

MURRAYFIELD COMMUNITY COUNCIL

Minutes of Ordinary Meeting
held on Tuesday, 25 February 2020 at 7.30pm
in Murrayfield Parish Church Centre
Chair: J Yellowlees

- Present: A Anderson, R Beavis, R Brown, P Gregson, B Knowles,
N Macdonald, J McDonough, N Oldroyd, E Robertson,
M Stevens, J Yellowlees,
- Ex officio:* Cllr Scott Douglas, Cllr Gillian Gloyer,
- In attendance: 11 members of the public, PC Paula Smith, John McNeill, City of
Edinburgh Council, Alex Orr, Orbit Communications, Guy Morgan,
Morgan McDonnell Architecture Ltd, Simon Cook, Square and
Crescent Ltd, Laura Roddy, Scott Hobbs Planning, David Ellis, The
Quaich Project,
- Apologies: J Forbes, H Whaley, Cllr Karen Doran, Cllr Claire Miller, Cllr Jo
Mowat, Cllr Alasdair Rankin, Cllr Frank Ross, Jeremy Balfour,
MSP, 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 announced that the second matter under Item 7 of the Agenda would be dealt with first.

2. 37 Corstorphine Road – Guy Morgan of Morgan McDonnell Architecture Ltd, architects for Square & Crescent, the developer of 37 Corstorphine Road, explained to the meeting that the original planning application for the demolition of the existing house and the construction of a block of flats had been refused and the developer had appealed. The application had been referred to a Reporter, who had issued a detailed report in which he had disagreed with the Planning Committee on many of the points with which the Committee had taken issue. He had, however, refused the appeal and in so doing had upheld two of the Committee's points:-

- (1) The objection by SEPA with regard to flooding risk, and
- (2) The extent to which the rear garden of 39 Corstorphine Road would be overlooked by the new building.

G Morgan informed the meeting that the developer's new planning application addresses these points as follows:-

- (1) The height of the building remains the same but internally the floors have been "concertina'd up" so that the ground floor is now 440 mm above the flood defence wall, and
- (2) On the third storey the windows facing west have been removed and the terrace has been cut back to prevent access to the roof at that point. On the first and second floors the windows have been reduced in size and fitted with louvres. The owner of 39 has been informed of these changes.

A Orr invited participation in a neighbourhood consultation on the revised proposals to be held in Murrayfield Parish Church Centre on 12 March between 5.30 pm and 8 pm.

He confirmed that, as the new planning application has not yet been submitted, the deadline for objections has not been set, but he expected it to be after the next MCC meeting on 7 April.

The Chairman commented that J Forbes, who deals with planning matters for MCC, but was currently away, had intimated that he was disappointed that the Reporter had not upheld MCC's objections that the proposal damaged the historic character of the surrounding area and that the developer's claims with regard to communal green space were not borne out by the plans. The Reporter had agreed with the Planning Committee that Roseburn Park could be counted as communal green space. G Morgan stated that the proposal complies with Planning Guidance.

A member of the public said that she had objected to the original planning application on the grounds that the new building would create additional traffic at a location which is already dangerous. G Morgan said that the Transport team had no issues with the proposal.

The Chairman advised attending the neighbourhood consultation.

3. Trader licensing – lessons from Christmas tree experience

At the Chairman's invitation John McNeill, Senior Public Safety Officer, City of Edinburgh Council, spoke about the serious concern and many complaints which had been voiced over the issue of a street trader's licence for the sale of Christmas trees on the Old Coltbridge in November/December 2019. He confirmed that there is no procedure for objecting to the issue of a temporary licence, which can be approved by a proper official or an elected member of the Council.

The Chairman said that MCC had considered applying for a trader's licence in 2020 in order to prevent a recurrence of the problem.

J McNeill agreed that, if the same licence were applied for again, a more appropriate location should be found and the trader should be required to improve the look and feel of his pitch.

N Oldroyd stated that MCC had discussed erecting a Christmas tree on the Old Coltbridge.

J McNeill advised that MCC could apply for a street trader's licence. If two applications were received for the same location and the same time period, they would be decided on a first come, first served basis. If two applications were received at the same time, they would be decided on their respective merits.

He recommended writing to the Ward Councillors setting out the residents' and MCC's concerns, but Cllrs Douglas and Gloyer said that they would simply pass such a communication to him. They also made the point that they too have no right to object to the grant of a temporary licence. J McNeill said that objections which had been voiced would be noted. A local resident pointed out that he had passed on a number of objections in December and these had been ignored by the relevant Council officials.

M Stevens asked about the process of applying for a temporary licence and whether a trader's previous "form" is taken into account. J McNeill replied

that an applicant has to declare a criminal record but no other disclosure is required. The conduct of the trader in question would form part of the licensing process but could not be considered until he makes another application.

J McNeill advised that, if MCC wanted to have a Christmas tree on the Old Coltbridge, they could apply for a permit to occupy a portion of a street (he would confirm later whether that is a section 58 or a section 59 permit) and could also apply for a permit to hold an event in a public space. He offered help in relation to the Council's festive lighting contractors, the supply of a Christmas tree and the use of some Council equipment. J McNeill volunteered to meet a small group of MCC members and local residents to work out the best way to achieve the desired result **and the Chairman undertook to follow up his suggestions.**

J McNeill asked for **a copy of the Minutes of the MCC meetings at which this matter had been discussed to be sent to him.**

4. Community Policing Report

4.1 Prior to the meeting **PC Paula Smith** had circulated crime statistics for the period from December 2019 to January 2020 and the figures for the same period the previous year. She had also received detailed comments from J McDonough on the format of the statistics and the type of information which MCC would ideally like to receive and a sample spreadsheet. She explained that it takes her about three hours to compile the statistics which she currently provides and that only the Police Analysis team has access to the information which J McDonough had requested. She **undertook to speak to her Inspector about contacting the Analysis team to see what changes could be made.**

Cllr Gloyer said that from her experience of the type of information provided by the Divisional Commander to the Policy and Sustainability Committee of the Council, she was sure that a breakdown of the figures for the whole city could be provided by area, but that the relevant area might be larger than just Murrayfield and Roseburn.

PC Smith highlighted vandalism to cars and break ins as the crimes currently of most concern to Murrayfield and Roseburn residents and cited the recent incidents in Abinger Gardens and Ormidale Terrace. She appealed for eye witnesses and CCTV footage to help the Police to identify the culprits.

PC Smith went over the statistics already provided and referred to the percentage of crimes which had been solved. The statistics revealed slight decreases in house breaking, theft, vandalism and violent crimes and a slight increase in road traffic offences in the current period compared with the same period the previous year.

4.2 Two local residents mentioned a young man who had been knocking on doors with a story about his aunt having been taken to St John's Hospital and who had asked for a lift to the hospital or £24 to cover his bus fare. They agreed that he had been well spoken and very plausible.

4.3 PC Smith reported that the Police had spoken to the beggars who had been begging outside the Roseburn Tesco. They had produced proof of identity. They were a Romanian family of father, mother, two daughters and the boyfriend of one of the daughters. The family had been sleeping behind the West End Police station. The Police were satisfied that they had not been

trafficked. They no longer sat outside Tesco and had not been seen since before Christmas.

N Oldroyd said she regularly sees beggars being dropped off by car in the West End and Stockbridge. PC Smith confirmed that begging is not against the law.

4.4 The meeting discussed the behaviour of spectators at the Six Nations rugby matches at BT Murrayfield, in particular urinating in the street. N Oldroyd said that as far as the residents of Stair Park were concerned the problem had been at its worst at the recent Calcutta Cup match. She had texted both the Police and Graham Law of the SRU to complain and eventually two Police officers had turned up. She had subsequently emailed the local Councillors and the Licensing Department to highlight the issue.

PC Smith explained that there had been a number of medical emergencies at the Calcutta Cup match and it had been difficult for the Police to deal with everything. She undertook to highlight the issue to the Events Planning team and said that, if she and PC Davison are on duty at the next match, they will try to prioritise policing the behaviour to which N Oldroyd referred.

R Beavis said that the policing of Category A football matches had improved since Ann Budge took over at Hearts, but some of the spectators at the recent match against Aberdeen had caused deliberate offence by urinating in the grounds of Roseburn Maltings and had displayed abusive behaviour towards his neighbours there. PC Smith explained that the Police use mobile patrols at such matches, but it is difficult to catch the culprits.

4.5 In reply to a question from J McDonough PC Smith confirmed that the Police had carried out speed checks at the bend in Corstorphine Road and in Corstorphine High Street. They had issued a number of cautions and had caught one driver in the High Street.

J McDonough pressed for speed checks to be carried out on the stretch of road between Western Corner and Roseburn where, he said, the 900 buses are the worst culprits and the X17 buses and taxis are also frequent offenders. PC Smith undertook to carry out speed checks there and to let J McDonough know when this would be done.

4.6 PC Smith intimated that the dangerous dog which had been removed from Murrayfield Gardens had been put down.

4.7 PC Smith confirmed that a pedestrian had been accosted on Murrayfield Road at about 11 pm one evening and an attempt made to rob her. She had been rescued by a passing motorist. The attacker was a six foot man who had been wearing latex gloves and was thought to be local.

5. Approval of Minutes of Ordinary Meeting held on 14 January 2020 and matters arising

5.1 *Flood prevention*

The Chairman reminded the meeting that at the last MCC meeting Gordon McOmish, the Council's Flood Prevention team leader, had spoken at length about the work of his team and had allayed the fears of some of the residents of Baird Grove and Baird Drive about the effectiveness of the current flood prevention measures. Others, however, were not satisfied. The Chairman invited Gordon Sharpe, a resident of Baird Grove, to explain to Cllrs Douglas and Gloyer his and his neighbours' continuing concerns about the Flood

Prevention Scheme at Pansy Walk and Baird Drive and the way in which it is managed and operated.

G Sharpe distributed a lengthy document detailing the background to the issue, the alleged flaws in the Scheme and the alleged lack of effective monitoring procedures and defensive actions. He explained that the Flood Prevention Scheme had been designed after the serious flooding of the Water of Leith in 2000. The Scottish Ministers' approval of the Scheme was conditional on its providing the same level of protection for everyone at risk of flooding, but the SRU's complaint about their back pitches being used as a flood plain had resulted in changes which, in the strongly held opinion of the group of neighbours he represents, significantly advantaged the SRU to the detriment of the Baird Estate residents. He stated that all risk of flooding has been transferred to the Baird Grove/Baird Drive and Saughtonhall residents and away from the SRU. The Pansy Walk riverbank has been lowered by between one and two metres below the level of the SRU's riverbank, a low basin has been created at Pansy Walk, the SRU's floodgates are six feet above the level of the Baird Drive floodgate and the SRU has three "state of the art" floodgates compared with one "floodgate in a box" at Baird Drive. He added that there is no lowered kerb or footpath for disabled pedestrians, cyclists, mothers with children or other pedestrians accessing the road bridge from the Baird/Saughtonhall/Riversdale Estates to access either the Pansy Walk pathway or the opposite pathway to the Westfield Estate.

J McDonagh asked whether the minimum specification which has been used on the Baird side of the Scheme meets SEPA's requirements and was told that the flood defences on the SRU side are higher in height and specification.

Another Baird resident said that there was concern about the deployment of the Baird Drive floodgate. The residents had been told that the Council's Flood Prevention team would operate it, but the floodgate had not been closed when the residents felt that it was required.

J McDonagh pointed out that the level of dissatisfaction with the Scheme described by G Sharpe and his neighbour exceeded that which had been expressed at previous MCC meetings and he asked how MCC should proceed. The Chairman said that the Scheme had been completed by the Council in conjunction with a Scottish Government agency, SEPA, and tackling an alleged monumental failure of the Scheme was well beyond MCC's remit or expertise. Cllr Douglas reminded the meeting that G McOmish had acknowledged that there had been a failure on one occasion to deploy the Baird Drive floodgate soon enough, but he had said that the monitoring and deployment process had been improved. G McOmish had also agreed that the SRU had been advantaged. G Sharpe said that he would take the issue to the Scottish Ministers and was advised to write to Roseanna Cunningham, MSP, whose portfolio includes the environment and climate change.

P Gregson asked whether the Baird residents want the Baird Drive floodgate to be closed permanently and was told by a Baird Grove resident that they do, but G McOmish has refused to do this on Health & Safety grounds.

Cllr Gloyer corrected him and said that G McOmish had refused this request because he had received so many complaints from other local residents about disrupted access when the floodgate was closed.

R Beavis pointed out that the Pansy Walk riverbank had been lowered in order to create a flood plain. G Sharpe fully acknowledged his sympathy for the position of G McOmish and his team in their efforts to monitor all the Water of Leith floodgates across the City, but said that his and his neighbours' prime concern is to correct what they perceive as fundamental flaws in the new flood defences at Pansy Walk/ Baird Drive, and only after these corrections have been implemented in full will they be in a position to support G McOmish's ongoing flood monitoring proposals.

G Sharpe summed up by saying that the Baird residents want a permanent solution to their flood risk the same as the SRU's. He intended to (1) obtain an independent flood risk and Health & Safety assessment and, if necessary, the Baird residents would pay for this themselves, and (2) write to the Council's Planning Department, the Lord Provost and Scottish Ministers to seek urgent completion of the necessary works.

The Chairman undertook to write to Cllrs Douglas and Gloyer on behalf of the Baird residents.

5.2 Pavements and crossings at Ellersly Road and Murrayfield Road

The Chairman reported that on the advice of the Council's Dave Sinclair both of these matters have been included in the Project Bank of the Western Edinburgh Neighbourhood Environmental Programme for 2020/21 for consideration when the Council's Budget is confirmed in April 2020.

5.3 The Minutes were approved. Prop: M Stevens, Sec: E Robertson.

6. Councillors' Reports

6.1 Cllr Gloyer reported that she had persuaded the Council's Chief Executive and several colleagues, who are attending a conference in Cannes, to travel there by train instead of flying. They are, however, returning by plane because the timing of the next full Council meeting makes the return journey by train more difficult.

6.2 When the Chairman commented that the Lord Provost had abstained from voting on the Council's Budget for 2020/21, Cllr Gloyer said that he had done so not because of the drastic cuts in the Budget (for example to qualified nursery teachers and Community Police), but because the administration had not committed funding for the rebuild of Corstorphine Community Centre.

6.3 Cllr Douglas said that he had intended to speak about the behaviour of spectators at the Six Nations matches, break ins in the Murrayfield area and 37 Corstorphine Road, but these issues had already been covered.

6.4 In response to a question from N Oldroyd about getting double yellow lines repainted Cllr Douglas informed her that she should email him and he would contact the Council's street painting team.

6.5 N Macdonald asked how to go about getting new double yellow lines installed and was told by Cllr Gloyer that that is more difficult. An inspection of the proposed location has to be carried out, the emergency services have to be consulted and a TRO then has to be promoted and can take two years.

Cllr Douglas was pleased to inform N Macdonald that a TRO for double yellow lines at the junction of Kingsburgh Road and Ormidale Terrace is in the process of being finalised.

6.5 E Robertson informed Cllrs Douglas and Gloyer that Henderland Road now suffers from all day commuter parking as a result of parking restrictions

being applied to streets to the east of Henderland Road. Cllr Douglas replied that the Council is aware of this problem and is adopting a citywide approach to parking restrictions to avoid creating belts of commuter parking beyond the restricted areas. The Council is one year into the process of producing a citywide parking scheme.

7. Citywide development updates

7.1 The Chairman invited David Ellis to give a presentation on The Quaich Project.

D Ellis explained that The Quaich Project is a partnership between the Council and the Ross Development Trust, the charitable trust set up about five years ago by Norman Springford and himself to utilise a gift of £5m from Norman Springford to replace the dilapidated Ross Bandstand in West Princes Street Gardens. After consultation with community groups, residents and other stakeholders it became apparent that there was enthusiasm for replacing the bandstand in much the same form as at present. The discussion was expanded to include the Gardens – access, trees, café provision, paths, signage and lighting. A brief was drawn up for an architectural competition which was held in 2017 and attracted a huge international response. The entries were narrowed down to seven designs. Both the public vote and the review panel's vote were in favour of the same design which is being developed for submission of a planning application by the end of May. There will then be a period of public consultation on the plans.

D Ellis reported that he will be involved in international fundraising to raise £25m for the Project. Norman Springford has stepped down as Chair of the Project following targeted criticism that he has a commercial interest in promoting the Project.

D Ellis clarified that the aim of the Project is delivery of the new bandstand and improvements to the Gardens. The running of the new bandstand, the events to be held there, licensing and other commercial use of the space will all be managed by the Council. The aim of the Project is to benefit the whole city and not just the immediate area.

D Ellis undertook to email his PowerPoint presentation to MCC.

In reply to a question from N Oldroyd, D Ellis confirmed that the restoration of the fountain at the west end of the Gardens had been undertaken by the Ross Development Trust.

7.2 The Chairman reported that the public consultation on the City Mobility Plan closes on 27 March 2020 and urged those present to consider responding to it. He thought that the question of main relevance to Roseburn is "Do you support arterial cycle routes?".

7.3 The Chairman referred to a recent report in the Evening News that the Council is to apply their Low Emission Zone proposals to buses a year early and ban polluting buses by the end of 2020.

8. Planning and Licensing

8.1 9 Kinellan Road – A resident of Kinellan Road informed the meeting that the new planning application for the development of the garden ground at 9 Kinellan Road states that it is for 8 townhouses and 9 apartments, but the plans show 11 apartments. Another Kinellan Road resident confirmed that the new

application states that consent is sought for 17 units, but in fact there are 19 units, as there were in the original application. He was of the opinion that, as the external reports on traffic etc and the neighbour notifications are all based on 17 units, they are in fact invalid and the new application should be rejected. **The Chairman undertook to email the local Councillors and the Planning Convenor pointing out this discrepancy.**

N Oldroyd, having accessed the Council's planning portal on her mobile phone during the meeting, reported that the Roads Authority has commented on the number of units in relation to parking spaces.

The first resident asked how many planning applications could be submitted for the same site and was told by M Stevens and J McDonough that an unlimited number could be submitted provided there were changes each time.

She also asked why no action had been taken against the applicant for unlawful tree felling. J McDonough said that J Forbes had raised this issue in MCC's objection to the first planning application and it should be noted by the Development Management Sub-Committee.

9. CCWEL and other Traffic and Transport issues

There were no developments to report.

10. Roseburn Park update

B Knowles reported as follows:-

10.1 Proposed conversion of toilet block to café – After promoting the proposal at the Virgin Money Lounge in January the Friends of Roseburn Park ("FoRP") are to receive at least £500 of funding,

10.2 Park infrastructure – FoRP have approached the Council for a bench and five barbecue slabs and await costings,

10.3 Street trees at Riversdale – the four trees removed during the Flood Prevention Scheme works have just been replaced,

10.4 Proposed refurbishment of drinking fountain – design options are still being explored, and

10.5 Summer event – FoRP are looking for ideas for a new format and volunteers to help with the event.

11. Treasurer's Report

The Treasurer reported that there had been no change to MCC's finances since his last report.

12. Any Other Competent Business and Questions from the Floor

There were no other matters to be discussed.

13. Date of Next Meeting: Tuesday, 7 April 2020

Subsequent meetings: 19 May, 30 June, 1 September, 6 October, 10 November and 15 December 2020

Minutes approved at meeting of 7 April 2020.