

MURRAYFIELD COMMUNITY COUNCIL

Minutes of Ordinary Meeting
held on Tuesday, 8 January 2019 at 7.30pm
in Murrayfield Parish Church Centre
Chair: J Yellowlees

Present: A Anderson, H Barbour, R Beavis, R Brown, J Forbes, P Gregson,
S Holland, B Knowles, N Macdonald, R Smart,
H Whaley, J Yellowlees,
Ex officio: Cllr Scott Douglas, Cllr Frank Ross,
In attendance: 15 members of the public,
Apologies: M Stevens, D Whitelaw, Cllr Karen Doran, Cllr Gillian Gloyer, Cllr
Claire Miller, Cllr Jo Mowat, Cllr Alasdair Rankin, Rurighd
Ahluwalia-McMeddes, City of Edinburgh Council, Jeremy Balfour,
MSP, Miles Briggs, MSP, Ruth Davidson, MSP, Kezia Dugdale,
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. It was noted that the Police had not sent a representative. The Chairman welcomed those in attendance. He suggested that in future the first MCC meeting of the year should be held later in January so that the City Councillors had more than one week's work on which to report.

2. Community Policing Report

This was omitted.

3. Councillors' Report

3.1 The Lord Provost, Cllr Frank Ross, acknowledged that he and Cllr Douglas had received a huge number of complaints about the waste collection service, that the situation had worsened over the festive period and that the service was "shambolic". Cllr Ross reported that he had had a meeting with the Council's Chief Executive that day and had asked what plan was in place to remedy the situation. He felt sure that the software was working and the failures in the service were a management issue. He undertook to copy MCC in to any reply he received.

Cllr Douglas reported that the collection teams are working six days a week. It was generally agreed that they are doing a good job, but it is the organisation of the collections which is not working properly.

A member of the public, A Anderson and N Macdonald all complained about erratic and missing collections in Ormidale Terrace, Coltbridge Terrace and Kingsburgh Road.

The Secretary commented that when she had reported overflowing communal bins via the Council's website, the response had been good.

3.2 The Chairman asked about the regularisation of the decision to grant Edinburgh Rugby planning permission for a "mini stadium" behind the existing BT Murrayfield stadium. Cllr Ross explained that the decision had been made under delegated authority. He felt that, if the application had been considered by the Development Management Sub-Committee ("DMSC"), the decision would

probably have been the same. He acknowledged that the planning officers had made two mistakes:- (1) they had classed one objection as merely a comment and (2) they had not designated the proposed development as a major development, because they did not consider the proposed mini stadium to be major in comparison with the existing one. The mistakes in the process had been admitted and the Planning Department had apologised.

R Beavis pointed out that the speed with which certain significant planning applications are processed compared with the time it takes for an ordinary application to be dealt with is bound to engender cynicism. Cllr Ross agreed and said that for that reason it is important for the Tor application to be dealt with at a hearing so that the process can be transparent.

3.3 Former Tor nursing home, 30 Corstorphine Road – J Forbes reported that the Chief Planning Officer had issued a report on 3 January 2019 recommending the grant of planning permission for the redevelopment of the former nursing home as housing. The DMSC was due to meet the following day and could grant or refuse permission or continue the matter for further consideration, which could include the hearing requested by Cllr Gloyer. Cllr Ross confirmed that he had also requested a hearing on the basis that a number of well thought out objections had been lodged and everyone with an interest in the application should have the opportunity to be heard.

J Forbes listed three contested points in the Planning Officer's case:- (1) that the character of the West Murrayfield Conservation Area ("WMCA") would not be adversely affected by the development; (2) that the trees to be felled were not worth preserving; and (3) that there would be no significant impact on residential amenity. He argued that (1) to say that the character of WMCA had already been degraded to some extent by existing developments was not a good argument for approving another development similar in mass, style and density; The Tor house itself is a Grade 2 listed building and so, by association, is the nearby stable block. The setting of these buildings will be destroyed by the construction of a 5 storey block of flats between them (against previous advice that any such link should be subservient in character); (2) some of the trees, such as the Corsican pine, weeping ash and tulip tree, are fine mature specimens and it will take 50 years for replacement planting to compensate for their destruction; (3) strong representations have been made by the residents of Westerlea who dispute the developer's findings on daylight and have submitted their own independently commissioned report. The Planning Officer's report makes no mention of the alternative findings.

Cllr Ross checked the Council's planning portal and confirmed that the residents' report, although acknowledged by the Planning Department, is not listed on the planning portal. He recommended emailing the Planning Department to get this omission corrected.

N McKerrow, a resident of Westerlea, added that the Planning Officer's report contradicts the advice of previous planning officers over the past eight years. The Westerlea development is sympathetic to and respectful of the original buildings in design and mass, whereas the proposed Tor development is neither.

In answer to a member of the public who asked how a five storey building could be permitted, R Smart explained that a similar five storey building had previously been permitted within the adjacent Westerlea site. J Forbes agreed that it had set an unfortunate precedent. R Smart suggested that the Conservation Area designation should be removed from the whole of the WMCA, but J Forbes disagreed.

In answer to a question from the Chairman Cllr Douglas said that, as Cllr Gloyer had made a written request for a hearing on the Tor application, it did not matter that she could not attend the DMSC meeting the following day.

Cllr Ross recommended emailing the counter-arguments to the three contested points in the Planning Officer's report to the individual Councillors on the DMSC before the following day's meeting and **J Forbes undertook to do so.**

Cllr Douglas advised that the meeting could be observed at the City Chambers and also viewed online.

Cllr Ross expressed regret that there was to be no affordable housing on this site, but it was proposed that the developer fund affordable housing at a site in Ford's Road. J Forbes stated that it is standard practice for the Planning Department not to insist on affordable housing on high value sites in order to preserve the developer's return on investment.

Cllr Ross felt that the DMSC had taken a reasonable approach to the Pinkhill planning application and hoped that reason would prevail re the Tor application too. A number of those present declared their intention to attend the DMSC meeting as observers and attempt to interest the Evening News in covering the event.

3.4 A Anderson noted that the "For Sale" sign had been removed from 37 Corstorphine Road and asked about the current position. Cllr Douglas thought that the property had been in the hands of a developer for some time, but planning permission had not yet been granted and he expected there to be negotiations on reducing what was sought in the original planning application. P Gregson intimated that SEPA had blocked the application on the basis that the new flood defences were inadequate in view of climate change and the ground floor of the proposed new building should be raised up 5 metres. H Whaley indicated that SEPA's response is available on the Council's planning portal.

3.5 Cllr Douglas reported that the Council awaits a final settlement on the Holyrood budget before finalising and publishing its own budget proposals.

Cllr Ross confirmed that the 23 February date for publication might not be met if the Holyrood settlement is delayed.

3.6 A Anderson asked Cllr Ross whether he had received any information on how the priorities for road and pavement repairs had been set and he advised that he was still awaiting the relevant data. He felt that in the Murrayfield area pavements were more of an issue than roads. He also expressed concern about the potential impact on the roads of the new double axle buses. In reply to H Whaley he intimated that initially these buses will be used on routes 14 and 20.

3.7 The Chairman reported that he had attended a meeting of the West Edinburgh Neighbourhood Partnership on 6 December 2018 and would attend the next meeting on 9 January 2019. He felt that a change of name to Neighbourhood Network might be of little substance in those Neighbourhood Partnerships that had performed successfully.

Cllr Ross thought that it would be a pity if the link with the community which the Neighbourhood Partnerships provide were to be lost, leaving only the four Locality Committees.

3.8 Planning Department policy on trees – J Forbes reported that Cllr Douglas had Relayed to him the Planning Officers' views on their powers in relation to trees in Conservation Areas which was to the effect that the policy is set nationally, they cannot consult Community Councils or anyone else and they cannot require replacement planting. He had followed up this matter with Jeremy Balfour, MSP,

who had referred him to Section 172 of the Town & Country Planning Act 1972, which gives the Planning Authority power to approve the removal of a tree in a Conservation Area or apply a Tree Preservation Order (“TPO”) to it. It is very rare for a TPO to be applied and approval usually goes through “on the nod”.

Cllr Ross pointed out that the Act is an Act of the Westminster Parliament, but planning is a devolved matter. R Smart mentioned the Planning Bill currently going through the Scottish Parliament and **Cllr Douglas undertook to contact the relevant person there.**

4. Approval of Minutes of Ordinary Meeting held on 4 December 2018

These were approved. Prop: S Holland, Sec: H Barbour.

5. Matters Arising

5.1. *Airbnb*

R Beavis, on behalf of the residents of Roseburn Maltings, raised the problems caused by the increasing number of flats used for Airbnb, and stressed that the negative impact of these properties is not confined to the city centre. He urged the Council to formulate a policy to deal with this issue. **Cllr Ross** confirmed that the Council is in fact doing so and he **undertook to update MCC when there is some progress to report.** He understood that proposals were to be put out for consultation by the end of March.

Cllr Douglas expected the proposals to include a limit on the number of Airbnb properties in an area and a limit on the number of months each year during which they could be used for this purpose.

Cllr Ross advised R Beavis to raise problems with individual properties with the Environmental Wardens.

In response to a question from P Gregson both Councillors confirmed that an Airbnb property is not subject to the requirement for landlord registration, as it is regarded as the owner’s home.

5.2. *Stair Park omission from controlled parking during BT Murrayfield events*

A resident of Stair Park reiterated the concerns she had expressed at the last MCC meeting about the inconsiderate and dangerous parking in Stair Park by some spectators at BT Murrayfield events. She stated that the Murrayfield Hotel had been helpful to the residents in providing a warden who policed the cul de sac during the last event, but she considered that Stair Park should be included in the parking restrictions which are put in place elsewhere for such events.

Cllr Douglas said that he had received representations from a number of residents requesting the introduction of match day residents’ parking permits similar to those used at Twickenham. The Council was in the process of conducting a city wide survey of parking restrictions and he did not expect any progress on this request until that survey had been completed.

Cllr Ross reminded the resident that incidents of obstruction can be reported to the Police.

The Secretary agreed that match day permits are the solution and reported that Graham Law of the SRU had agreed to discuss these at the next meeting with local residents. She **undertook to notify the Stair Park resident of the date of the next meeting.**

In answer to a question from a member of the public Cllr Ross confirmed that the Council pays for the barriers which are used on match days.

5.3. *Responsibility for removal of graffiti*

The Secretary reported that she had contacted the Scottish Football Association (“SFA”) about the removal of graffiti resulting from the Hearts v Celtic football match held at BT Murrayfield and had been told by the SFA that the Scottish Premier League (“SPL”) was the responsible body. She was awaiting a response from the SPL.

5.4. *Ellersly Road “quick wins”*

Cllr Ross told J Forbes that the feasibility study into pavement widening which was to have been completed by the end of October 2018 was not yet available.

J Forbes reported that a notice had been served on the owner of the leaning wall to investigate and rectify. A holly and some beech trees (remains of an untended hedge) close to the wall will require to be removed. The Council plans to adopt the pavement once the wall has been stabilised.

6. CCWEL, TROs RSOs and Rejuvenating Roseburn consultation

P Gregson reported that he had been encouraging the traders on Roseburn Terrace and Haymarket Terrace to petition the Council for a compensation scheme to cover any economic loss which they suffer as a result of the City Centre West to East Cycle Link and Street Improvements project (“CCWEL”).

The Secretary advised the meeting that P Gregson was speaking on his own account and not as a member of MCC.

P Gregson asked whether MCC would support the traders in their petition and **undertook to email details of the petition to his MCC colleagues so that a decision regarding support could be taken.**

Cllr Ross cautioned that the traders will have to lodge accounts as a baseline for any compensation scheme and P Gregson replied that they are going to produce accounts for the next 11 months up to commencement of construction of the CCWEL.

There was nothing to report regarding the Rejuvenating Roseburn project.

7. Roseburn Park issues

B Knowles reported as follows:-

7.1 Eight trees at the Ice Rink, which are the responsibility of the Council, will have to be removed. She will discuss replacement planting with the Council’s tree officer. The Friends of Roseburn Park (“FoRP”) may have to find funding for this. A member of the public mentioned that trees can sometimes be obtained from the Woodland Trust. B Knowles replied that local schools and community groups would have to be involved for FoRP to qualify for them.

7.2 FoRP need the support of all three local Councillors to apply for Fields in Trust status for Roseburn Park.

7.3 An additional memorial bench is to be erected in the Park.

7.4 Two large stones are being donated for the construction of a stile to improve access to the new playpark.

7.5 The carol singing and showing of a silent film on 17 December 2018 were poorly attended, it was thought because of competition from other Christmas events.

7.6 The new playpark is being well used. Two boulders are yet to be installed.

P Gregson reported as follows:-

7.7 B Knowles, assisted by a team of ten helpers, had organised the planting of 5,000 bulbs in the Park.

7.8 FoRP continues to deal with proposals to re-route and slow down cyclists in the Park.

8. Planning and Licensing

This had been covered at Item 3.

9. Traffic and Transport

There were no further issues to be discussed.

10. MCC noticeboard

The Secretary reported that she had received information on dimensions from the designer of the noticeboard and these had to be checked and agreed.

11. Any Other Competent Business and Questions from the Floor

11.1 The Chairman reported that there had been an improvement in the speed at which street light faults are being repaired.

H Whaley reported that a number of lights on the Roseburn Path have been out for some weeks. It was difficult to identify them on the Council's website map and report them via the portal, but he had emailed the Council about them more than once.

The Secretary suggested that in view of his recent successes with lighting faults the Chairman might follow this up.

11.2 S Holland asked whether the faulty bus tracker at the eastbound bus stop at Roseburn was to be repaired or nothing was to be done until a new tracking system had been commissioned.

Cllr Douglas confirmed that the trackers are the responsibility of the Council, not Lothian Buses, and he **undertook to ask for an update from the Council.**

11.3 Rosie Bell reported that completion of her Roseburn walking guide awaits a suitable map, which Anna Rowell of Sustrans is to provide. P Gregson mentioned that a Cuban woman who runs a business at Haymarket might be an alternative source.

The Secretary advised that the guide will have space for local Roseburn businesses to advertise.

12. Date of Next Meeting: Tuesday, 19 February 2019

Subsequent meetings: 2 April, 14 May, 25 June, 13 August, 24 September, 5 November and 10 December 2019.

Minutes approved at meeting of 19 February 2019.