

Minutes of the Leith Harbour and Newhaven Community Council ordinary meeting, on Tuesday 23 May 2023 at 6:30pm

Actions and decisions are RED ITALIC UNDERLINED SMALLCAPS. *Nem con* means that no-one spoke or voted against an item.

1 Introductions and apologies for absence

1.a Present

Elaine Dick	LHNCC	Gerry Rooney	LHNCC	Cllr Chas Booth	Leith ward
Jennifer Marlborough	LHNCC	Douglas Tharby	LHNCC	~2 residents/visitors	
Jim Preacher	LHNCC	Bruce Ryan	minutes secretary		

1.b Apologies for absence

Don Giles	LHNCC	Arthur Young	LHNCC	Deidre Brock MP	Edinburgh North and Leith
Neil Tulloch	LHNCC	Cllr Adam McVey	Leith ward		

2 Declaration of interests

none

3 Minutes April 2023 meeting

Accepted as is (proposed G Rooney, seconded D Tharby, *nem con*)

4 Matters arising, and not included in agenda below

none

5 Police report

See [report on LHNCC website](#).

- The disturbance on Constitution St (report page 3) led to a hiatus in tram-testing.
- D Tharby attended one of the Places for People events (report page 3) – see the Chair's report.
- PC Casselden (currently acting Sergeant) was thanked for producing an informative and well-written report.

6 Councillor/MSP/MP reports

6.a Cllr Booth

- Much of my recent work has been on short-term holiday let issues. The two main issues are impact on neighbours' amenities and the reduction in available housing. STL operations have taken CEC to judicial review.
- The hotel at Water St will be considered by CEC committee tomorrow.
- There have been many queries about parking issues, especially about the controlled parking zone. I have raised these with the parking team. There are a number of errors in line-painting, so there will be lessons-learned discussions. For example, the trams team visited every business but the CPZ team did not.
 - There are limited options for business parking in the CPZ, i.e. permits are only available for businesses' liveried vehicles, not for employees. They are advised to buy pay and display tickets, but these last only 4 hours.
- I am working with Cllr Faccenda on West Cromwell St housing issues: a residents' association is being set up.
- CEC has applied for funds for options study for the Pride bridge: the pillars are sound but the deck is damaged.
 - E Dick: repairs will be costly. Could the Dreadnaught pub, which uses the bridge area, create a different space for its tables and chairs with a better view of the greenery and cycle-lane?
 - Cllr Booth: the bridge is (1) a drinking area; (2) an active travel route that is important for people with limited mobility, so should be replaced; (3) an LGBT+ icon. Heriot-Watt students have proved these points. I WILL FEED IN ED'S IDEA.
- J Preacher: North Junction St park is currently in 'total disarray'. Will it be renovated?
 - J Marlborough: some '[thriving green spaces](#)' funding for improving Leith's parks is now available. This park is on the relevant list. It is also linked to a care home, so building on it would be very unwelcome.
 - Cllr Booth: I will look into the care-home connection but this park is classed as green space, so it would be very hard to gain permission to build on it.

7 Chair, Secretary and Treasurer reports

7.a Chair (D Tharby)

See also full report in appendix 1.

- I witnessed the closing of the Sandport bridge, and some traffic issues this caused.
- Many signs have been installed stating the introduction of the LTN. The quality of line-painting is poor.
- I was afflicted by pavement-cycling.
- Work on the Teuchters Landing bridge has now started.
 - A resident: completion is due in mid-June.

7.b Secretary (J Marlborough)

See reports in other sections.

7.c Treasurer (D Tharby)

- £360.18 balance
- Some bills are expected, including public liability insurance (£84)
- The grant from CEC is anticipated. This may enable purchase of better IT kit, e.g. a microphone for the laptop.

8 Standing reports

8.a Planning (J Marlborough)

See also report in appendix 2. All points made by J Marlborough unless otherwise noted.

8.a.i Dockside, Ocean Drive

- **ACTION: LHNCC MEMBERS TO SEND THEIR CONCERNS TO JM ASAP.**
- The period for public comments on this application has been extended due to the planning portal having malfunctioned.
- Work has started on the three blocks that already have planning approval.
- Comments cannot be made on variations, unless there are material concerns. (Some potential material concerns were listed.)
- LHNCC may have some influence on block A (the subject of this application), which would have 5 extra floors.
- All of the accommodation would be build-to-rent, with 52% of the site being 1-bed. Studio apartments will take up 11%, 2-beds 23% and 3 beds (%age not stated)
- There will be a mix of affordable housing types. The developers will directly deal with rental of these flats.
- There are concerns about 'intermediate rents', which implies that these flats are for people who cannot currently afford to buy but are expected to save towards doing so in the future.
 - B Ryan: could shared ownership be used here, so that people buy part of the flat and rent the rest, so that their overall housing cost is affordable.
 - Cllr Booth: 'intermediate' is one of the approved affordable tenures under CEC planning policy.¹ I don't see 'intermediate' as being particularly affordable, and such rental agreements only last for 25 years, then reverting to normal market rate. I also question the 'golden share' rental type. I will continue to push for policy changes.
- I am concerned that this type of rental does little for community building. A children's play area has been removed from the latest plans, and there would be very few facilities for children, older people and disabled people.
- National Planning Framework 4 is relevant here, because some features of this application are not NPF4-compliant.
 - Cllr Booth: NPF4 has been in force since February. See <https://www.edinburgh.gov.uk/local-development-plan-guidance-1/national-planning-framework-4-npf4>

8.a.ii Ocean Terminal

- This application was received after the LHNCC agenda was circulated.
- The planned GP centre here may not last long.
- The main issue with this application is lack of neighbour notification: only Cala and Portland Gardens residents were notified.
 - Cllr Booth: notification areas are those within 20 meters of the site's boundary.² Changes to regulations are unlikely.
- Accommodation is being moved so that demolition can start at the Debenhams end.
- I understand that the Manderston St bingo business will move to OT. This is despite approval of including it in the relevant conservation area. It is rumoured that the MS bingo hall will close soon, yet the OT hall will not be ready for 2 years.
- The OT gym is moving to where M&S was. HMV will remain, as will the cinema. Access to the Britannia will move slightly.

8.a.iii Other points

- All of the development in Leith is 'block' housing: no townhouses, etc. This is very concerning.
- E Dick: LHNCC should agree actions, not just discuss concerns.

8.b Licensing

No matters raised

8.c Seafield

See also report in appendix 3 and [presentation PDF](#)

- D Tharby: I attended the open day at the Ripple – see chair's report.
- N Tulloch (in his report) The stage 2 consultation event will be held on Saturday 17th June 12-3pm, on the Portobello end of Seafield Prom, in front of the Lothian bus depot.

¹ From <https://www.edinburgh.gov.uk/downloads/file/24486/affordable-housing>. Intermediate Rent (Unsubsidised MMR) Private rented accommodation, unsubsidised, available at rents below market rent levels in the city (i.e. at a point at or below Scottish Government's last published Local Housing Allowance figures for the Lothians Broad Rental Market Area, or, only in agreement with the Council, at or below Scottish Government's last published figures for the Lothians Broad Rental Market Area 30th Percentile). To provide certainty for developers and to allow for meaningful viability appraisals to take place, whilst ensuring such proposed developments meet an affordable housing need at the point where planning consent is issued, the Council is willing to agree to set rent levels using those figures on the date of the appraisal, even though those figures are recalculated and changed annually. Intermediate Rent is an affordable housing tenure that is suited to large 'Build-to-Rent' (BTR) developments that are financed by institutional investors and will deliver new homes rapidly and at a scale that supports placemaking.

² From <https://www.gov.scot/publications/planning-series-circular-3-2013-development-management-procedures/pages/7/>. Neighbour Notification and Publicity (Regulation 18): 4.15 Neighbour notification requirements apply to applications for planning permission (regulation 9), planning permission in principle (regulation 10), further applications for such permission (regulation 11) and applications for approval of matters specified in conditions attached to planning permission in principle (regulation 12). Notice is to be sent to premises on "neighbouring land". The term "neighbouring land" is defined in regulation 3 as: "an area or plot of land (other than land forming part of a road [15]) which, or part of which, is conterminous with or within 20 metres of the boundary of the land for which the development is proposed."

8.d Transport

See also report in appendix 4. All points made by J Marlborough unless otherwise noted.

8.d.i Community Councils Together on Trams (CCTT)

- The final CCTT/trams team meeting will be on 15 June, although there will be a further lessons learned session
- The biggest current concern is about handover to CEC for completion of hard landscaping: does CEC have the resources?
- Many things need to be fixed, including some problems with tram-stop platforms. There are also issues with planters.
- There are also box-junctions at the top of North Leith Sands and at Ocean Drive to enable residents to emerge. The box junction at Melrose Drive has been repainted incorrectly. Trams Team and CEC disagree over who is responsible.
 - ACTION: CLLR BOOTH TO PURSUE THESE
 - G Rooney: much work is still needed at Ocean Terminal where roads cross tram-lines.
 - JM: there are also disagreements over who is responsible for matters here.
- JM was thanked for her work on this topic over the last 5 years.
- B Ryan: the deadline for trams starting to take passengers is 23 June, after which there is a 5-week window for finishing final tasks. After that, there is a 2-year period in which the original contractors can be compelled to fix defects.

8.d.ii Edinburgh Bus User's Group

- EBUG has concerns over Lothian Buses' network changes, removal of bus-stops, and floating bus stops.
 - Distances between bus-stops are too long for mobility-impaired people. They should be no more than 400m but some are over 800m.

8.d.iii Leith Connections

- Work has started from Leith Links side. This topic is linked control of parking and emissions.
- There will be a relevant meeting on 7 June.

8.d.iv Lothian Buses – Network changes – Sunday 28 May 2023

- Route changes are a major concern. The main lack is east-west links in Leith.
- There is still no bus service from North Leith or Leith Links to Western General Hospital. See [this map from Lothian Buses](#).

8.e Environment**8.e.i FOWLB**

No discussion

8.e.ii SOSLeith – Update on Combined Sewer Overflows (CSOs)

- A resident: SOSLeith made a deputation to the May full council meeting. We thank LHNCC for its letter of introduction/support. The motion, which was passed, asked CEC to write to relevant agencies because it is not known how much sewage is being dumped in Edinburgh's rivers. The motion also asked for 6-monthly updates on CSO rehabilitation; and real-time notification of sewage spillages.
 - SOSLeith will also write to Scottish Water to convene a meeting of stakeholders.
 - SOSLeith is taking legal advice on sewage discharge. A case is currently sitting with Environmental Standards Scotland.
 - SOSLeith is also working on the 'statutory' nuisance of sewage entering silt in Leith basins.

8.e.iii Thriving Green Spaces, Parks (6) in Leith, Workshop

- See item 6.a main bullet 6 above.

8.f Heritage**8.f.i Victoria Bridge and Rennie's Isle Bridge**

- J Marlborough: refurbishment of these bridges is in progress, with current work focusing on the central part of Victoria.
 - Tram-work has caused some delays to the bridge refurbishment.

8.g Community

- G Rooney: Forth Ports is doing much work at the outer berth, much of which includes piledriving. FP informed neighbours that this work would be between 7am and 7pm, Monday to Saturday. Such work at is scaring away local residents. Hence I question if work needs to be done so early and so late – can (for example) work start later on Saturdays?
 - ACTION: J MARLBOROUGH TO PURSUE THIS

9 Resident issues

No matters raised

10 Edinburgh Association of Community Councils (EACC)

Discussion held over to next LHNCC meeting.

11 AOCB

- LHNCC laid a wreath at the Quintinshill memorial service on Saturday.
- The Newhaven gala day is 27th June.
 - ACTION: G ROONEY AND J MARLBOROUGH TO ATTEND
- Leith Festival gala day is Saturday 10 June. Leith Rotary will also attend.
 - ACTION: LHNCC MEMBERS TO HELP STAFF THE JOINT STALL WITH LEITH LINKS CC AND LEITH CENTRAL CC.
- ACTION: E DICK TO SORT J PREACHER'S LHNCC EMAIL.

12 Date of next meeting

AGM and ordinary meeting 27 June 2023

13 Appendix 1: chair's report (Douglas Tharby)

Writing this a little earlier than usual this month and perhaps with a different slant to begin with which hopefully will be of interest.

Tonight, Tuesday May 16th, some 80 years ago 19 Lancaster Bombers of 617 Squadron took off on a daring raid which we recall today as the Dambuster Raid and the special bouncing bomb they used. Old technology in aircraft purpose and new technology in the weaponry being trialled. Some 133 crewmen led by 24 year old Guy Gibson attacked three dams critical to the war effort of Nazi Germany, sadly 53 lives were lost. A sobering thought today of bravery and unquestioning commitment to a task.

Leith perhaps suffered its greatest loss during the First World War and in fact to date this is the worst rail disaster in Great Britain, the Quintinshill Rail Disaster on May 22nd 1915. Some 214 soldiers were killed on their way to war and a further 246 were injured in a multiple crash involving five trains. The gas lighting systems of the old wooden carriages ignited starting a fire which engulfed all five trains. Those killed were mainly Territorial soldiers from the 1/7th (Leith) Battalion heading for Gallipoli. There were also nine passengers and 3 railway employees and 4 children. Their bodies were laid in our nearby Rosebank Cemetery where the annual remembrance is held this Saturday 20th May at 11 a.m.

And to my report on the last month.

This afternoon prior to writing this report I met with a much smaller group of young people involved in the assembly of what will also be a first for us in Leith, floating plant platforms on the Water of Leith. In discussion with those working on the project based in Coallie Park, directed by our friends at the Water of Leith Conservation Trust, the construction involved a mixture of both old and new technology in the shape of traditional engineering skills using nuts and bolts but to hold together a platform constructed largely of recycled and in some cases natural materials. The amenity that we have in our Water of Leith has again been enhanced as we welcome the improvements that are being made within this community that we can approve of. Hopefully the issues that have been highlighted regarding sewage discharges will not damage this.

Trams are a regular sight in Leith (perhaps we should refer to the network as a 'light rapid transit system') which is now to be further extended to other parts of the City over the next decade. Still planned for passenger use from 23rd June and station equipment and I witnessed a rather peculiar announcement being made in Constitution Street the other day about 'safety'.

The CPZ and LTN (sorry not going to elaborate on these abbreviations which we are now familiar with) are becoming more evident by the day as CEC pursue these questionable projects which we have been told were approved by the various user group consulted as they will be involved. Not all as far as I can gather, a chance conversation with a Black Cab driver at 5.00 a.m. one morning recently and from his unprompted remarks on the subject confirmed that the taxis were not approached for comment and there were felt to be significant concerns for older and disabled users and accessibility with the LTN. Sounds very familiar does it not...

Yellow lines are appearing everywhere some in a poor state of application it has to be said which is disappointing. Sandport Bridge is due to be closed to traffic from the 22nd May. The cobbles on The Shore seem to get worse every time I go over them in the car so probably I will not miss this route that much and do my back a bit of good in the process. CEC are still committed to both projects, perhaps indeed displaying considerable bravery into the bargain. We will just have to wait and see if this is misplaced or not. Will we really have a City where you do not need a car to travel around and will we be content to do so?

Diary dates attended included an event stage-managed by Places for People in Leith Theatre on Wednesday 26th April under the guise of (hashtag)letsthive on the theme of wellbeing advice and signposting for adults on various lifestyle topics.

Perhaps of greater significance to us was the public consultation event staged on the Seafeld development on Thursday 27th April which was a chance to meet with the Chair at Portobello CC and others involved in this enormous project for Edinburgh perhaps even more significant than Granton redevelopment in the west of the City

EACC also on the same day, the City Mobility Plan 2030 was the focus in particular the various apparent consultations over the months ahead. Will they listen to what they will be told? Will this really benefit the City and attract more visitors? I have noted that East Lothian Council has been criticised for its attempts to replicate this type of scheme in North Berwick and a public petition is being prepared. The complaint seems to also relate to 'consultation', reference to refugees and gaelic speakers.... Might not be serious but sounds a bit familiar a frustration to us.

This was followed by an update and further insight into recycling services. It seems that we are required to wash all that we put into the recycling bins. Might be news to some, certainly not observed by all of that I am sure plus the fact that only some items can be recycled, most plastics cannot be recycled. From memory this was the case some 30 years ago, surely other markets have been found since then.

Other reporting will be in the Minute. Thanks for bearing with me till now.

Stay well, stay warm as temperatures can vary quite a bit in this windy City. Summer according to Google when asked does not begin until June 25th. Don't forget to have your Covid jab when invited to do so as indeed some already have had their booster.

14 Appendix 2: planning report (J Marlborough)

This is an abridged version but full documents will be made available on website or on request.

14.a Dockside - Attached previously circulated Flyer that included photo

Dockside (Skyliner) 94 Ocean Drive Edinburgh
RE: LAND 143 METRES SOUTHEAST OF 94 OCEAN DRIVE, EDINBURGH REFERENCE NUMBER:
23/01615/FUL

Planning Application Proposed Development
Goodstone Living
(<https://www.goodstoneliving.com>)

The proposed development is for build to rent residential accommodation, a commercial unit on the ground floor, with associated landscaping and infrastructure. LHNCC are preparing a response for this application and would be very grateful to hear your views so that we can try to represent community opinion to City of Edinburgh Council. Please send these to:
secretary@lhncc.org.uk

You can also post your own comments on the Council Planning Portal and we would also encourage you to do this using this email link and entering the application reference number above:
<https://www.edinburgh.gov.uk/planningcomments>

The deadline for comments is Friday 19 May 2023

Site History

The site, previously known as Skyliner and opposite Cala Waterfront Plaza development on Ocean Drive and next to Ocean Point 1, received planning consent in November 2020 for 338 build to rent residential units across four blocks (application reference 19/02778/FUL). The proposed development comprises an increase in the height of 'Block A (the westernmost block) by five storeys of residential accommodation and one storey containing additional amenity and a rooftop terrace.

Residential

4.3 A total of 123 residential dwellings are proposed within the amended Block A in a mix of studio, one-, two- and three-bedroom apartments. The proposed mix is as follows: Block A

Dwelling: Number of Dwellings Percentage: Extremely high % studio and one-bed 63%

Studio: 14 (11%)
One-bed: 64 (52%)
Two-bed: 28 (23%)
Three-bed: 17 (14%)
Total 123

Summary

- The approach to affordable housing is consistent with that agreed in respect of the permission 19/02778/FUL, and will provide:
- 31 affordable housing units via **Intermediate Rent (IMR)**, thereby increasing the on-site provision of affordable housing across the wider scheme to 94 units; (IMR is housing option for people who are not ready to commit to buying a home right now or who have difficulty securing a mortgage at the moment but who would like to save to buy home in the next 5 years)
- A community whereby all tenants have common access to the same level of amenity

Statement of Community Benefit**Housing Adaptability / Accessibility**

17. In accordance with the 'Lifetime Homes' principle outlined in Edinburgh Design Guidance (EDG), the Design and Access Statement identifies several apartments within Block A that **could be** constructed to be accessible by wheelchair users:

EDG

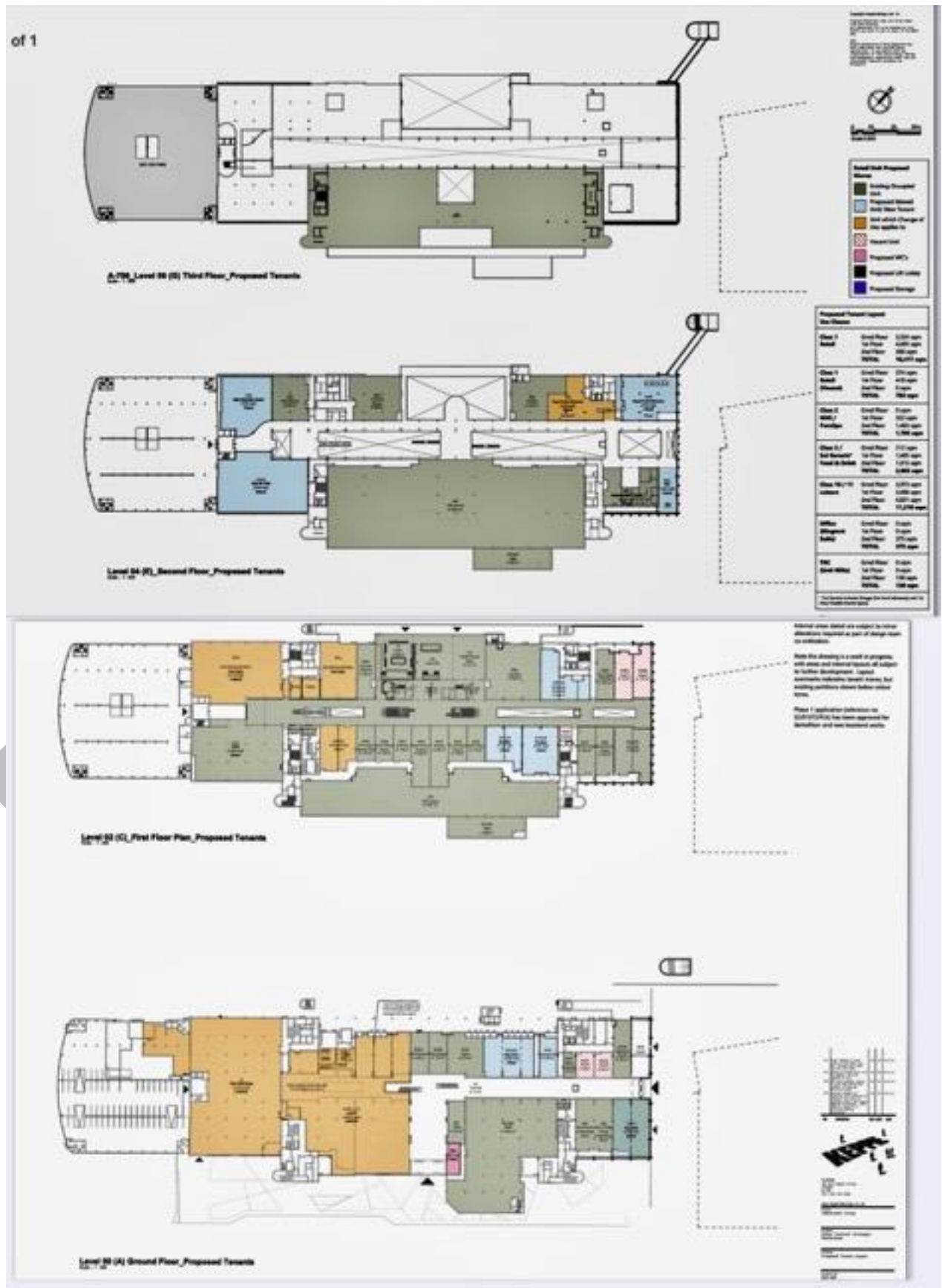
Q. What about elderly and other disabilities, lack of intergenerational community-building provision, children's playground and development of 20 minute neighbourhoods?

14.b Ocean Terminal 98 Ocean Drive Edinburgh: Ref. No: 23/01625/FUL Closing Date 5/6/23

Changes of use of 5 units within Ocean Terminal to accommodate new tenants and relocation of existing tenants within the centre.

This application forms part of the wider site strategy, which also comprises the approved Phase 1 development, and the proposed Phase 2 development.

Diagrams PDF attached:



15 Appendix 3: Seafield report (N Tulloch)

The master planning team has reported that the consultation events at The Ripple and Portobello both went very well, with lots of constructive comments, ideas and concerns across a range of themes. Nothing was unexpected, so there is now have a strong mandate for moving forward with design strategies and ideas.

There was general positivity about the process itself and many in the community recognise the efforts of the community councils in working together on this project and the Council's role in the master planning exercise.

It is estimated that the master planning team spoke to around a 100 people across the two events, split roughly 40% at the Ripple, 60% at Bellfield.

The website engagement (128 responses by 1 May) we will be reviewed in tandem. The online consultation remains open until 8 June.

The team processed the initial information obtained from these 228 responses and produced the attached summaries of the comments received.

The Stage 2 consultation event will be held on Saturday 17 June 12-3pm, on the Portobello end of Seafield Prom, in front of the Lothian bus depot. For anyone attending the Proclaimers event that day, it is scheduled to start at 4pm, so there will be ample time to visit Seafield beforehand.

16 Appendix 4: transport report (J Marlborough)**16.a CCTT – Trams to Newhaven – Meeting Thursday 11 May**

- Discussed continuing issues with traffic management regarding remarking of Ocean Drive yellow box junction and concerns about Yellow Box junction at North Leith Sands/Lindsay Road junction that only spans inside traffic lane making it very dangerous, an incident has already been reported. No update on progress regarding this yet.
- Our final meetings with Tram Team will be in June when project completion is planned
- Discussed lower section of Leith Walk where reduced to single lane.

16.b Lothian Buses

- Changes Altered routes/revised Timetables - Local Services affected: 7/10/11/14/ 16/21/34/35/36/49 <https://www.lothianbuses.com/news/2023/05/service-change-from-sunday-28-may/>
- Concerns still being expressed regarding accessibility for elderly and disabled with regard to removal of bus stops and floating bus stops. Leith Connections and Low Traffic Neighbourhoods (LTN)