

THE SOUTHSIDE ASSOCIATION

117 Nicolson Street
Edinburgh
EH8 9ER

Founded 1972

Scottish Charity No SCO12262

Minutes of meeting held in the South Side Community Centre on Tuesday 7 January 2014, at 7pm

PRESENT: Lisa Sibbald (Chair), Margaret Bagan, Tom Bonallo, Susan Brown, Colin Christison (Secretary), Moira Gibson, James Gilmour, Bob Hodgart, Nancy Jamieson, Tom King (Vice-Chair), Isobel Leckie, Kenny McLeod, Ethel Murray, Tim Pogson, Molly Ross, Jo Scott, Keith Smith, Pamela Spiers, Derek Suttie, Random Switch, Ola Uduku, PC Graham Watt, and David Wood.

1. Welcome and apologies for absence

Lisa Sibbald welcomed everyone to the meeting. Apologies for absence were received from Vera Anderson, Caroline Barr, Sarah Boyack MSP, Linda Femister, Sheila Gilmore MP, May Linton, Sandra McCormick, Hilary McDowell, George Pitcher, David Raine, Louise Smith, and Marjory Watson.

2. Police Report

Lisa welcomed PC Graham Watt. There were very few incidents to report from the Southside. From 13 January community officers will have more responsibilities; police cars will continue to deal with Grades 1 and 2 calls (major crimes inc thefts and assaults), but the remainder of the grades will be covered by the community officers, on foot, in an area from Parkside to Pleasance and Dumbiedykes, Buccleuch and parts of the University area, and the Nicolson St-Minto St corridor, but not the Meadows. PC Watt would be moving to the Morningside area, but PC Kenny Hall would continue in the Southside, as one of a team of 10 community officers. These officers would have the use of a 'diary car' to take them to fulfil appointments made by members of the public. Five sergeants would be responsible for the area, and they would be based at St Leonard's and Howdenhall stations. There were a few questions from the floor, including a query about why police officers in cars don't stop when there are obvious parking violations, such as parking on double yellow lines, footpaths, on zigzag lines, etc. It was explained that there could be a number of reasons why the patrol vehicles don't stop (responding to a call, transporting a prisoner for instance), and that although they will deal with obvious obstructions, they don't have the power to give parking tickets, which is the responsibility of the wardens.

Lisa and the members thanked Graham for his attendance over the years, and wished him well for the future.

3. Guest speaker: Nancy Jamieson, Planning

Lisa introduced Nancy Jamieson, the Acting Development Management Manager, Planning and Building Standards, in the Services for Communities department of the City Council.

Nancy gave a talk entitled 'How Planners Make Decisions', and she started off with some facts and figures:

- Every year the city's planning department deals with about 5000 applications (one of the busiest in Scotland, similar to Highland Region, and about 2000 more than Glasgow)
- Excluding major applications, 80% of all applications are dealt with within 2 months
- 90% of householder applications are dealt with within 2 months
- About 92% of applications are decided by Council Officers rather than councillors
- Performance is analysed by the Scottish Government

She went on to discuss the decision-making context, mentioning that decisions can be subject to judicial review and set aside if not determined by statutory tests (which are set out in legislation). Decisions can also be subject to appeal or review. The main test is that if the application complies with the development plan, it will be granted, unless there are compelling reasons why it should be refused. If the proposals harm the character or appearance of conservation area there is a strong presumption against the granting of permission. The development plan and guidance is to be found in the city's strategic development plan 2013, in the statutory policies of the Edinburgh City local plan, in Edinburgh Planning Guidance, and Government Guidance.

Nancy said that material planning considerations are

- the use of a building
- the design (form, appearance, materials, massing, scale, and density)
- the amenity (privacy, overshadowing, noise, open space)
- sustainability
- landscape and biodiversity
- historic context
- parking and access
- developer contributions (developers may be asked for contributions towards, for example, affordable housing, schools, and trams)
- and the likelihood of success at appeal.

Non-material planning considerations are

- loss of value
- land ownership
- loss of private view
- structural issues
- precedent
- development not needed

The Scheme of Delegation gives the Head of Planning delegated powers to approve or refuse applications. If more than 6 representations are in conflict with the recommendation, the application is decided by councillors. A councillor can ask for an application to go to committee for a decision. Contentious or complex applications will normally go to committee.

Nancy referred to planning enforcement. A breach of control is not a criminal offence. Action should always be commensurate with the breach of planning control to which it

relates. There are wide discretionary powers. Decisions should be taken quickly. Retrospective applications are accepted.

There followed a wide-ranging discussion, especially about matters concerning the amount of student accommodation in the Southside and about how the proportion of students numbers has risen over the years, with fears being expressed that the whole sense of community will become eroded. There was no requirement in law for any provision for social housing to be included in new or renovated student accommodation blocks. It was noted that under the conditions of the Local Development Plan the datazone proportion for student accommodation should not exceed 30%, throwing the recent planning application for Lutton Court into doubt, as it was now claimed that the proportion could be as much as 48%. It was clear that there are widely differing views on the importance and value which the various academic bodies have for residents. It was felt that the economic regeneration of the Southside should be much more balanced, with more social housing, and less student accommodation, and that such regeneration should be achieved through planning. The quantity of HMO licences was discussed. There was a feeling that information from the UoE was given as a *'fait accompli'* and that residents would be happier if they were involved earlier.

It was pointed out that there are four universities in the city, and that unlike developers, they are not profit-making organisations; that some of the student accommodation is used for conferences and festivals outside term time, meaning economic benefit for the city; that controlled and managed accommodation, staffed by university officers, can limit the potential for misbehaviour; that post-graduate students often get jobs in the city and are attractive to inward investors; that thousands of local jobs depend on the establishments (the UoE is the third largest employer in the city, employing over 12,000 people); and that the UoE acknowledges that some people think that the sense of community is threatened by students, so it works with various groups to try and achieve a better mutual understanding, and is keen to do more to address concerns.

The question of affordable housing, and how it is legislated for, was considered. It was noted that the issuing of statutory notices for common repairs is not under the scope of planning. It was also noted that there was no firm news about the future of the former *Odeon* cinema.

Lisa and the members thanked Nancy for attending the meeting.

4. Minutes of meeting of 5 November 2013, and matters arising

Subject to the omission at Item 5.3, where Susan Brown had suggested that a speaker from the University of Edinburgh should be sought, and the correction at Item 7.3, where 'Buccleuch St' should read 'Chapel St', the minutes were agreed; proposed by Isobel Leckie and seconded by Tom King.

- 4.1 Item 5.4 (Christmas Carol Service etc) - once again, very well-attended and successful, with dry weather. Thanks to all who helped on the day and beforehand.
- 4.2 Item 8.3 (Capital Roads Project) – the following submission was made: *repair roadway at the junction of East Crosscauseway and Howden Street. The road surface is in need of reinstatement because of potholes and broken and displaced setts. There is a lot of heavy traffic there mainly from Council vehicles including heavy water-filled road sweepers which operate from the Council premises in Cowan's Close. Ideally repairs could be made from the junction as far as the south entrance*

to Haddon's Court. The meeting to determine which application(s) from the SCNP area will be held in March or April.

- 4.3 Item 4 (matters arising (4.3)) - it was again stated that as far as is known, none of the local churches participated in the overnight accommodation for the homeless scheme.
- 4.4 Item 11.1 (Crisis Christmas Lunch) – Susan Brown reported that she and Derek Suttie had attended this event in the Community Centre on Christmas Day, and said that it had been very successful, with about 60 volunteers present. The charity Crisis hoped to repeat the event.

5. Secretary's Report

- 5.1 The guest speaker at the February meeting will be Dermot Patterson from LDN Architects, who will outline proposals for the refurbishment of the McEwan Hall.
- 5.2 The SCNP Community Grants fund has £8904 left, which has to be used by the end of March; eligible applications are invited.
- 5.3 The SCNP and the University of Edinburgh are holding a 'Students in the Community event' on Wednesday 29 January in the Debating Hall of Teviot House. This celebrates the students' contribution to the community through volunteering.
- 5.4 Sheila Gilmore MP had sent a Christmas message to the group, with a reminder that she is keen to help with its work.
- 5.5 It was noted that the Old Town Community Council had folded in December.

6. Treasurer's Report

The Treasurer was not present.

7. Planning and Licensing Matters

- 7.1 Objection lodged in November to a 1am LHC licence at 29-33 Newington Road (the Apiary); however the application was granted.
- 7.2 (from October minutes) – “Noor Indian Takeaway, 56 South Clerk Street, Edinburgh, EH8 9PS has an application for a 2am late hours catering licence; it was agreed to object.” The decision was made at meeting on 15 November but we have not been notified about it.

8. Environmental Matters

- 8.1 Cycle Route Proposal for Meadows to Innocent Path – detailed submission made and acknowledged. Copies available.
- 8.2 Pollock Halls to Fountainhall Road/Ratcliffe Terrace cycle improvements. The Council is in the early stages of investigating the potential for a cycle scheme to connect Pollock Halls with the Quality Bike Corridor route, which runs from George IV Bridge

to King's Buildings, as well as a 'family friendly' route to Morningside. Street surveys will be carried out for two weeks commencing 20 January.

9. Reports from meetings attended

- 9.1 South Central Community Safety Priority Group, held on 4 December, and attended by George Pitcher. Minutes available.
- 9.2 CLD Meeting held on 4 December, and attended by Lisa Sibbald. There had been discussions regarding janitorial hours which could affect the opening hours of community centres. The Council admits that the current sharing of janitors between two venues is not working, and they are reassessing the matter.
- 9.3 Community Empowerment (Scotland) Bill meeting, held on 12 December and attended by Lisa. This Bill, going through the SP, is to give communities more say in the way things are run, and advice on how they can take over redundant Council buildings for example.

10. Question and Answer session with the attending Councillor

Disappointment was expressed that no Councillor was present, or any apologies sent.

11. Any other business

- 11.1 Edinburgh Local Development Plan. Update available on www.edinburgh.gov.uk/localdevelopmentplan

12. Date of next meeting

Tuesday 4 February 2014.