

Marchmont and Sciennes Community Council

Minutes of Meeting held on March 27th, 2024 at St. Catherine's Argyle Church Hall

Present: Brian Gilmore - Chair, MSCC, Anne Laing - MSCC Secretary, Alison Service - MSCC Treasurer, Douglas Rogers - MSCC, Susie Agnew - MSCC, Cllr. Tim Pogson, Cllr. Neil Ross, Carolina McKellar - Sciennes Parents Council, Gordon Molholland - local resident, Ryan Gilmour - local resident, Rhona Mechen - local resident, Jenny Davidson - local resident, Lisa Craig - local resident, Celia Morfi - local resident, Sheila Spraulle - local resident, Evelyn Dickie - local resident, Kate McNairney - local resident, Ruth Dolan - local resident, Suzie Weigert - local resident, Sandra Jack - local resident, Nick Hepworth - local resident, Silke Dykstra - local resident, Stephan Antic?? - local resident, Beverly Frison - local resident, Patrick Frison - local resident, Patricia Paolozze Cain - local resident, Edward Milligan - local resident

Apologies: Anthony Holmes - Thirlestane Lane Association, Kayleigh Gordon - MSCC Publicity, Lianne Phillips - MSCC Publicity

Attending: Nora Flynn-McIver - Minutes Secretary

Meeting began at 7:35pm

Draft Minutes of 28/02/24

Clarified that the bin hub situation has been added to the agenda. Anne moves to pass, Alison seconds. Minutes pass.

Matters Arising

None.

Police Report

None this month.

JR Builders update

No report this month, Anne notes that it seems to be progressing well.

Sciennes PTA - Caroline McKellar

There have been concerns for years about the size of the playground in comparison to the size of the school, this has become an increasing concern over time. When the road was closed, the school started to utilize this area to widen the playground area. Now that the Sick Kids site is closed, it is more reasonable to close this area permanently. Thus far, a TRO has been advanced and are waiting for further action that has been delayed. There is not expected to be material objections to this, the hope is that the experimental closure will become permanent. Parents have been volunteering to try to stop drivers from going through this area, but this is not a good solution. The original TRO does not deal with what happens on either side of the school, so there is a hope that this can be dealt with in the future. Next step would be to deal with street signage to make it clearer to drivers. In the future, the school would like this area to be a safe extension to the playground. The design has only been circulated to the council officers thus far, they had no real objection at the time. The TRO is not progressing yet, there is a deadline of April 19th to move

forward. Douglas Rogers notes that it might be a good idea to make this area into a play street without any pavement and with appropriate signage. Caroline notes that there are Council restrictions for this and that it has to remain a road in technicality, though it can look in many different ways. There are likely to be future issues with how cyclists view and use the area, the school would like there to be one path for pedestrians outside the bounds of the playground. Ryan Gilmour asks about how this could affect the residents of the old Sick Kids site and whether their needs have come into account. Caroline notes that this is probably the responsibility of the planning people. Cllr. Pogson notes that he would expect the developers to have thought about this quite a bit and that he thinks that this might increase the value of the property. It is unclear how one can take these perspectives into account, the developers have been spoken to and they have been generally positive, this is likely the best way to try to take the residents into account. Cllr. Pogson notes that what is being proposed is not any different from what exists right now. Brian notes that we have to wait until the consultation for this to be addressed, as it is not the school who has any say in this.

City Councillor report on local issues

Cllr. Ross:

There has been a consideration of the Greenbank quiet cycle route recently, the results of a survey were considered at committee, split into northern and southern sections. In the northern section, there was no clear support for any of the four options, option two, which addresses rat running, was accepted. This would block **Quenton** ? to traffic. In the southern area, the most people supported option three, which was separated bike lanes.

The Council has been asked by the Fringe Society if they can take over the South Bridge Resource Centre because they have the money to do the repairs. The classes that take place there will be rehoused to community centres, engagement is under way for these relocations. The new arrangements will take place from August.

On short-term lets, there have been 4000 applications put in, none have been refused. The result from the most recent judicial reviews show that existing owners must rejustify their application. Ruth Dolan asked if the change means that there will be the same number of short-term lets, Cllr. Ross notes that regulations coming in is rebalancing over time. There has not been time yet to look into unlicensed operators, once this is done there may be a better idea of whether longer-term housing is coming into play to a greater extent. Cllr. Pogson notes that a lot of applications for planning permissions for short-term lets have been refused, meaning that they can't apply for permission to run them at all.

Cllr. Pogson:

On the Astley Ainslie site, Cllr. Pogson recently met with the Astley Ainslie Community Trust, who are interested in taking charge of this site in the future. There has been very very little movement and there is little chance of the NHS moving off of the site any time in the near future. Some services have moved back to this site, nothing is likely to happen there until 2030. The community trust needs to be prepared to move in the case that something suddenly happens, which could happen because the NHS has few resources, so it might be appealing to sell to the highest bidder in the future.

Anne asks for an update on the proposals to extend the hours of parking charging to 10pm in the city centre and could extend to this area. Cllr. Pogson notes that he and Cllr. Ross do not know about this and will find out about this for the future.

Susie Agnew asked that the Council reverse its decision to allow people to nail memorial plaques to trees in the Meadows due to the area not being a memorial garden. FOMBL is pushing for the policy to change to be either hanging or plaques set in the ground at the tree base.. Cllr. Pogson notes that the Edinburgh & Lothian Green Space Trust has pushed this initiative to allow people to adopt trees and care about trees. Brian notes that the council has to give approval to do this. Cllr. Ross will look into this.

Ruth Dolan asked about the Astley Ainslie site under the understanding that the person who gifted the site to the NHS under the condition that it must be used for health care, Cllr. Pogson has heard this but there hasn't been any hard proof of this. Beverly Frison asks what the plans would be, Cllr. Pogson notes that there are no existing plans and that there is the intention to do a master plan but this is on the back burner at the moment.

Brian notes that a block of stone has apparently fallen next to the Margiotta's, the councillors do not know yet what is being done about this. It is possible that somebody has dumped the stone there because the stone does not match the stonework of the building.

Publicity

Anne has been putting up notices on the notice boards but they are slightly out of date due to the windy weather making it dangerous to open them.

Planning applications

Douglas speaks on 2731 Ratcliffe Terrace, which has just been sold under the understanding that the frontage would be kept, which is not under the plan. This is being turned into student accomodation but many groups are planning on objecting to the planning proposal. Cllr. Pogson is going to ask about this but this is outside of the MSCC purview.

Edward Milligan notes that the Rajas listed building planning application has been passed, despite many objections. The main application has not yet been considered, only the listed building consent has been approved. It is unclear why the application has been approved. The residents in the building have sent a lawyer's letter to Rajas about the noise. Patricia Cain notes that the application passing is a problem and indicates a part of the system that doesn't work and has set a precedent that could affect future issues. Residents and objectors do not have any standing in the project. Cllr. Pogson said that planning decisions have to be taken in light of planning legislation and cannot have an opinion on different things. He doesn't know the main difference between the listed building application and the planning application but notes that the planning application still has to go through. He also notes that it is unfortunate that residents do not have the ability to appeal planning applications and that there was legislation for this in the future that did not pass. Patricia notes that there is an inconsistency in the application being passed and is unclear on what the difference would be as to why it was failed before and passed now. Cllr. Ross will look into this.

Update on Sewer Flooding project

None.

Treasurer's Report

£1524 in the bank.

Meetings attended

Douglas Rogers attended the Edinburgh Climate Action Network meeting.

Bin Hub Situation

Many concerns were raised last month, particularly about the lack of consultation and the effects on residents. Over 80% of the people who Kate McNairney has spoken to are distressed about this and have had little to no ability to have a consultation on this or to contact the Council. Anne notes that people were invited along to consultations approximately a year ago. Ruth Dolan notes that many people were unaware of any consultation existing. There are also issues with the appearance and smell of the bins. Gordon Molholland asks about whether the councillors from last month were able to look into this. Cllr. Pogson speaks to the fact that he has been involved in some conversations regarding moving bin hubs in his ward, the number of disputes is relatively small in his experience. According to his experiences, there were letters sent to residents about a consultation (there was wide objection to this idea, it is likely that some residents did receive letters but not all). When changes were made, people were apparently written to again to note that bin hubs had been changed. Officers are still making changes and exploring other options. He notes that when difficulties exist, people should approach their councillors. Cllr. Ross notes that there are different approaches on this by different councillors. In certain places, there were poorly advertised engagement meetings and few letters sent out. The council has looked into changing the rules for bin hub location and has loosened them slightly. There has been engagement with those who have gotten in touch with Council in the Marchmont ward based on feedback and officers have taken notes and have generally responded and said that there are not alternatives. The rules likely need to be relaxed. As a result of the criteria, it is difficult to move bin hubs. Gordon Molholland asks why councillors can't change the criteria. Cllr. Pogson notes that they can oppose these rules. Nick Hepworth notes that the relocation framework is flawed in several ways and is in breach of the Duty of Care regulations, meaning that you cannot manage waste in a way that results in a nuisance to residents. Glass recycling causes 85 decibels of noise when it is emptied, which is too high. He asks what the councillors are doing as the council is acting illegally. Nick requests that the MSCC make a deputation at a meeting for the council. Ruth Dolan notes that there seems to have been little consideration for people as opposed to traffic. Nick Hepworth said that it seems that councillors are able to get their bin hubs changed. Evelyn Dickie notes that the bin hubs should not be directly outside of people's windows. Ruth Dolan notes that the people who are most distressed about this are people who are less able to stand up for themselves. Cllr. Pogson asks that people ask the questions that they need to ask so that answers can be sought out. Brian notes that we can write out a document noting that the noise level is too high. He also notes that the inflexible 50 metre rule is also a problem and would like to get this chased up as well. Douglas Rogers suggests putting forward a proposition urging the council to explore the possibility of moving the hubs, possibly specifically to street corners. Ruth Dolan suggests also requesting that the bin hubs be broken up a bit into less bins in a group. Gordon Molholland also asks that a question be asked about how planning is considered. Cllr. Pogson has asked about aesthetic impact of the bins, and the answer to this may help answer other questions. Evelyn Dickie requests that the MSCC challenge the level of consultation that the city claims that was done. Jenny Davidson asks why the food recycling bins are needed when the food buckets are still being picked up, Anne clarifies that when you live in a flat, you don't get a food bucket. Patricia Cain requests a discussion as to how democratic input can be put into a decision like this and to look into the systems and not just the individual issues. Brian notes that many of the questions are not specific enough to get a clear answer. Cllr. Pogson notes that it could be useful for several councillors to meet and have a discussion on this issue. Ryan Gilmour points out that the framework is flawed and the appeals are nonexistent and wants to ask about the way that this has been done. Anne suggests having a public meeting of some sort with the people involved. Cllr. Ross says that he will request that the bin hub

officers attend an MSCC meeting to explain their procedure. Additionally, he notes that the rules are too strict despite having been lessened slightly in the past year. He has been meeting with other councillors to try and figure out a way forward, there are meetings of the committee at the end of May and there can be a deputation, but there has to be engagement in advance. Ruth Dolan speaks on behalf of a woman with a disability in her arm who is having a lot of difficulty using the specific bins and would prefer that the foot pedal be put back in use.

Questions to ask:

1. The view was expressed that glass bins near to residential properties do not meet legislative requirements, in that they exceed a statutory noise limit of 50db. Please comment.
2. What flexibility is there around the requirement that no resident should be more than 50m from their bin hub?
3. Bins in groups of six are visually quite impactful. What scope is there to offer communal bin hubs made up of fewer numbers of individual bins?
4. What are the arrangements for food waste collection between main door flats and communal flats?
5. Could the bin hubs be placed on street corners rather than outside of people's doors?

AOCB

None

Date of next meeting

Wednesday, April 24th, 2024