

Minutes of New Town & Broughton Community Council's ordinary meeting, via Zoom, on Monday 9 September 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
2.b row 3	Cllr Caldwell	Pursue reinstatement of bin posters and codes, and of all bins getting fullness-detectors
2.b row 4	Cllr Mowat	Keep NTBCC informed of any progress with changes to CEC licensing software
2.b row 6	Cllr Caldwell	Check whether Edinburgh Atlas shows land that might suit 'right to grow'
3.b	M Birch	Arrange a meeting to decide NTBCC's response, including non-NTBCC members
4.a	M Birch	Share website responses about service 13 bus with CEC cllrs (done just after meeting)
4.a	M Birch	Post a link to the draft Princes St and Waverley Valley strategy on NTBCC's website
4.a	M Birch	If necessary, make a verbal deputation about George St to TEC.
4.a	Cllr Mowat	Take up with CEC officers the example of the New Room tables and chairs on Leith St
4.b	M Birch	At the bin-hub workshop, suggest that cleanliness and maintenance are part of amenity, as well as effective pavement widths
4.c	Cllr Caldwell	Report back from a meeting this week with the trams team about Annandale St issues
5.b	R Price	Submit comment about ESF food-truck application requesting temporary permission is given
5.e	R Price	Add a link to Princes Street and Waverley Valley Strategy forthcoming consultation to the website
6.b	Cllr Mowat	Attempt to find if there is a cap to the overall duration of temporary licenses
9	B Ryan	Circulate information about LeithChooses

1 Welcome and apologies

The meeting was chaired by Simon Holledge, NTBCC's engagement officer

1.a Attendance

Fiona Banatvala	NTBCC	Ken Lochrie	NTBCC	Cllr Jule Bandel	Inverleith ward
Mike Birch	NTBCC	Joe McAdam	NTBCC	Cllr Jack Caldwell	Leith Walk ward
Annick Gaillard	NTBCC	Susan MacInnes	NTBCC	Cllr Finlay McFarlane	City Centre ward
Stephen Hajducki	NTBCC	Richard Price	NTBCC	Cllr Joanna Mowat	City Centre ward
Deirdre Henderson	NTBCC	David Renton	NTBCC	Alan McIntosh	Broughton Spurtle
Simon Holledge	NTBCC	Bruce Ryan	minutes secretary	~10 residents/visitors	

1.b Apologies

Stewart Mills NTBCC | Nick Reid NTBCC | Peter Williamson Inverleith ward

2 Minutes of August 2024 meeting

2.a Approval of minutes

Accepted as-is (proposed A Gaillard, seconded K Lochrie, ND)

2.b Matters arising/actions from previous meeting

Row	Item	Actor	Action	Status
1	3.a	Cllr Mowat	Check whether CEC can email permit holders about filming	Complete – see below
2	3.a	K Lochrie	Review latest version of plans, and liaise with the film company	In progress – see below
3	4.a.i	Cllr Caldwell	Ask CEC to add report-line phone numbers and/or QR codes to bins	Complete – see below
4	4.a.i	Cllrs Mowat, Caldwell	Chase for updates on changes to CEC licensing software	Complete – see below
5	8	A Gaillard	Publish NTBCC licensing report	Complete – rolled in this month's report
6	9.a	Cllr Caldwell	Check whether Edinburgh Atlas shows land that might suit 'right to grow'	Held over
7	12	NTBCC	Put transport and environment matters at the start of the September agenda	Complete

Row 1: The response to Cllr Mowat was that the filming company has letter-dropped to residents. It may be possible for CEC can email residents but CEC does not control the relevant data so in practice this is unlikely.

Row 2: K Lochrie has asked the film company to provide a summary of how things went. In the meantime, filming seems to have been unproblematic for both the company and the majority of residents.

Row 3: Cllr Caldwell has discussed with Gareth Barwell (CEC interim director of place). If each bin had its own QR code, there might be issues. However GB is very open to reinstating the previous 'same poster and barcode on each bin'

scheme. It appears that the majority of bins in Leith Walk ward no longer have these. Also most bins have fullness-detection sensors, so it is worthwhile ensuring that all bins do. [THE CLLR WILL PURSUE THESE MATTERS.](#)

Row 4: Cllr Mowat was told that there is a hiatus in the project so it can be rescoped. Hence changes are not likely to happen soon. [THE CLLR WILL KEEP NTBCC INFORMED.](#)

3 Chair's report

3.a Community Council Elections update

- S Hollidge: it is likely that elections will be in February 2025 but this has to be decided by full CEC on 26 September.
 - Cllr Mowat: it is not yet clear whether February is the beginning of the process or the actual voting date.

3.b Edinburgh World Heritage Trust update

For context, see [report on NTBCC website](#). All points made by M Birch unless otherwise noted.

- M Birch: last week, EWHT held two meetings about its plans for governance and stakeholder engagement: one with CCs, the other with residents' associations (RAs).
 - Concerning governance, EWHT has been working with Lindsays (lawyers) to develop new articles of association. These would restrict membership to only directors/board trustees, omitting residents' associations, ex-trustees etc. The significantly smaller membership would have voting/decision-making powers. The draft new articles are to be presented for adoption at the AGM of existing members on 7 October. The details of the draft articles have not been seen by CCs or RAs.
 - Concerning stakeholder engagement and the management plan, a new oversight group (OG) would be created. The OG would include relevant CCs, and have a role in future management of the EWH site. This role, and the OG's relationship with the steering group (CEC, EWH, Historic Environment Scotland) are not yet clear.
 - EWHT wishes to increase the level of stakeholder engagement, but the aims and methods of this are not yet clear.
 - Hence attendees at last week's meetings were highly disappointed: in particular about governance moving in the 'wrong' direction' and disenfranchisement of RAs from running EWHT. This was established from the New Town RA and the Old Town RA, i.e. when originally created, EWHT represented residents' views.
 - In view of recent discussions, NTBCC must decide its response to the proposed changes before 7 October.
 - Minutes of EWHT 2023 AGM and last four board meetings are now on its website.
 - F Banatvala: considering relatively recent history, should we go to UNESCO about this? How can residents' voices be heard?
 - M Birch: this is an option but it is likely that UNESCO would be more interested in the management plan, not the articles of association. There is a difference between the running of the trust and management of the site. Arguably the OG provides a voice for residents but it is not yet clear whether this voice will be heard. NTBCC should also engage with CEC planning committee to make sure that changes are effective. It is not known why EWHT wishes to move in these directions except that the articles have not been changed since 2006, and wished to use external expertise (i.e. Lindsays). Updates to the management plan should go before CEC committee in November.
 - J Raven: good governance of EWHT is key to it action to create a desirable centre for Edinburgh.
- [ACTION: M BIRCH TO ARRANGE A MEETING TO DECIDE NTBCC'S RESPONSE, INCLUDING NON-NTBCC MEMBERS.](#)

4 Transport and environment matters

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

4.a Transport and environment committee meeting agenda – 12 September 2024

- It is very welcome that CEC plans to continue service 13. [I WILL SHARE RELEVANT WEBSITE RESPONSES WITH CEC CLLRS.](#)
 - J Raven: the 13 timetable has been changed so that it is no longer useful for school pupils.
- [I WILL POST A LINK TO THE DRAFT PRINCES ST AND WAVERLEY VALLEY STRATEGY ON NTBCC'S WEBSITE.](#)
- NTBCC is meeting with the George St CEC officers tomorrow. If issues remain, [NTBCC WILL MAKE A VERBAL DEPUTATION.](#)
- The proposed increase from 1.4m to 1.5m free space around tables and chairs is very welcome. However, this is the absolute minimum under Edinburgh Street Design Guidance, which recommends 2m (3m on busy streets).
 - Cllr Bandel: it is not good that there is an absolute minimum and yet a larger desired minimum which is not followed. I had asked for information on footfalls to define 'busy' streets and then apply 3m rules as appropriate.
 - R Price: does CEC checked that business stick to what they have been permitted, and enforcement takes place?
 - Cllr Mowat: from businesses complaining about enforcement, it does take place. There has been at least one withdrawal of a permit because the business could not meet the 1.5m requirement. I will take up with CEC officers the example of the News Room on Leith St.
 - A Gaillard: the News Room issues is compounded by planned planters etc: see [planning application](#).
 - J Raven: on George IV bridge, the issue is with bollards, not tables and chairs.

4.b Communal Bin Review – residential amenity workshop – 16 September 2024

- I will attend a workshop on 16 September about residential amenity with regard to bin hubs. At the meeting, [I WILL SUGGEST THAT CLEANLINESS AND MAINTENANCE ARE PART OF AMENITY, AS WELL AS EFFECTIVE PAVEMENT WIDTHS.](#)

4.c East London Street traffic – Green Street workshop – Annandale Street Closure

- Cllr Caldwell: at the end of June, CEC officers asked Leith Walk cllrs for feedback on a draft plan. I have not heard back about this since then but it's still on the TEC rolling actions log. However, I don't know whether the workshop has yet happened.

- M Birch: the trams team informs me that there is remedial work to be done by the contractor, requiring closure of Annandale St but is not clear when or how long this will be.
 - Cllr McFarlane: I understand CEC will be working on flowerbeds and other snagging matters between September and October, then charge back the contractor.
 - M Birch: that is different – this Annandale St work is due to something collapsing under the street.
 - Cllr Caldwell: there will be a temporary or emergency TRO to enable this work. Leith Walk and City Centre Cllrs should collaborate on this. The box-junction paintings outside the Youth Hostel in this area need to be completed.
- I WILL REPORT BACK FROM A MEETING THIS WEEK WITH THE TRAMS TEAM.*

4.d Number 13 Bus Service – Outcome of [NTBCC WEBSITE POST](#)

See above

4.e Experimental Traffic Regulation Orders – NTBCC Response

- Concerning ETRO 21/28A, the cycle path on the south of London Rd does not join with other nearby cycle paths, e.g. the path outside Toppings, so cyclists have to go onto the main carriageway. NTBCC should reiterate its concerns in the ETRO process.
 - A Macintosh: does the ETRO about Broughton St cover only parking and loading/unloading or does it also cover cycle lanes on Canonmills and Broughton St? Would a submission by NTBCC accept or reject all that is proposed?
 - M Birch: NTBCC has comment previously that some parts of the measures here are welcome but others do not make sense. It is not clear why TROs remain in place. It is not clear how the success of experimental TROs will be determined. In the TRO process, objectors can state which aspects they object to.
 - S Hajducki: widening of pavements appears to negate the intermittent short stretches of cycle lane. NTBCC should point out that there is a national cycle route nearby, so cyclists do not have to venture onto Picardy Place.
 - M Birch: Dublin St is not good for cycling, even though it does join with other cycle routes.

5 Planning update

All points made by R Price unless otherwise noted.

5.a Forthcoming PAN on changes to approved scheme for the former RBS site (details TBA)

- The developers (Ediston) are struggling to create a viable build-to-rent development due to lack of investors, along with a new PAN and planning application. Hence Ediston now plans a development focussing on purpose-build student accommodation (PBSA) and mid-market residential use rather than ‘class 4’ offices. The gross massing and height would not change from the already-consented plans. More details and some Twitter discussion are in [The Spurtle](#). Ediston is happy to make a presentation to NTBCC, and plans to make a PAN exhibition at Broughton St May’s soon.
 - CEC has refused a previous PBSA application, but this was because of the planned building, not the planned PBSA use. The current CEC refusal bar is more than 50% of population being students within 800m of the proposed new building, so it is not impossible this proposal will fail this test. However, in general it is hard to object to proposed developments simply because they would be PBSA. However, student numbers are decreasing, so overall PBSA-based viability may decrease. This may cause a need for later conversion to normal residential use, which is not financially viable.

5.b Current applications at [Calton Square/Leith Street](#), including [Edinburgh Street Food proposal \(24/03724/FUL\)](#)

- NTBCC has submitted a basically neutral comment on the Baillie Gifford proposals, but is concerned about the magnitude of façade removal. (LCCC objected; the Cockburn Association also submitted a comment).
- Concerning the ESF market, it is possible to comment on this application until 20 September. ESF wishes to legitimise siting of food trucks in the courtyard near the Omni Centre. There is also an enforcement notice against the neon sign: ESF has not moved this despite being told to do so. Hence I am not confident that ESF will respond to the world heritage site requirements. I suggest that NTBCC submits a request that permission is given for 1-2 years, not in perpetuity.
 - A Macintosh: four units are described in detail in the application but they are applying for permission for 5 units. In August, ESF was refused permission to erect a vinyl advert inside the Omni, but did so anyway.
- *ACTION: R PRICE TO SUBMIT COMMENT AS SUGGESTED.*

5.c Update on applications at 1 Gayfield Square

- Residents are concerned about the long-term intentions of the applicants. The recent application by [StreetAssist](#) to use this building 8pm to 4pm on Fridays and Saturdays was refused due to environmental protect and residents’ amenity concerns, but the applicants have appealed.
 - Cllr Mowat: an appeal to the local review body was dismissed.
 - A Gaillard: StreetAssist is a real organisation supporting the police’s and the NHS’s work for vulnerable people.

5.d Recent decision at 40 London St (23/06869/FUL)

- This is one of many STL applications by Contour Town Planning. There are over 20 notes of support, but these appear to not show why their submitters support the application, and we cannot see such details. Hence this application has bypassed the local review body and gone to the Scottish Government reporter/DPEA.

5.e [Princes Street and Waverley Valley Strategy](#): forthcoming consultation

- See also the [NTBCC transport report](#). This is, I believe, an aspiration and interesting read. *I WILL ADD A LINK TO THE WEBSITE.*

5.f **Consultations update: [Developer Contributions](#) (closes 17 September), update to Development Plan Scheme (City Plan 2030) & forthcoming consultations (Edinburgh Design Guidance, Listed Building & Conservation Areas & Guidance for Householders)**

- This consultation, which closes soon, is about non-statutory guidance for City Plan 2030, and covers how to calculate developer contributions. CP2030 is likely to go to the next full CEC meeting but is awaiting input from the Scottish Government. Consultations on other non-statutory guidance will take place later in 2024.

5.g **[Conservation and Adaptation](#) initiative update (Appendix 3: Business Bulletin)**

- This follows on from a relatively recent initiative on how listed buildings and buildings in conservation areas can be adapted to net-zero requirements. This will go to CEC planning soon. The aim is to move the initiative into non-statutory guidance.

6 Licensing matters

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

6.a **[Consultation on STL licensing](#) – Closes 17 October**

- I have drafted a response to the consultation on STL policy. It is possible to grant part licenses, as opposed to planning where permission is 'all or nothing'. Concerning the consultation's areas of focus
 - 'secondary letting' is commercial letting, as opposed to home letting and home sharing.
 - 'temporary exemptions' are about lower barriers to obtaining licenses.
 - 'mandatory condition 13' is to do with associated planning permissions for secondary letting. There are concerns about when this covers temporary licensing or certificates of lawfulness for continued secondary letting.
 - 'additional conditions' are about CEC's extra conditions, e.g. presumptions against granting on communal stairs
 - 'public register of STLs' is about the Ciivica system that is anticipated.

The key point is secondary letting: some applicants appear to have used home sharing or home letting as a cover for secondary letting. Hence there needs to be focus on applicants' actual main homes.

6.b **Other licensing matters**

- There are concerns about the number of Environmental Health Officers in Edinburgh, including succession planning.
- Edinburgh's Trusted trader Scheme has received positive feedback.
- R Price: recently CEC licensing considered applications for the Fly Festival and Oktoberfest. Were notifications issued?
 - No: emails are not issued about applications for public entertainment licenses.
 - Cllr Mowat: there is no right to object to such temporary licenses. I WILL ATTEMPT TO FIND IF THERE IS A CAP TO THE OVERALL DURATION OF TEMPORARY LICENSES. The longest-lasting temporary licenses I know of are for the Christmas markets.
 - S Holledge: the Fly organisers have offered to meet NTBCC but nothing has yet transpired. We have got the Fly to stop using propane flares. Noise problems have been exacerbated by amplified busking outwith the Fly.
- The next statement on alcohol overprovision is due to be ready in January 2025.

7 Culture and communities matters

7.a **Planned walkabout – First New Town – 28 October 2024**

- S Holledge: this would cover residential streets, i.e. not George St

8 Councillors' reports

- No points raised

9 Any other business

- D Henderson: I think that the Police were doing a sting operation on cyclists acting illegally yesterday evening in Dublin Street. There was a police car at the corner with Abercromby Place, a car at the end of Dublin Street Lane South and one on Queen Street. I could see a police officer speaking to a Just Eat driver on York Place. I had to force a Just Eat electric cycle driver off the pavement in Dublin Street earlier in the day.
 - Cllr Caldwell: currently there are active police operations on e-bikes and e-scooters. Leith community policing team is also conducting operations. There are strict legal caps to e-bike powers.
 - ACTION: B RYAN TO SHARE PIECE BY CYCLING UK ON E-BIKE DEFINITIONS AND RESTRICTIONS.
 - A Macintosh: there is a ongoing problem with young teenagers cycling around the Wellington monument on Princes St and being aggressive nuisances, especially if challenged.
- M Birch: NTBCC did not receive a police report this month.
- B Ryan: LeithChooses is now open for applications – see <https://www.leithchooses.net/eithchooses-2024-2025-is-open-for-applications-now>. This is relevant to NTBCC because part of NTBCC's area is in the Leith Neighbourhood Partnership/Network area. (Projects must be aimed at supporting people in the LeithChooses area.) I WILL CIRCULATE DETAILS
- R Price: is there any interest in doing a litter pick in Picardy Place? It's a mess.