Merchiston Community Council - Minutes of Public Business Meeting and AGM (by Zoom)

Date: 20 June 2023

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

Started: 19:00.
Ended: 21.05

Present:
MCC Members: Ian Doig (ID, Chair), Frances Hawarden (FH, Treasurer), Mairianna Clyde (MC), Daniel Cairns (Secretary MCC, Zoom host), Joan Houston (JH), Bridget Stevens (BS), Helen Zealley (HZ), Roma Menlowe (RM, Minute taker), John McKenna (JMK).

Councillor Neil Ross (NR, Liberal Democrat, Ward 10)

Residents: Florence Garabedian, Yuko Tobinai, Amanda Lake, Kay Smith, 'Jordan' (not identified).

Part 1: Business Meeting

1. Introduction, Apologies & Declarations of Interest

Apologies had been received from Vivien Kitteringham, Ewan Klein, Cllr David Key and Cllr Val Walker.

There were no declarations of interest.

2. Issues raised by residents

Four issues were raised:

- In answer to a question about the recent Court of Session ruling on CEC's policy on short-term lets, NR confirmed that the vast bulk of the policy remained intact. Three administrative aspects had been successfully challenged, however; and these might require some modification of the Council's approach. CEC was meantime considering its position with regard to a possible appeal against the judgment.
- In relation to a query about a specific short-term let proposed in Fowler Terrace, NR clarified that the issue was one of planning, not licensing: change of use was a planning matter and planning permission was prerequisite to any application for a short-term letting licence. It appeared that the property in question had been refused permission for change of use.
- A question was raised about the laying of fibre optic cables along South Ettrick Road, where some confusion appeared to have arisen. NR confirmed his understanding

that all roads were to be cabled. The running of connections from the pavement into individual dwellings (or blocks of flats) was a separate matter for proprietors.

- A resident had complained about action taken by McLarens at Holy Corner to lock the side gate at the pedestrian crossing on Colinton Road – the southern end of the Right of Way (RoW) across the forecourt of the pub. This was a matter for CEC planning enforcement; MC would take it up with them.

  It was noted that CEC had recognised the RoW by its imposition of a condition on the original planning permission for the McLaren development, requiring Signature Pubs to work with CEC on the preservation of the RoW. That condition had never been fulfilled, in MCC's view. According to CEC lawyers, the presence of heavy furniture across the RoW did not impede it (since in theory the furniture was moveable). But the locked gate unequivocally obstructed the RoW and had to be challenged. The locked gate also created a health and safety issue at the junction, since pedestrians had to crowd on a narrow pavement, without the spill-over space provided by the RoW. That was a serious safety risk to the public.

3. Minutes of Public Meeting on 16 May 2023; Matters Arising

The minutes of the May meeting were approved, subject to some minor amendments suggested by BS relating to licensing and development control rights of appeal. There were no matters arising not elsewhere on the agenda.

4. Chair's Report

ID spoke to his report. He thanked all those involved in manning the MCC stall at the recent Union Canal Festival. There had been a healthy level of interest in MCC & its activities, but it was uncertain whether this would translate into new members.

Several visitors had mentioned, with concern, the outline proposals for new (artificial grass) playing fields and floodlights at George Watson's Myreside Road. The meeting endorsed ID's suggestion that MCC invite the school to make a presentation to a future meeting of the council. (Note: the full planning application is expected to be lodged in August.)

5. Planning Report

The proposal for a small café (without take-away facilities or exit to the canal) at Yeaman Place had been approved by CEC. The concurrent application to convert the premises into flats had been withdrawn.

The Christian Community had submitted revised proposals for a place of worship and a priest's house/ office accommodation (viewable at 23/02004/AMC). At first sight, MC doubted that the revised proposals addressed the grounds on which the previous proposals had been rejected. She noted only some minor modifications from the earlier proposals. MC would draft a response for MCC, noting the lack of change but recognising the Community's long-standing attempts to find a suitable solution to their needs.

The proposals for new playing fields at George Watson's were at pre-application stage: the full application was not expected before August. Floodlighting and artificial grass might raise

environmental issues and will need to be examined with care. Several visitors to the Canal Festival had expressed concerns about possible light and noise pollution.

6. Licensing Report
Two further applications were briefly reported, one at Fountainpark and the other relating to a new Margiotta on Harrison Gardens, which sought a provisional licence to sell alcohol. As before, BS had indicated 'no objection' on the part of MCC to these applications but had reserved the right to revert to the licensing committee in the event that the licence holder created disturbance or nuisance for neighbours.

The date for the hearing of the appeal by Mr Dalton against the Council's refusal to extend his licence for scrap metal dealing had been fixed for 22 June. [After meeting note: it was reported on 22 June that Dalton had abandoned his appeal. As a result, the premises no longer had a licence to operate as a scrap-metal dealer, and the premises on Yeaman Place had closed.]

7. Polwarth Pavement Project
The final report would be submitted shortly, after clearance by the Chair. It would incorporate a constructive report from Police Scotland and a new section on implementation which offered CEC options for moving forward, recognising resource constraints. Relevant data had been included in Annexes, including one showing the close alignment of project recommendations with CEC policies.

RM & JMK thanked NR for making time for a recent discussion, which had been helpful. Patience would be the watchword: despite the council's commitment to community engagement, there did not appear to be any rapid means to include recommendations emerging from this project in any of the Council's mainstream programmes. If however CEC officers were able to endorse the thrust of the report, the project team would approach Sustrans at the earliest opportunity to seek funding to enable more detailed design work and also costing. The team would draft articles for the local press, drawing attention to the issues uncovered by the project and explaining how the community had been involved.

8. Leaf Clearing Project 2022
The meeting noted the report of February 2023 by HZ & JH on the project over the autumn of 2022 & winter 2023. Successor administrators were needed to ensure continuity in this project over the longer term. Other members of MCC were invited to get involved. It would also be useful to have a system of street 'mentors' to ensure that, at very local level, there was good engagement from residents/ volunteers. MCC had managed to launch and manage a sizeable programme despite having only some 49 volunteers in the whole area. The Grange Association, by contrast, had about 1000 members for its leaf-clearing initiative.

9. CEC Active Travel Plan
RM drew attention to the suite of CEC plans currently out for consultation covering Active Travel, Road Safety, Public Transport, Air Quality and Parking. She would prepare a response on behalf of MCC and would welcome comments by email from fellow members. The deadline for responses was 9 July.

10. Treasurer's Report
Audited accounts for 2022-23 were ready for submission to CEC for approval at AGM. The current balance was a healthy £3,500 (including some as yet unspent grant funds for the Polwarth Pavement project). It was agreed to raise the auditor's fee from £30 to £50 per annum from 2024 audit.

It was clear that MCC could afford to offer a modest fee for minute-taking, if a suitable person could be found. It was agreed to advertise in Next Door Merchiston over the summer.

11. City Councillors' Reports
NR's comments (para 2) on short-term lets were relevant. He also confirmed that consultations on 5 ETROs (including one in Morningside) will be re-done once the draft Orders have been corrected. On bin hubs, he confirmed that the TROs for city areas S2 & S3 (which cover MCC's area) were agreed in November 2021 and that implementation is scheduled for this year.

12. Other reports and correspondence (for noting)
There were none on this occasion.

13. Any other business
It was agreed that ID would order up two sets of business cards – one for MCC Chair personally and the other 'profile' card for MCC (and modelled on the eye-catching card used by the Canal Society). Estimated cost of around £100 to £150 was approved.

It was also agreed that FH would seek a grant of £1,000 from the Old Edinburgh Club towards the cost of updating the history of Merchiston (the entry on our website being out of date and lacking weblinks). FH would use grant funds to pay a research assistant (perhaps a graduate student) for a few hours each week. FH stressed that the history of 'Merchiston' would encompass the totality of MCC's area, including Shandon, Polwarth, Greenhill and Bruntsfield as well as Merchiston.

14. Future meeting dates
ID would circulate a note of these after consultation with the Secretary.

Part 2: Annual General Meeting

1. Chair's introduction

The purpose of this part of the meeting was well understood by all members.

2. Minutes and Declarations of Interest

The minutes of the previous AGM of 21 June 2022 were agreed as an accurate record. There were no matters arising not otherwise on the agenda. There were no declarations of interest on the items to be discussed.

3. Annual Report

The Annual Report for 2022-23 had been circulated in advance and would be mounted on MCC's website. It documented the purpose of MCC, recorded the members of MCC during 2022-23, and summarised the main issues – covering planning, licensing, pavement maintenance and improvement – discussed during the year. It also paid tribute to several community projects carried out by MCC. The Chair once more regretted the absence of input from Police Scotland to MCC's meetings. The finances of the community council had been well managed by MCC's Treasurer; members had been kept fully informed of all expenditure and income.

The Chair recorded his thanks to the hard-working team of MCC members, to City Councillors for Fountainbridge/ Craiglockhart (Ward 9) and Morningside (Ward 10), and to residents for their support and participation in MCC activities.

Minutes of MCC public meetings are available on website: www.merchistoncc.org.uk

The next public meeting of MCC would be held at the Merchiston Tennis and Bowling Club on Polwarth Terrace on Tuesday 19th September, after the July and August summer recess. In-person meeting is proposed.

4. Annual Accounts for Financial Year ended 31 March 2023

Treasurer Frances Hawarden presented the year-end accounts for approval. She confirmed that no financial problems emerged during the year and that the accounts had been independently audited. At the end of the financial year, MCC had a bank balance of some £3,500 (including the as yet unspent residue of the CEC grant towards the Polwarth Pavement project). The accounts were approved by MCC.

5. **Office Bearers and Other Appointments 2022-23**

A paper with proposals had been circulated in advance. The existing office bearers were eligible and willing to be reappointed. The 4 office bearers were proposed, seconded, and re-appointed for 2022-23, as follows:

- Chair – Ian Doig
- Vice-Chair and Engagement Officer – Vivien Kitteringham
- Secretary – Daniel Cairns
- Treasurer – Frances Hawarden

Other appointments were continued and confirmed as follows:

- Planning Lead – Mairianna Clyde
- Licensing Lead – Bridget Stevens
- Website Manager – Ewan Klein (until his departure in the summer of 2023)
- Minutes Secretary – Vacancy
- Associate Members – MCC agree to continue the arrangement of inviting associate members from local educational establishments within MCC's area to serve as associate members.

BS proposed the co-option of Kathy Evans to membership of MCC. BS briefly narrated Ms. Evans' background and relevant experience. Ms Evans was willing to serve. The proposal was seconded and agreed and remitted to BS to expedite.

June 2023