

Tollcross Community Council Notice of Meeting and Agenda

Wednesday 26 September 2018
6.45pm Tollcross Community centre
Room 5

Members of the public who live in the Tollcross Community Council area are very welcome to attend our meetings (see map of area on inside back page)

Contact Tollcross Community Council via:

<http://www.tollcrosscc.org.uk/> | [@TollcrossCC](https://twitter.com/TollcrossCC) | sec@tollcrosscc.org.uk

Privacy Notice

Tollcross Community Council collects personal data in order to fore fill our duties in regards to Community we serve.

The Data Protection Act 1998 regulates how we use personal information you provide. Personal information includes details such as your name and address, and any information you provide that is necessary for the Tollcross Community Council to operate.

Sharing your information:

The meetings of of Tollcross Community Council are considered public records and will be minuted and archived in line with our policy on records retention. These minutes may be published on our website. If you do not wish your name to appear in any published minutes, please let us know at the meeting.

On occasion, we may/will be required to share this information with City of Edinburgh Council so that we can process your enquiry or complaint. Without this information, we would not be able to process your enquiry or complaint.

Wherever possible we will inform you of any data sharing before it occurs. In some circumstances, we may seek your views for specific data sharing.

There may be occasions where the law requires us to pass information about you to the police or other law enforcement agencies. It may not be possible to advise you of this in these instances. Information will only be shared in these circumstances if it meets the criteria set out in the Data Protection Act 1998 or other relevant legislation.

Your information rights: You have the right to make a request to get a copy of the personal information that we hold about you. You can also ask us to correct your personal information if it is incorrect. You can contact us for details about how to do this.

Contact name for data protection issues: **Andrew Brough, Chair of Tollcross Community Council.**

Email : **andrewbroughtxcc@gmail.com**

Tollcross Community Council

Agenda Wednesday 26 September 2018

Tollcross Community Education Centre 117 Fountainbridge

The Meeting will close start at 6.45pm and close at 8.45pm.

- 1. Welcome & apologies –**
 - a. **AOCB**
- 2. Declaration of interests.**
- 3. Police matters – With local Police Scotland Community Officer.**
- 4. Minutes Wednesday 29 August 2018 –**
 - a. Matters arising.
 - b. Acceptance.
- 5. Tollcross CC area matters:**
 - a. **Kings Theatre – With Duncan Hendry**
 - b. **Leamington Bridge (see letters/reports below) - AB**
 - c. **EACC update (Thursday 6 September 2018) – RC**
 - d. **Edinburgh Partnership Review response – AB**
- 6. Councillors' Comments & Questions.**
- 7. Planning – PB.**
- 8. Licensing – RC**
- 9. AOCB – EACC AGM nominations**

Our next meeting of Tollcross Community Council is:

Wednesday 31st October 2018 @ 18.45 in Tollcross Community Centre

Tollcross Community Council
Minutes of the Extra-ordinary General Meeting of Wednesday 27 June 2018 at 7pm
Tollcross Community Education Centre
117 Fountainbridge

1. Welcome

Present: Fiona Allen, Richard Allen, Paul Beswick (Treasurer), Iain Black, Andrew Brough (Chair & Secretary), Roger Colkett, Chris McGregor, Liz Summerfield, Ann Wigglesworth

Police: PC John Pennycook **CEC Councillors:** Cllr Miller was scheduled to attend, but Cllr Mowat attended as her substitute **Members of the public:** Saty Kaur, Michael Lister (Minute Taker), Andreas Wilhelm

Apologies: Cllr Miller, Andy Devenport, David Liddle

The Chair reported on the changes at Tollcross Community Education Centre and that meetings would now need to conclude by 8.45pm.

At the request of the June meeting, an EGM had been called to elect new Community Councillors to Tollcross Community Council. The Chair explained that because the next cycle of Community Council elections were due to take place next year, the appointments made this evening would run for a period of one year. The Chair introduced Andreas Wilhelm and Saty Kaur who both wished to stand for election.

2. Election

The Chair moved that a vote be taken, and both Saty Kaur and Andreas Wilhelm were elected unanimously as new Community Councillors. The Chair congratulated them on their election and welcomed them to the Community Council.

The Chair then explained about various bodies and organisations whose meetings community councillors are permitted to attend to represent the interests of the Community Council and that he and the new councillors would confer about such memberships.

It was pointed out that the new councillors should join the Google group and that those other community councillors not yet participating in the group should be encouraged to do so.

On the subject of the Chair's joint role as Secretary, the Chair enquired if Saty Kaur would be happy to take on the role of Secretary. She was, and her appointment as Secretary was agreed unanimously.

The meeting closed at 7.20pm

**Tollcross Community Council
Minutes of the Meeting of Wednesday 27 June 2018 at 7.30pm
Tollcross Community Education Centre
117 Fountainbridge**

1. Welcome

Present: Fiona Allen, Richard Allen, Paul Beswick (Treasurer), Iain Black, Andrew Brough (Chair & Secretary), Roger Colkett, Saty Kaur, Chris McGregor, Liz Summerfield, Ann Wigglesworth, Andreas Wilhelm

Police: PC John Pennycook **CEC Councillors:** Cllr Miller was scheduled to attend, but Cllr Mowat attended as her substitute **Members of the public:** Michael Lister (Minute Taker)

Apologies: Cllr Miller, Andy Devenport, David Liddle

The Chair welcomed everyone to the August ordinary meeting.

2. Declaration of interests – none

3. Police Matters – The Chair welcomed back PC Pennycook to the meeting, who gave his report on crime incidents for the previous month. Of the 295 calls received in the period, 52 were reportable crimes, 10 of which had been solved. In the immediate area, there had been 12 reportable crimes, including a break-in to a house-boat; an alcohol-related minor assault in Grove St; two attempted thefts of motor-cycles; arrest of a male for assault and breach of bail; one case of internet extortion; a spate of vandalism to vehicles; and one high-profile incident that resulted in the death of a local trader.

In addition to Operation Heddle (Part 3) on cycle safety and security, there had been a successful education day (Operation Fledgling) on shared space at the canal, concerned with speed and safety. This event had produced an astonishing 23 000 interactions on Twitter.

PC Pennycook took questions about a few matters on which he regrettably had no information, as these fell outside his policing area, but said that he would contact the Chair about a serious assault that had taken place near the King's Theatre on 1st July.

ACTION – PC Pennycook to contact the Chair.

PC Pennycook announced that he would be taking up a new post in October at the Scottish Parliament and that it was not certain that he would be able to attend the September ordinary meeting of TXCC. The Chair took the opportunity to congratulate PC Pennycook on his new appointment and to thank him for his attendance at our meetings and to wish him well in his new post at the Scottish Parliament. The Community Councillors endorsed these sentiments and also wished to have their thanks to PC Pennycook recorded. With regard to a replacement officer to attend future meetings, there was some discussion about whether it would be possible for Police Scotland to send a Community Officer who was specific to the immediate Tollcross area.

ACTION – Chair to write to local Inspector to request this.

4. Minutes of the meeting of 27 June 2018 –

- **Corrections – none**
- **Matters arising – Item 7. Planning – action point.** Paul Beswick and Roger Colkett were still to contact Cllr Doran about an explanation of ‘economic benefit’ criterion. **ACTION – Paul Beswick and Roger Colkett**
- **Acceptance** – proposed by Andreas Wilhelm and seconded by Paul Beswick, the Minutes were accepted as correct.

5. Tollcross Community Council area matters –

- **Golf Starter Hut on Bruntsfield Links** – the Chair updated the meeting on this matter, while Cllr Mowat explained the eccentricities of the planning system.
- **Licensing Forum Consultation** – Roger Colkett highlighted various issues surrounding the definition of ‘areas of over-provision’, the matter of public health, the difficulties regarding the use of data zones for licensing purposes, as well as the related matter of amplified music on premises within residential tenements. There followed a detailed discussion about these issues. **ACTION – Roger Colkett to prepare a draft submission for discussion on the Google group.**
- **Edinburgh Partnership Consultation** – the Chair pointed out that the only representation the governance of the new localities allow to Community Councils is via the deputation route and that this is un-satisfactory. It was decided that the Chair and the Secretary are to confer on this and to make a submission on behalf of TXCC to the consultation, and will circulate draft via Google group for comments. **ACTION – Chair and Secretary.**
- On a related matter, it was said that as a consequence of the creation of the new localities, the previously centrally-located Council offices on the High Street have been moved to Captain’s Road and are therefore now at a considerable distance from the City Centre. It was felt that this remoteness is not desirable. **ACTION – Cllr Mowat to make enquiries about this and will report back to the Chair.**
- **Tollcross Community Education Centre** – Richard Allen spoke to this matter, amplifying on the points he had made in his report on the Building Engagement Group meeting of 7 August. **(See August papers previously circulated.) ACTION – Cllr Mowat to look into the matters relating to the school gym and canteen. ACTION – Richard Allen to provide Cllr Mowat with his contact details.**
- **Community Council meetings, attendance and reports** – the Chair reminded the meeting of the need for timeous submission of reports to facilitate the preparation of meeting papers.

6. Councillor's Comments and Questions – Cllr Mowat who had contributed to earlier discussions in Item 5 above (Tollcross Community Council area matters) reported that she had been involved in a number of Committee meetings in the last week.

She referred to the City Council’s forthcoming review of the Festival and Fringe (in October or November) saying that it was essential to start a discussion on how to manage the impact that the Festivals make on the city. There followed a discussion about the need for the Council to encourage events promoters to pay the living wage, about how the review would be carried out and what issues the Council would need to address. Regarding the participation of CEC Councillors in our meetings, Roger Colkett raised the question of the rota. It was remarked by the Chair that while the rota was working fine, it was the Councillors who were not working properly. It was pointed out that one of the Ward 11 Councillors only rarely attends our meetings, and that another had attended only two meetings in the past five years. It was felt that this is not good for local democracy.

7. Planning – Paul Beswick reported on the following matters:

- **Ref: 18/02937/FUL** – demolition of No. 1 George Square and the erection of a new building to provide accommodation for the University of Edinburgh Student Services. At 1 - 2, & 7 George Square. Also Teviot Row House 22 - 23 Teviot Row. The refurbishment and extension of Teviot Row House to provide upgraded accommodation for the University of Edinburgh Student Union.
- **World Heritage Site Southside Conservation Area Ref: 18/02938/CON** – 1 - 2 & 7 George Square and Teviot Row House 22 - 23 Teviot Row. Substantial Demolition in a Conservation Area. Delegated Decision. Community Council: Southside
- **World Heritage Site Southside Conservation Area Ref: 18/02939/LBC** – demolition of 1 George Square and the erection of a new building. 1 - 2 & 7 George Square Also Teviot Row House 22 - 23 Teviot Row. The refurbishment and extension of Teviot Row House with demolition of existing non-original extensions. Delegated Decision. Community Council: Southside.
- **World Heritage Site Listed Category: B Southside Conservation Area Ref: 18/00722/FUL (Planning Permission)** – 7 GF, 71F, 8, 10, 10A and 10B Lower Gilmore Place. Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm. Glencairn Properties. Committee Decision DEEMED REFUSAL 5 July 2018. Community Council: Tollcross. Appeal Rejected by Reporter
- **Ref: 18/04172/FUL** – 50 Nicolson Street (The La Scala) World Heritage Site Southside Conservation Area Change of Use from Class 11 (Assembly and Leisure) to Sui Generis (Public House) and minor external alterations. JD Wetherspoon PLC. Local Delegated Decision. Community Council: Southside. The application was refused in 2015 on grounds of odour for residents.
- **Ref: 18/04478/FUL** Proposed Change of Use from Class 1, 2 and 3 commercial unit at 125a Fountainbridge to allow Class 11 (gymnasium) as ancillary to the student accommodation use. at 125A Fountainbridge Vita Edinburgh 1 Limited Delegated Decision. Community Council: Tollcross
- **Ref: 18/01088/FUL (Planning Permission)** Improvements to the surfacing/entry to the grassed area and erection of a golfing starter's hut at 30 Wright's Houses. Committee Decision We had objected GRANTED 23 August 2018
- **Ref: 18/00922/FUL (Planning Permission)** Change of Use and Alterations of Class 4 Office to Form Class 7 Hotel at 152 Morrison Street in West End Area. Local Delegated Decision GRANTED Didn't like another hotel but did not object
- 20 August 2018 Sale of Catholic Care Home on Gilmore Place – it was noted that this will represent a considerable loss of social care provision in the city.
- Scottish Widows Office Development (to fill in the circle) – application still to come. It was agreed that it was necessary to seek assurances that the pedestrian/cycle route to Festival/Rutland Square etc (via The Drum) will be kept around the building. It appears that Spokes has made representation about the pedestrian/cycle route.

8. Licensing – Roger Colkett reported that Tesco at Edinburgh Quay wishes to increase its off-sales capacity and that he was minded to object.

10. AOCB – none

11.

The meeting closed at 8.44pm

The next meeting of Tollcross Community Council is on Wednesday 26 September 2018
at the new time of 6.45pm Tollcross Community Education Centre

Letters / reports

1. Action from 29 August 2018 – AB to write to City Centre Inspector, Police Scotland

Good Morning,

My Community Council has asked me to write to you as Inspector for the City centre to put on record our thanks for the services of PC John Pennycook whom is moving to the Scottish Parliament to take up duties there shortly. He has briefed us and kept us informed about issues surrounding our area over the last year or more.

However the Community Council has asked if this time around we might get a Community Officer from the actual area of Tollcross as reading reports and not knowing local issues has been a problem recently.

I know your Officers are incredibly busy but with recent hate crimes in Fountainbridge, a rape on Tarvit Street` and the incident with the shop keeper on Home Street in the last week. With this in mind it would greatly benefit us if we had Officers attending the Community Council who patrol our area and can answer questions on the local issues – something you cannot do with just a report in hand.

Many thanks,

Andrew

Andrew Brough

Chair, Tollcross Community Council

andrewbroughtxcc@gmail.com

[@TollcrossCC](#)

tollcrosscc.org.uk

2. Leamington Bridge

The Community around Leamington Lift Bridge are keen to see the bridge fully re-open as it is a vital crossing point and entry point to Lochrin Basin.

Tollcross Community Council urges Scottish Canals to make repairs as soon as possible to Leamington Lift Bridge. This vital and historic part of the canal - a local landmark is just too precious to let ongoing deterioration go unrepaired. We urge Scottish Canals to make good repairs now before it gets any worse.

3. EACC meeting – Thursday 6 September 2018, 7pm

In common with several others among those attending, I struggled to understand from the agenda just what was going to be achieved by the meeting.

After the usual introductory guff there was an additional item: we were all enjoined to find out the needs of old people in our respective CC areas and pass that information on to the Integration Joint Board (via EACC?); no thought appeared to have been given as to what resources would be available to enable anything useful to be discovered. The IJB probably already knows what old people need but if in doubt it should commission a professionally conducted survey, not set a bunch of unfunded untrained amateurs to assemble an ad hoc collection of anecdotes and subjective impressions.

We then had to try at least to pretend to stay awake during the Chair's address (called, I think, "The Way Forward") which on the basis of my intermittent moments of consciousness took the usual form of a prolonged ramble mostly comprising platitudes and homespun philosophy but also included two suggestions which, following some discussion, were put to what might have been construed as a vote.

The first suggestion was that the EACC's meetings should be peripatetic around the four Localities; the improperly conducted show of hands on this was taken to have indicated a majority for No. The second was that the AGM should take place in a venue where we could be regaled with comestibles (and perhaps even potables?) paid for out of EACC funds; once it was pointed out that such an arrangement would be illegal the discussion which followed regarding AGM arrangements just ran out of steam and no recognisable vote was taken on the matter. There was also an attempt to collect nominations for Office Bearers and Edinburgh Partnership Representative but the overwhelming consensus was that, as CCs had not been asked in advance to identify any nominees, it couldn't be progressed at the meeting and nominations should now be submitted to the EACC Secretary before the next meeting (25th October).

The Secretary acknowledged that it would have been a good idea to have included with the meeting agenda details of what was to be voted on during the meeting.

We then came to what was perhaps the main purpose (however unclearly defined) of the meeting; a discussion on the Edinburgh Partnership Review and Consultation of Governance and Community Planning Arrangements*. One can only speculate as to what was the intention – perhaps the EACC Office Bearers intended to submit a response purporting to represent the consolidated views of all Edinburgh community councils (a good number of which take no part in the EACC). In any case, after some mostly good-natured discussion, it became apparent that there certainly wasn't time to agree a joint response "on the hoof" at the meeting and CCS were invited to send copies of their responses to the EACC Secretary by 9th September (the last date for responses to the consultation)

There was no other business so we all went home or to the pub or . . .

*Maybe I'm getting cynical in my old age but I think it's a bit of a giveaway that it's a Review and Consultation, not a Consultation and Review – the sequence to me indicates that at least subconsciously they'll have made up their minds before looking at any consultation responses. As usual, consultation is an afterthought for appearance's sake only.

4. Edinburgh Partnership Review – response from Tollcross Community Council

Neighbourhood Partnerships and Locality Committees

The proposed future changes for Edinburgh Partnership governance will mean that Community Councils are likely to have little meaningful participation in the following areas: community planning, the specific Locality

Improvement Plan workstreams of employability, Health and Social Care, safer communities, children and young people and the implementing of decisions in local 'Place' issues.

Community Councils currently have equal voting rights with all other members of NPs (elected members and public sector bodies). Concerns have been raised that with the review proposals of NPs Community Councils are slowly being removed from community planning structures and will in effect be excluded from participating in decision-making around service provision and financial spend if NPs are to no longer continue.

Even though NPs are still meeting during the review period, they have gone from being functional groups to merely discussion groups and are experiencing a long and drawn-out slow death by the creation of Locality Committees (LCs) and the transfer of decisions being remitted to the LCs. One example of this is in the South East Locality: Council Officers have been appointed to Ward level to help with gathering grant applications and then passing back to committee for signing off – here the LC has done away with the main community function of the NPs.

It is hard to see how local voices can input into meaningful decision-making in the area they live in. Currently it is a top-down approach with a Locality Management Board with teams that co-ordinate local partnership working.

We acknowledge that the LCs are not 'in scope' of this review as they are Council Committees, but we feel that they still have an active role to play in community planning. We have been advised that Community Councils or community groups cannot sit on these committees at present, and that this means that our voices in decisions affecting the locality are now limited to bringing deputations to committee with no input during debate in committee. We are reduced to giving a speech and answering a few questions and then leaving the committee to arrive at its decisions. We have no place to ask questions on our communities' behalf to help decide on various things that affect our local areas.

We need local input to help resolve local issues and local problems – and from a committee ruling on local issues that few of the public has ever heard of.

Local significance

Community Councils will continue regardless of what governance structure is put in place through this review of the Edinburgh Partnership, but here in Tollcross, as in many parts of the city, community groups are worried that those who live in these areas are having decisions made on their behalf with little place themselves to input or affect these decisions. Unfortunately, the four Locality Committees across the city do not include local residents or local community groups in the decision-making process in committee they are consulted and then the committee make a choice on their behalf. This is not true participation in local decisions and democracy – it is merely process with local groups having no say on the outcome.

To put it simply community bodies should continue to have representation in the new governance of Localities; Community Councils have a statutory responsibility to represent our local communities in the same way that other organisations represent their users, such as tenant groups, Parent Councils and others such as BME groups that are currently not well represented across the localities.

If local decisions are removed from local involvement, then the social cohesion that the Council desires, and which communities demand will continue to fragment and more of the places we live in will become more disparate and less socially and communally connected. There will be no meaningful way in which local communities can engage with decision-making.

As Community Councils, we will be left taking on the concerns of local people without any means of taking forward these concerns. Although we entirely understand the move to partnership working on locality level, we are concerned that the voices of our communities will be left out. A solution to this is needed if we are to continue in partnership with Council.

Moving forward

It is unclear what the governance arrangements that we are being consulted on will be finalised or how they will relate to LCs in the community planning framework. Since we do not know what the decision-making relationship and accountability will be, it is difficult to express a preference on the proposed Locality Partnerships (LPs) shown in the diagram.

It could be that sub-groups be convened below the level of the LCs or LPs, with local groups involved in the planning and implementation of decisions. This would feed back into the main LC/LP, who would still be the decision-makers but would not be overwhelmed by sheer numbers wanting to have their voices heard at the full LCs, which is the case now with several wards and the elected members of each coming to bear on proceedings on the committee.

In order to promote better partnership working, the new arrangements would have to ensure that there was local voices and influence in partnership with all sectors: NHS, Police Scotland, Scottish Fire and Rescue Service and voluntary groups.

The concern here is such arrangements are not articulated in the consultation and that as a result the implementation of any new model would mean that connections at the local level to LC's would mean these vital connections are lost.

A group or groups convened that gave space to local issues being discussed across the different communities across the locality would be much more useful and effective for monitoring issues and reporting back to LPs, and with direct access to resources could be enabled to make direct changes quickly.

I believe that this group could work going forward and if it were properly engaged locally and met locally and went out and about to see issues then it could be very effective in achieving direct local change and making improvements for all.

Reducing the number of city-wide oversight groups and dropping this to true local decision making will bring about real, meaningful social and environmental changes for the places across the city that we call local, that we call home. We all want to see changes for the future made that are effective, long term and make us proud to call our local area home.

Andrew Brough, **Chair of Tollcross Community Council**

Tollcross Community Council Councillors: Fiona Allen • Richard Allen • Paul Beswick • Iain Black • Andrew Brough • Roger Colkett • Andrew Devenport • Saty Kaur • Chris McGregor • Liz Summerfield • Andreas Wilhelm • Ann Wigglesworth.

Tollcross Community Council Responsibilities:

Office Bearers • Chair - Andrew Brough • **Secretary** – Saty Kaur • **Treasurer** – Paul Beswick

Community Councils Liaison Coordinator - Liz Summerfield and Ann Wigglesworth • **Planning** - Paul Beswick • **Media monitoring** - Liz Summerfield • **Health** - Chris McGregor • **Fountainbridge Canalside Initiative** - Richard Allen • **Licensing** - Roger Colkett • **Edinburgh Civic Forum** - Roger Colkett • **Edinburgh Old Town Development Trust** - Iain Black • **Meadows' Festival** - Andy Devenport and Liz Summerfield • **Friends of the Meadows and Bruntsfield Links** - Iain Black • **Civic Forum** - Roger Colkett • **Edinburgh Canal Festival** - Richard Allen • **Fountainbridge Sounding Board** - Richard Allen and Ann Wigglesworth • **Canal Community Action Group** - Richard Allen • **Tollcross Community Education Centre Liaison** - Richard Allen and Ann Wigglesworth • **Electronic media co-ordinator**- Fiona Allen • **Edinburgh Association of Community Councils** - Roger Colkett • **City Centre Neighborhood Partnership** - Roger Colkett • **South West Neighbourhood Partnership** - Andy Devenport • **South Central Neighbourhood Partnership** - Ann Wigglesworth • **South East Locality** - Andrew Brough

Tollcross City of Edinburgh Councillors: Tollcross Community Council is covered by 3 Wards for Edinburgh Council (Fountainbridge/Craiglockhart, Morningside and City Centre). Since the boundary changes for the 2017 Local Elections we are now 95% or so covered by the City Centre Ward and will be mostly working with our City Centre Councillors.

Ward 9 Fountainbridge/Craiglockhart Gavin Corbett (Green) Andrew Johnston (Con) David Key (SNP)

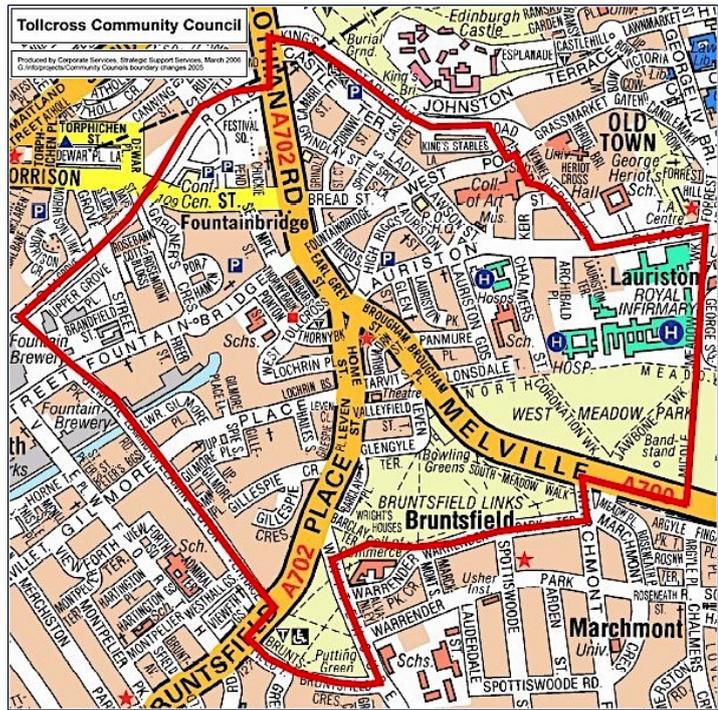
Ward 10 Morningside Nick Cook (Con) Melanie Main (Green) Neil Ross (LibDem) Many Watt (Lab)

Ward 11 City Centre Karen Doren (Lab) Claire Miller (Green) Jonna Mowat (Con) Alasdair Rankin (SNP).

Tollcross MSP's: **Edinburgh Central** Ruth Davidson (Con). **Lothian Regional List** Jeremy Balfour (Con), Miles Briggs (Con), Kezia Dugdale (Lab), Neil Findlay (Lab), Alison Johnstone (Green), Gordon Lindhurst (Con), Andy Wightman (Green).

Tollcross MP's: **Edinburgh East** Tommy Sheppard (SNP) **Edinburgh South West** Joanna Cherry (SNP).

Tollcross Community Council area:
Members of the public who live in the Tollcross Community Council area are very welcome to attend our meetings.



Contact Tollcross Community Council via:
Online: www.tollcrosscc.org.uk | Twitter: @TollcrossCC | email: sec@tollcrosscc.org.uk