

Minutes of New Town & Broughton Community Council's AGM, at Drummond Room, Broughton St Mary's church, on Monday 12 August 2024 at 7pm

Actions and decisions are **RED ITALIC UNDERLINED SMALLCAPS**. **ND** ('no dissent') means that no-one spoke or voted against a decision.

URLs have been added by the minutes secretary.

Actions (to be omitted from online version)

| Item | Actor | Action |
|-------|-----------------------|--|
| 3.a | Cllr Mowat | Check whether CEC can email permit holders about filming |
| 3.a | K Lochrie | Review latest version of plans, and liaise with the film company |
| 4.a.i | Cllr Caldwell | Ask CEC to add report-line phone numbers and/or QR codes to bins |
| 4.a.i | Cllrs Mowat, Caldwell | Chase for updates on changes to CEC licensing software |
| 8 | A Gaillard | Publish NTBCC licensing report |
| 9.a | Cllr Cadwell | Check whether Edinburgh Atlas shows land that might suit 'right to grow' |
| 12 | NTBCC | Put transport and environment matters at the start of the September agenda |

1 Welcome and apologies

1.a Attendance

| | | | | | |
|-------------------|-------|--------------------|-------------------|-----------------------|--------------------------|
| Fiona Banatvala | NTBCC | Susan MacInnes | NTBCC | Cllr Margaret Graham | City Centre ward |
| Annick Gaillard | NTBCC | Richard Price | NTBCC | Cllr Finlay McFarlane | City Centre ward |
| Stephen Hajducki | NTBCC | Nick Reid | NTBCC | Cllr Claire Miller | City Centre ward |
| Deirdre Henderson | NTBCC | Peter Williamson | NTBCC | Cllr Max Mitchell | Inverleith ward |
| Simon Holledge | NTBCC | Bruce Ryan | minutes secretary | Cllr Joanna Mowat | City Centre ward |
| Ken Lochrie | NTBCC | Cllr Jule Bandel | Inverleith ward | Alan McIntosh | <i>Broughton Spurtle</i> |
| Joe McAdam | NTBCC | Cllr Jack Caldwell | Leith Walk ward | ~7 residents/visitors | |

1.b Apologies

| | | | | | |
|----------------|-----------------|--------------|-------|------------|-------|
| Mike Birch | NTBCC | Laura Graham | NTBCC | Alan Welsh | NTBCC |
| Cllr Hal Osler | Inverleith ward | | | | |

2 Police report

[See report on NTBCC website](#). No police were present.

- P Williamson: the report focuses on antisocial behaviour/disorder and house-breaking.
- D Henderson: the local priorities do not include action of drugs.
 - Cllr Caldwell: there have been reports of drug-use in Bellevue and Drummond, to which police are responding.

3 Filming in Drummond Place/Bellevue Crescent for *Debutante Series 2* (Mitch Bellgreen – Location Manager)

See [scan of handout on NTBCC website](#). Mr Bellgreen noted

- Road-closures, suspension of parking, etc on 4 to 6 September; use of Scotland St by technical vehicles.
- Hence this work to engage with residents, including creation of a small temporary carpark for residents.
- Queries and comments should be sent to debutanteloc@gmail.com and/or mbellgreenlocations@gmail.com.

3.a Q&A, comments

- Cllr Mowat: please letter all affected residents, especially in Scotland St
 - This will be done.
- K Lochrie: the affected area covers different parking zones, so a car from one zone cannot be parked in another. Could pay-spaces be used? There may be conflicts.
 - We will release bays as soon as possible.
- D Henderson: what if car-owners are away and so cannot move their cars?
 - We will canvass the area over the next 2-3 weeks. We have permission from CEC to move vehicles but will replace them. However, our experience is that people let us know in advance, so we can work around their needs.
- D Henderson: can CEC email permit-holders?
 - Cllr Mowat: this may not be possible because of GDPR concerns, **BUT I WILL CHECK**. I suggest leafletting cars.
- A Macintosh: will there be a contribution to community matters in view of the disruption?
 - Yes: we will liaise with NTBCC about this.
- J McAdam: Nelson St will be affected, according to the hand-out, but this was not publicised earlier.
 - Yes – this resulted from a recce last week. The south section will be closed shortly before filming begins, but will be released as soon as possible. We are liaising with Nelson St and Northumberland St residents.
- A Gaillard: are the plans weather-dependent?
 - No: we will film whatever the weather, then make any necessary changes
- **ACTION: K LOCHRIE TO REVIEW LATEST VERSION OF PLANS, AND LIAISE WITH THE FILM COMPANY**

4 Approval of minutes of June 2024 meeting and matters arising

4.a draft June ordinary meeting minutes

- Accepted as-is (ND)

4.a.i Actions from June minutes

| Item | Actor | Action | Status/outcome |
|------|-----------------------|---|----------------|
| 3.e | Cllr Caldwell | Ask CEC to add report-line phone numbers and/or QR codes to bins | Held over |
| 3.e | P Williamson | Remind Edinburgh World Heritage Trust that NTBCC has heard nothing since the management plan report | See below |
| 3.f | Cllrs Mowat, Caldwell | Chase for updates on changes to CEC licensing software | In progress |
| 5 | B Ryan | Enable new office-bearers to access relevant email accounts | Complete |

- P Williamson: there has been a series of contacts with relevant CEC staff and EWHT's director, following on from publication of the draft management plan earlier in 2024. A meeting this week is due to sign off this plan. This will then be open for discussion with stakeholders. There have also been discussions on governance arrangements, but I am waiting on progress, despite follow-ups. If there is no progress on the management plan before August, **NTBCC WILL UP THE ANTE**, especially on oversight of EWHT and the ability to respond to stakeholders.
 - A resident: I urge a legal review of EWHT's articles of association, and action on EWHT's dysfunctionality.

4.b Other matters

- R Price: in view of NTBCC's lack of members in Powderhall (and elsewhere), I propose co-opting former member Stuart McAllister. **THIS WAS AGREED ND**

5 Review of draft minutes of the 2024 AGM

- Accepted as-is (proposed A Gaillard, seconded D Henderson, ND)

6 Chair's report

6.a Council's Community Council Scheme and Boundary Review

- P Williamson: this is in the legally required phase 3 of consultation, which ends on 21 August. It will then go to full CEC on 29 August, which would enable CC elections in autumn 2024.
 - Cllr Mowat: term-limits for chairs and gender-balance requirements have been dropped from the proposed updated scheme, due to difficulty in recruiting members.

6.b Campaign of the Canonmills Owners' and Residents' Association

- P Williamson, following on from [CORA's visit to NTBCC in April](#), CORA has taken out a grievance against CEC. However, CEC has not upheld most of this, so CORA is going to the public services ombudsman.
 - Cllr Mitchell: meanwhile physical work will continue, in view of planning permission having been granted.

6.c Update on NTBCC roles and responsibilities

- P Williamson: NTBCC will continue to try to engage with residents, and to cover all of its area. (See also item 4.b.)
 - M Birch is now NTBCC's secretary, and pro-tempore NTBCC's transport and environment convenor. This matches CEC committees.
 - NTBCC's roles and responsibilities are now in written format, to enable good governance.
 - **ACTION: NTBCC TO ADD THIS TO ITS WEBSITE.** This may enable the *Spartle* to help NTBCC raise awareness.
 - There was discussion of other methods of increasing engagement

7 Planning update

See also [report on NTBCC website](#).

7.a Approval of Old Royal High School planning application (24/01804/FUL)

- P Williamson: this approval was very welcome. There is an open day on Wednesday 14 August. I will attend.
 - R Price: there was very little interest in the planning application. The local residents' association should ensure good communication, e.g. about a condition attached to the permission.

7.b Marshall's Court planning application (24/02959/FULSTL) – NTBCC submission

- A Gaillard: The current owners have followed the planning application processes correctly. They now wish to demolish the property and build serviced apartments. This can be seen as an attempt to circumvent planning refusals.
 - The only access to the property is via Greenside Row, which is also used by the Marriott hotel for service-access. There are many residential properties nearby. Planning permission was granted in 2006, but then an application for an extra storey was rejected in 2009 – but then granted on appeal. It was unoccupied for a while, then used as a short-term let from 2018 to 2020. There were noise issues from occupants.
 - K Lochrie: this is currently a domestic dwelling. Demolition and building of a property for STL would make a precedent.
 - S Holledge: there is a site in front of this one.
 - A Gaillard: this is separate. There was 'free-for-all' parking but it is now being used by the hotel. CEC owns the site.
 - A resident: CEC does not plans to market this site for a large development, but might be receptive to community-use proposals. I will convene a meeting on this in September.

- Cllrs McFarlane and Mowat: this site is on a floodplain, so planning permissions may not be appropriate. We are trying to remove it from the 'disposal' list but this requires a committee decision.

7.c Henderson Place planning application (24/02964/FUL) – NTBCC comments

- R Price: NTBCC did not make a submission on this. There appeared to be little community concern, and it is hard to find material grounds to challenge this application.
 - A resident: on 23 August 2023, after CEC approval, CEC asked the developers of Centum House for their plans for this site, but received no answer. Further policy des2 requires co-ordinated development, which was not done here. People are simply worn down trying to oppose development here.

7.d Calton Square

- R Price: there would be quite extensive development here, without changing the footprint. The site would remain as grade A offices, which NTBCC should favour. Much material would be removed from a tricky location, so we are encouraging further thought about this. The proposals are open for comments to the end of August.

7.e Former new London Sauna (Broughton St/London St)

- R Price: an application to turn this into two flats was approved, and the site now looks better. However, there is now an application to turn one of the flats into an STL. Because this flat was never occupied, its class-use is still a sauna, so I suspect the owner has knowingly gamed the system. There are more supportive comments than objections.
 - Cllr Mowat: testing at appeal has allowed this process. However, this one is recommended for refusal.
 - Cllr Miller: the owners were initially unable to apply for STL because they had not had permission to split the property. They are now 'testing the waters'.

7.f Telecomms mast near Drumsheugh Place

- R Price: a planning application had been approved, but the company did not progress it and permission expired. The application has now been resubmitted but has received 279 objections, and will go to the local review body this week.

8 Licensing matters

- [ACTION: A GAILLARD TO PUBLISH REPORT](#)

8.a Consultation on STL Licencing – future NTBCC response

- This consultation is open to 14 October. The recent regulatory report notes 4327 applications, half of which were secondary letting (needing change of use and planning permission). 1500 have been granted, 109 were withdrawn and 4 were refused. That is, under half have been processed.
 - There are four topics for review: secondary letting (capped at 1 year currently), temporary exemptions (which can be granted for up to 6 weeks per 12 months), home-sharing and home-letting.
 - For example, in St James Square, there are 2 common stairs in a property. There was an application for a certificate of lawfulness, following this property being used for STLs since 2010 but this was refused. The owners, who live elsewhere, applied for a year's home-sharing but were permitted 6 months.
 - Cllr Mowat: CEC works to the [Civic Government \(Scotland\) Act 1982](#), which is outdated. CEC has to assume that applications are truthful (it is an offense to submit untruthful applications). If CEC is then informed of falsehoods, it can take enforcement action. CEC now has more enforcement officers, so now tries to engage with objectors, of which there are quite a few. Enforcement can only occur after a license has been granted, if owners act contrary to the license. CEC does advise people how to object.
 - This does not cover all temporary licenses – it is hard to prove whether owners live or do not live in properties. False declarations of address are liable for £2k fines. (There was discussion of primary and secondary addresses.)
 - A Gaillard: England apparently has temporary planning permissions. Perhaps this confuses some owners.
 - Cllr Mowat: this is about people trying to let properties for, for example, 3 months per year. Such have been granted, but the application must include specific dates.

8.b Tattoo-flypast

- A Gaillard: CEC would like to reduce the number of tattoo flypasts, because some residents are concerned over noise, pollution and impact on animals and veterans. There were 5 flypasts in 2024 – fewer than previous years.
 - Cllr Mowat: permission for flypasts comes from the UK Government. There was a CEC majority decision to ask the MOD to stop the flypasts. [in response to a question] firework displays are now much quieter.
 - D Henderson: some animals do respond to noises, so could the timing of flypasts be changed?

9 Culture and Communities matters

See also [report on NTBCC website](#). All points made by S Holledge unless otherwise noted.

9.a Culture and Communities Committee Meeting – 8 August 2024

- There are consultations (closing 23 August) on firework control zones, covering 'private' fireworks, not public events.
- A proposed ban on dogs in cemeteries was defeated 8:2.
- The proposed Edinburgh 900 light-projections were cancelled. This money will now be used on other relevant ways.
- Neighbourhood networks are now being re-evaluated. The north east NN is quite active, but most of NTBCC is in the south east NN, which is not active. Community grants funds are also being evaluated.
 - Cllr Finlay: it is usually easy to apply for such grants, and they support a welcome variety of aims. We want to avoid adding bureaucracy.
 - R Price: it may help to weight the in favour of new applicants

- S Holledge: this is part of panels' instructions
- B Ryan: any changes to the community grants rules will need full council approval.
- Cllr Caldwell: NTBCC's area overlaps somewhat with the Leith NN, so NTBCC-based organisations may be able to apply to [LeithChooses](#).
- Edinburgh winter festivals: there is concern that CEC officers are giving precedence to contractual obligations over guidelines and regulations.
- NTBCC includes the part of the off-street path network north of Scotland St. Does this have lighting or CCTV?
 - R Price: this path is lit, but probably doesn't have CCTV.
- There was a report on a potential 'right to grow' on CEC land and relevant public space discussions.
 - Cllr McFarlane: this about creating an easy way to apply for access to such land.
 - Cllr Caldwell: this may be on the Edinburgh Altas – [I WILL CHECK](#).
 - Cllrs Mowat and Caldwell: there may be difficulties around contamination of land, collapsing buildings etc. CEC is responsible for such risks [on land it owns].
 - D Henderson: applications for community grants for growing on CEC land might be a good thing.
 - Cllr McFarlane: shared allotments have been successful elsewhere.

9.b Firework control zones (See consultations on proposed [city-wide](#) and [Calton Hill](#) FCZs.)

See 9.a above

10 Transport and environment matters

See [report on NTBCC website](#)

10.a Update on implementation of LEZ

- R Price: it was suggested that NTBCC responds to the TEC report, but this is a 'holding' report so it may not be urgent.
- F Banatvala: the W Hotel should not be allowed to evade its obligations on pedestrian access.

10.b Transport and Environment Committee Meeting Agenda – 15 August 2024

No discussion

10.c Communal Bin Review – residential amenity workshop – 16 September 2024

No discussion

10.d East London Street Traffic – Green Street workshop – TBA

No discussion

10.e Street cleansing report

See [report on NTBCC website](#).

- P Williamson: there is not much momentum to handle such issues strategically, yet there is a lot of weeds and litter. There is also an ongoing graffiti issue. NTBCC should decide how it will tackle such matters
 - A resident: I have swept my road for 2 years now. I would like to set up a community group to further this. [I WILL SEND CONTACT DETAILS ETC TO NTBCC](#).

11 Councilors' reports

- Cllr Mowat: the bin strike suspended during negotiations. Any future industrial action will be after the festival

12 Any other business

- No matters raised
- [ACTION: NTBCC TO PUT TRANSPORT AND ENVIRONMENT MATTERS AT THE START OF THE SEPTEMBER AGENDA.](#)