.
4. 8a Napier Road has submitted a section 42 application in respect of its flue, the visual impact of which was deemed to not be in accordance with policy Env 6 of the Edinburgh Local Development Plan. This is a new application (22/03081/FUL) to ask for the condition (3) in the Decision Notice to be set aside and follows further discussions with planners. The plans for the dwelling house (21/05149/FUL) have otherwise been passed and there is no right of appeal. The associated stove does not require planning permission but will however be subject to the Clean Air Act 1993 and the City of Edinburgh's Smoke Control Area Orders. Any breaches of these orders can be dealt with robustly by Environmental Health officers. Stringent controls apply. To accord with these regulations an exempt appliance will have to be installed. These devices burn so efficiently they do not emit smoke. Smoke is just carbon



particles which have not combusted. The plans for 22/03081/FUL also include a new velux window in the upper floor en-suite bathroom of bedroom 2 above head height (see section C-C, drawing AL/03/09, left). The velux window (in a bathroom) is likely to be privacy glass but would (if it were possible to look out of it) overlook the trees and tennis court of no.10 Napier Road whose front windows are 30 metres away. The only valid grounds I see for objection here are to the flue,

but as a neighbour myself, we have put up with far, far worse from nearby Napier



University's massive Frankenstein Heath Robertson flue system at the rear of the building which is far less compatible with the character of the area than the wee flue that would be sticking up here (see left, flue and velux window marked in yellow).

5. 36-38 Yeaman Place is now seeking to become a café operating 08.00 – 18.00 Monday to Sunday, but retaining the take-away servery hatch inches away from a residential lounge window. It is an improvement but it is still Class 3 (food and drink) and there are still concerns about the sliding doors opening to the canal, albeit at a level which would require

steps to reach the towpath. The rear windows of the café will still overlook the garden and rear windows of the adjoining tenement so I am minded to recommend to object.

