

MURRAYFIELD COMMUNITY COUNCIL

Minutes of Ordinary Meeting
held on Tuesday, 24 September 2019 at 7.30pm
in Murrayfield Parish Church Centre
Chair: J Yellowlees

Present: A Anderson, H Barbour, R Beavis, R Brown, J Forbes, C Harker,
S Holland, B Knowles, R Smart, M Stevens, H Whaley, J Yellowlees,
Ex officio: Cllr Gillian Gloyer, Cllr Frank Ross,
In attendance: 18 members of the public, PC David Campbell, PC Jamie Ellis,
Apologies: P Gregson, N Macdonald, D Whitelaw, Jeremy Balfour, MSP, Cllr
Karen Doran, Cllr Scott Douglas, Cllr Claire Miller, Cllr Jo Mowat,
Cllr Alasdair Rankin, Miles Briggs, MSP, Ruth Davidson, MSP,
Sarah Boyack, MSP, Neil Findlay, MSP, Alison Johnstone, MSP,
Gordon Lindhurst, MSP, Andy Wightman, MSP, Christine Jardine,
MP.

1. Welcome and Apologies

Apologies were received as above. The Chairman welcomed those in attendance. He referred to the forthcoming Community Council election and reported that some of the current Community Councillors had decided not to stand for re-election. He encouraged anyone interested in the work of MCC to consider standing.

2. Community Policing Report

PC David Campbell reported on the period from 1 to 31 August 2019 as follows:- There had been 20 reported crimes, including two crimes of violence against the Police. 7 crimes had been solved. The number of housebreakings had declined slightly, but he expected it to rise again in the dark nights ahead.

The Police investigation into the recent burglaries at Roseburn Maltings has produced a “person of interest”, but those crimes are not yet officially solved.

PC Campbell intimated that the Crime Prevention Team will not be available in the next few months and anyone requiring crime prevention advice should contact the Community Policing Team.

There had been a number of incidents of anti-social behaviour involving walkers and cyclists in Roseburn Park and on local footpaths arising from intolerance by some path users towards others.

The Chairman reported that he had spotted some children vandalising the pavilion in Roseburn Park. PC Campbell urged anyone spotting such behaviour to call the Police as soon as possible.

He referred to a Police initiative encouraging pubs and bars to sign up to a voluntary system for dealing with drunk customers, drug users and others likely to cause trouble and reported that most of the local pubs and bars had signed up.

The Chairman was pleased to report that the extension of the former Café Colpamia in Murrayfield Place had been completed and the Leopardo bistro had opened.

In reply to a question from the Secretary PC Campbell explained that one of the crimes of violence against the Police had been an assault by a drunk and the other violent resistance to arrest.

The Chairman asked if there had been any developments regarding the policing of events at BT Murrayfield and was told that the Police are engaging with the

security and permanent staff there and monitoring events. He had no feedback regarding the international rugby matches against France and Georgia. He advised that the Varsity match will be preceded by an event planning meeting to identify likely issues. PC Campbell pointed out that challenging behaviour is always a feature of these events.

The Chairman asked whether the feeling that football matches and concerts are less well organised than international rugby matches was justified and PC Campbell thought that it might be. The Secretary reported that she had contacted Graham Law, Senior Corporate Affairs and Stakeholder Manager at the SRU, and he had replied that the same procedures should be in place for every event. She had been advised that members of the public who identified an issue during an event should contact either Graham Law (07764 178940) or the Events Manager, Julie Mills (07764 178912), at the time so that they can handle it or pass to Police Scotland via the command centre.

The Treasurer mentioned the recent Kilt Walk and the fact that the arrival at BT Murrayfield of every participant had been announced loudly over the tannoy. A number of local residents felt that these announcements and the music which had accompanied the event were too loud.

The Secretary reported that the Licensing Service had intimated that the SRU had applied for an extension to their licence with changes to off sales, music and the proportion of seating to standing room. The deadline for comments is 10 October 2019.

3. Councillors' Report

3.1 Cllr Ross reported that the consultation on a proposal to establish a new primary school at Maybury had begun. The consultation affects the catchment boundaries of Corstorphine, Cramond and Hillwood Primary Schools. The children from the new school would go to Craigmount High School rather than The Royal High School. (The consultation will run until 5pm on Monday, 7 October 2019.)

3.2 Cllr Gloyer reported that she had raised with Council officers the proposal to site a bike shelter at the corner of Roseburn Drive outside the retirement complex and they had agreed to move the location to the other end of Roseburn Place.

3.3 Cllr Gloyer reported that she had also raised the issue of trees overhanging pavements with Peter Keggie at the Council and he had involved Peter Strong. The position is that the Council do not cut back the trees unless the owner of the trees fails to deal with the issue. The first step in the process is to identify the owner. The Council then serves a statutory notice on the owner requiring the trees to be cut back and, only if the owner fails to implement the notice within a certain time, will the Council carry out the work and bill the owner.

C Harker intimated that he had contacted a new member of the Abinger Gardens Garden Committee about the offending trees there. The new member thought that it would be difficult to cut them back because they are next to the road and that the owners would prefer the Council to do the work. Cllr Ross reiterated that the process is as outlined above.

J Forbes intimated that there were more areas of concern than had been mentioned at the previous MCC meeting, including Beechmount and the pavement adjoining Corstorphine Hill Nature Reserve. He was told that the Council's Forestry Team can deal with the trees on the Nature Reserve.

J Forbes said that he had reported four areas of concern via the Council's website on 2 August and only when he followed up the request six weeks later was the

inquiry into ownership begun. He pointed out that a delay of 6 weeks is not part of the process.

Cllr Ross asked that he be notified when residents are reporting these issues online. R Smart complained about blocked gullies and was told by Cllr Ross that these should also be reported via the Council's website. He mentioned that parked cars often prevent the Council from dealing with blocked gullies.

A member of the public pointed out that it would be easier for drivers to comply if the Council's notices of gully cleaning were accurate. A recent notice in Murrayfield Place had referred to "Friday, 10 September" meaning that, as 10 September was a Tuesday, residents did not know which day the work was to be carried out.

3.4 J Forbes reminded the meeting that at the last MCC meeting on 13 August a unanimous decision had been taken to ask the Council to classify the proposal for "Ben's crossing" at the junction of Ellersly Road and Murrayfield Road as a priority. Cllr Gloyer reported that she had been told by Council officers that the proposed location does not meet the criteria for a pedestrian crossing. Ellersly Road is too narrow for a pedestrian island because it is a bus route. She had been trying to revive the idea of a crossing on Murrayfield Road and Dave Sinclair had agreed to develop both the proposal for a pedestrian island in Murrayfield Road south of the junction with Ellersly Road and the widening of the pavement on Ellersly Road. Cllr Ross pointed out that Lothian Busses could object to a pedestrian island if it is on a bus route. He mentioned that the Neighbourhood Partnership has a budget for pavement widening as part of the Neighbourhood Environment Programme and recommended regular attendance at the Neighbourhood Partnership meetings to lobby for funding.

3.5 Cllr Gloyer said that Cllr Douglas is dealing with the issue of flood management raised by the residents of Baird Grove.

A resident of Baird Grove who had attended the last MCC meeting on 13 August stated that, while the Minutes correctly recorded the situation at that time, since 13 August the floodgate had been re-opened in response to complaints from several local residents. The Senior Engineer in the Flood Prevention Team had told him that residents had complained that having the floodgate raised and locked in place involved walkers, cyclists and those with buggies in making a detour round it.

In answer to a question from Cllr Ross the Baird Grove resident confirmed that the residents' worry is slow deployment of the floodgate when it is required and the majority of them wish it to be kept in place permanently. He asked whether, if the floodgate cannot be kept in place permanently, a lower level of flood water than at present could be the trigger for it to be raised.

The Chairman mentioned that during a recent walkabout in Roseburn Park he had understood from Darren Wraight, the Council's former Flood Prevention Officer, that the residents had been offered a key so that they could raise the floodgate themselves. The resident agreed that this might be helpful provided that the residents could devise a system for dealing with the gate themselves.

Cllrs Ross and Gloyer undertook to pursue this issue.

H Whaley mentioned that cyclists going along Baird Drive have to negotiate a raised kerb at the wooden bridge beside the floodgate and he requested that this kerb be lowered.

3.6 The Chairman reported that he had been reassured by the walkabout referred to above that the snagging issues in Roseburn Park resulting from the flood prevention

work and the replacement of the trees removed from outside the medical practice were being addressed.

3.8 Cllr Ross confirmed that building warrant has been granted for the construction of a mini stadium behind BT Murrayfield and the intention is that it will be ready for the start of the next rugby season.

3.9 Cllr Ross reported that planning permission has been granted for the conversion of the westmost of the two advertising hoardings on Roseburn Terrace from a static to a digital display and the removal of the other hoarding. The Chairman commented that the landscaping installed by JC Decaux had improved the site.

3.10 Cllr Ross reported that the Council had received an application from the Friends of Roseburn Park ("FoRP") for funding of £1,600 for a feasibility study into refurbishment of the drinking fountain in the Park. The application mentioned that MCC had agreed to provide an additional £800 of funding.

M Stevens said that he was unaware that any decision to award the funds had been taken following the Chairman's email of 14 August on this matter, and that he had pointed out that decisions about funding should be based on MCC's financial position, which should be disclosed regularly.

H Whaley felt that there was a potential conflict of interest in FoRP's applying to MCC for funding, given that three members of MCC sit on the committee of FoRP. Cllr Ross confirmed that conflicts of interest should always be declared.

The Chairman pointed out that the crossover in personnel arises from the difficulty in attracting volunteers to these posts.

The Treasurer advised that MCC's finances had been presented at the AGM in May 2019, since then £1,200 had been spent on the new noticeboard at Roseburn and MCC currently has £2,200 - £2,400 in its bank account.

R Smart warned that in his opinion MCC will need money for legal costs in connection with the public hearing on objections to the TRO and RSO for the Roseburn to Haymarket section of the CCWEL.

The meeting approved the funding of £800 for FoRP's feasibility study.

In response to a question from H Whaley B Knowles said that the cost of refurbishing the fountain was not known, hence the need for a feasibility study.

4. Approval of Minutes of Ordinary Meeting held on 13 August 2019

4.1 M Stevens referred to Item 5.2 of the draft Minutes (Osborne House) and explained that the assumption that the developer's second planning application would not proceed in light of the success on appeal of the first application was incorrect. He had written to the developer on behalf of the Donaldson Area Amenity Association ("DAAA") to request that the developer proceed with the second application.

4.2 A resident of Baird Grove referred to Item 9.1 (2) of the Minutes and informed the meeting that a white "Keep clear" box has not been installed at the junction of Baird Drive and Balgreen Road. He subsequently corrected this statement by email to the Secretary intimating that there are zigzag road markings at this location. Another local resident has confirmed by email that the road markings comprise a white "Keep clear" box, as previously stated.

The Minutes were approved subject to the above clarifications.

Prop: J Forbes, Sec: H Barbour.

Matters Arising

Changes to parking before BT Murrayfield events

J Forbes asked whether the SRU had clarified the position at their recent meeting with local residents. The Secretary reported that the residents had been told that the timetable has not changed and less than 1 week's notice is given. The Secretary undertook to pursue this matter and has since been informed by Derek Shade, Senior Transport Team Leader at the Council, that "We ask that notices are erected 48 hours in advance. Any vehicles moved prior to the parking attendants confirming that the street is clear are relocated to a nearby street, at no cost to the vehicle owner. Once the street is clear any further vehicles parking up are ticketed."

5. Planning and Licensing

5.1 Tor, 30 Corstorphine Road – The Chairman introduced Dr Ali Afshar of AMA. Dr Afshar reminded the meeting that AMA's original planning application for the redevelopment of the former Tor nursing home had been recommended for approval by the Planning Officer but had been refused by the Development Management Sub-Committee ("DMSC"). AMA had appealed and the appeal had been dismissed. AMA had since redesigned the scheme to take account of the Committee's and the Reporter's concerns, which had not been the same. The Committee were concerned that the affordable housing was not to be on the same site, but the Reporter was happy for it to be provided elsewhere. The Reporter was concerned about the development damaging the setting of the listed building. Neighbours had expressed concerns about the loss of daylight.

Dr Afshar explained that a number of changes had been made to the original plan. The footprint of the new blocks remains the same, but the north block has been reduced by one and a half storeys resulting in a 6.875 metre reduction in the height of the north block. Both blocks have been sunk into the ground so that they are almost the same height as, and are more subservient to, the existing listed building. The coach house will still be divided to form two houses and the gate house will still be one house.

Dr Afshar explained that the elevations have been broken up and now reference the listed building in the size of the windows and the fenestration. The listed building will be divided into two houses. The previous formal landscaping, which would have required the removal of a number of trees, has been redesigned to utilise the meandering front path and more trees will be retained. 19 trees, some of which are diseased, will be felled but will be replaced with 45 new trees.

There will be four fewer apartments and four fewer parking spaces and as a result two large trees will be kept. All windows on the Westerlea south facing elevation are now clear of the 25° skyline angle used for measuring daylight.

Dr Afshar offered copies of the new drawings, elevations, light analysis and landscape design. He also passed round a 3D model of the revised development.

In reply to a question from J Forbes Dr Afshar confirmed that the heights of the north and south blocks shown on the drawings were correct and would appear in the planning application. J Forbes also asked whether the Category A weeping ash close to the south block had to be removed and Dr Afshar undertook to speak to the landscape architect about saving it.

J Forbes expressed MCC's regret at the loss of the mature tulip tree. Dr Afshar explained that it will be replaced with a new like for like specimen.

J Forbes referred to the Planning Department's policy against non-native species of tree and expressed the view that it is these species which give the Conservation

Area its character. In reply to a question from H Whaley about the current state of play Dr Afshar explained that after two consultations with the planners they are now fully on board with the revised plans and AMA are ready to lodge the new planning application. He hoped that all concerns had now been addressed.

J Forbes confirmed that MCC will examine the planning application once it appears on the Council's planning portal and, if there are any outstanding issues, will submit comments.

The Chairman thanked Dr Afshar for his presentation.

5.2 9-11 Corstorphine Road – J Forbes reported that MCC had lodged a substantial submission on the proposed redevelopment of two Victorian cottages to form two three storey houses. He had attended the site meeting on 19 August. Following the refusal of planning permission, the developer had appealed and the appeal had been dismissed.

5.3 Osborne House – M Stevens reiterated that the developer's first planning application had been approved on appeal. The approved hotel development would involve HGVs driving along Devon Place. As stated at Item 4.1 above, he had written to the developer to request that the developer process the second planning application, which addressed some of the DAAA residents' concerns.

5.4 9 Kinellan Road – The owner of 7 Kinellan Road updated the meeting on his application for a Tree Preservation Order ("TPO") to protect the sequoia in his garden which is on the boundary with 9 Kinellan Road. The sequoia is very close to where the access road for the proposed development will go and opposite the proposed block of flats. He had consistently been told by the Council that he did not need a TPO because being in a Conservation Area afforded him the same statutory protection. This argument was not correct. The Council had been dealing with his TPO request and the planning application for the development of 9 Kinellan Road as one matter. After the planning application for 9 Kinellan Road had been withdrawn, he had tried to persuade the Council to deal with his TPO request separately, but without success. The last email from the Council had stated that they did not propose to make a TPO, but "a change in circumstances may require a different approach". The owner of 7 Kinellan Road asked Cllrs Ross and Gloyer to take up this issue.

J Forbes said that this situation was a microcosm of the problem all over Murrayfield caused by the planning officials' cavalier attitude to trees in Conservation Areas. He described the recent signing by the Council of the Charter for Trees as "a meaningless PR exercise".

Cllr Ross requested details of the Kinellan Road issue and **J Forbes undertook to forward the relevant email chain to Cllrs Ross, Gloyer and Douglas.**

Reference was made by the Chairman and the owner of 7 Kinellan Road to a recent newspaper article about the ownership of 9 Kinellan Road.

5.5 33 Pinkhill – Cllr Gloyer reported that the third revision of the developer's planning application had been approved by the DMSC.

5.6 37 Corstorphine Road – J Forbes reported that the developer had lodged an appeal against the refusal of planning permission. J Forbes had drafted a submission on behalf of MCC and circulated it for comments. He had focused on the effect of the proposed block of flats on the adjoining listed building and the argument that it was totally inappropriate to the immediate area given the area's heritage.

5.7 Planning and Building Standards Customer Forum – J Forbes reported that he had attended this forum on 10 September. He had raised two issues:-

- (1) Whether the Planning Department's strong focus on timelines for making decisions compromised the quality of those decisions; and
- (2) Why planning applications were opened for public comment before all essential documents had been lodged.

He had not felt reassured on the first issue and had been told in relation to the second that only a certain minimum number of documents is required before an application is opened for public comment.

6. CCWEL TROs, RSOs, air pollution and Rejuvenating Roseburn

6.1 In relation to the Rejuvenating Roseburn project the Chairman reported that R Ahluwalia-McMeddes, the CCWEL Project Officer, had asked for further guidance on the competing proposals for a tree, a signpost, a seat or a combination of some of these at the north end of the Old Coltbridge. J Forbes explained that in the public consultation on the designs for Rejuvenating Roseburn there had been a sizeable majority in favour of a tree. Both R Smart and R Beavis stated that a new tree in that location would be under the canopy of the existing large tree and could not prosper.

H Whaley felt that something, perhaps bollards, would be required to prevent people from parking there. A member of the public was concerned that there were to be no kerbs on either side of Murrayfield Place and the area would look like a modern development. Others were concerned that kerbs would be needed to contain the traffic. **The Chairman undertook to email R Ahluwalia- McMeddes with these views.**

6.2 The Chairman reported that he and George Rendall of Art et Facts had attended the meeting of the Transport and Environment Committee on 12 September. It was now accepted by the Council that there should be a dialogue between the retired SEPA consultant, John Lamb, who had advised the Roseburn Terrace residents and traders, and the air pollution specialist at the Council's consultants, Aecom.

The hearing on objections to the TRO and RSO for the Roseburn to Haymarket section of the CCWEL will be held on 4 and 5 November. The Chairman will appear on behalf of MCC. P Gregson on behalf of the Roseburn Vision Group and local resident Penny Housley have also been invited to appear.

7. Traffic and Transport

7.1 R Beavis reported that after two years of effort by the residents of Roseburn Maltings Scottish Power have installed the shore supply at Haymarket Depot. This should mitigate the problems of air and noise pollution from idling diesel engines parked in the sidings for cleaning and maintenance. The situation is being monitored.

7.2 Cllr Gloyer undertook to take up the issue of a white "Keep clear" box at the junction referred to in Item 4.2.

7.3 The Secretary reported that Cllr Mowat had asked the last meeting of the full Council about the loss of the Airlink 100 bus stops on West Coates and Cllr McInnes, Chair of the Transport and Environment Committee, had replied that there is to be a rationalisation of bus stops across the city. Cllr Mowat awaits a response from Lothian Buses.

M Stevens reported that Christine Jardine MP had met local residents about this issue. The local hotels were up in arms about it. There appeared to be a lack of recognition of the ageing population. He had made a Freedom of Information request about the data on which the decision was based and awaited a response.

A resident of Stair Park said that she was in favour of increased fares for short journeys on the airport buses for those who do not have concessionary passes.

7.4 H Whaley reported that Just Eat are to replace their virtual bike stands with physical stands which will require the bikes to be docked. They now have sufficient data to identify the locations where the physical stands should go. He advised that electric bikes should be available next year and they will have a maximum speed of 15 mph.

8. Roseburn Park recent developments

B Knowles reported as follows:-

8.1 Armoury mural - 55 people were involved in the production of the mural with a wide range of ages of participants (11 to 75). The 3 elements were designed by Zap Graffiti Arts. The mural was launched by the Lord Provost, Cllr Frank Ross, on 1 September. About 60 people attended the launch.

8.2 A Bake Off was held on the same day as the mural launch but raised only about £300. A new format of fundraiser will be considered next year.

8.3 Drinking Fountain renovation feasibility study – The funding situation is as reported at Item 3.10. The Lord Provost and Edinburgh Leisure are supportive of the project.

8.4 Toilet Block conversion to a café - a crowdfunding website has been set up to raise funds. The total estimated cost is £75,000 and FoRP hope to raise £10,000 locally with the balance from sources such as landfill tax funds. The aim is to get as much seed funding by Christmas before submitting bids for other funding. The 'buy a brick' scheme has raised £420 so far.

8.5 AGM – FoRP held their AGM recently and the Committee is now back up to strength.

8.6 Park Walkabout - a meeting on site with the Council's former Flood Prevention Officer and one of the Council's Parks Officers was held to discuss resolving outstanding issues from the flood works. See Item 3.6 above.

8.7 Trees - 2 elms and several saplings on the riverbank have Dutch Elm disease. These will have to be removed as soon as possible to protect other elms within the Park. 2 trees are available for sponsorship of £1,000 each as part of the Tree Time Scheme. Funds from sponsorship of these trees will be spent on trees in the Park or its environs.

J Forbes suggested that a developer who is removing trees as part of a development should be required to plant an equivalent number of new trees elsewhere in the city. A resident of Stair Park asked about football related graffiti in Roseburn Park and was told by B Knowles that it had been removed and the cost of doing so came out of the Council's street cleaning budget. The resident asked whether the football club, Hearts, should not be responsible for this cost. **The Secretary** replied that MCC had approached the SFA about this in the past and she **undertook to contact Hearts** too. They had responded favourably to a request to provide additional toilets at Grade A matches.

9. Any Other Competent Business

Community Council elections - Cllr Gloyer reported that, as Returning Officer for the MCC area, she had received some completed nomination forms for the forthcoming MCC election. She explained that nomination forms can be obtained from her by email. She also had some paper copies at the meeting. There are 12

ordinary seats on MCC. A candidate requires a proposer and a seconder, both of whom must live in the MCC area. The deadline for nominations is 4pm on Monday, 30 September. If the number of nominations exceeds the number of ordinary seats, there will be an election on 31 October.

J Forbes added that nomination forms can also be downloaded from the Council's website.

Cllr Gloyer said that the registered local interest groups should have been contacted by the Council about their nomination process.

The Chairman intimated that Saughtonhall Community Association is no longer interested in having a nominated representative on MCC.

10. Questions from the Floor

There were no further questions from the floor.

11. Date of Next Meeting: Tuesday, 5 November 2019

Cllr Gloyer reminded the meeting that she would chair the start of the next meeting until the newly elected members of MCC take office.

The Chairman requested that those standing down attend the next meeting so that they could be thanked for their efforts on behalf of MCC.

Subsequent meeting: 10 December 2019.

Minutes approved at meeting of 5 November 2019.