

## Firrhill Community Council

*'Nec Aspera Terrent'*

(Undaunted by Adversity)

Minute of Ordinary Meeting of the Council on 22 July 2013  
Held in Oxgangs Care Offices, Firrhill Neuk.

### Members:

H Levy (Chair)  
P Wright (Secretary)  
L Linn  
S Duffy  
F Gosney  
J Napier (Minutes Sec)

### Ex-Officio Members:

E Aitken, Councillor, CEC  
R Lewis, Councillor, CEC  
J Rust, Councillor, CEC  
D Crawford, LBP, Oxgangs Police Stn

### Visitors:

J Burt, Resident

### Apologies:

Cllrs R Lewis & J Rust

### Non-attendance

Police Representative

The meeting started at 7pm. H Levy in the Chair.

### Minutes of Previous Meeting:

The draft minutes for meeting held on 24 June 2013 were reviewed. The Minutes Secretary advised that a number of items had not been updated from the previous minute and apologised for this. The items were the content under 'Matters Arising' titled *NEP Projects* and Cllr Lewis's report. Also the content for the title *Firrhill Health Project* was incorrect. He asked for the members to accept the minutes on the proviso he would advise them of the changes before publishing the revised minutes on the website. With that assurance and there being no other corrections the minutes were moved for approval by H Levy, seconded by S Duffy and agreed.

**Action:** *Minutes Secretary to revise the minutes as stated and inform members of these changes prior to posting the final minute on website.*

### Matters Arising

#### **Raised Garden at Police Station**

This relates to the work carried out by an elderly resident living in the supported housing scheme at the police station. The Community Council through Cllr Aitken are seeking his reimbursement from the City Parks Dept for the money spent redeveloping the neglected communal garden. C Dunlop, Parks and Greenspace Manager has verbally agreed to this.

**Action:** *Cllr Aitken awaiting confirmation the monies have been paid.*

### **Police Attendance and Reports**

The Community Council are seeking clarification on the question of police attendance/reporting at future meetings. Cllr Rust was going to raise the matter with the new inspector for the area and extend our invitation to her to attend one of our meetings. Unfortunately neither Cllr Rust nor the police are in attendance at this meeting so there is nothing further to report. Cllr Aitken offered to advance this matter with the Inspector.

*Action: Cllr Aitken to raise with the new Inspector (Insp. Duthie) for the area and extend our invitation to her to attend one of our meetings*

### **Colinton Mains Park**

Secretary reported that the neglected landscaped area in front of the pavilion has been attended to and is much improved. The responsibility for the maintenance of this area still rests with the main contractor for the Pavilion work.

**Notices:** still lying at the entrance to the park. Cllr Lewis following up on the re-instatement or removal of the posts. Secretary has been advised that this work has been passed on to the main contractor as part of the snagging work for the pavilion.

**Refuse bins:** Cllr Aitken still following up on this item.

*Action: Re notices and bins - suspend item from agenda until October meeting unless new information is forthcoming.*

### **Flood Defence Work: Request for Information.**

The Minutes Secretary reported that OSIC have allocated an investigator, who has asked for additional information. A response has been sent and acknowledged ([App1](#)) with a further request for a copy of an email referred to in our reply. The investigator also considered the answer to her 3rd question amounted to 3 new requests for information. Refuted this as they were all within the scope of the original request and included as evidence of information not received.

The investigator also explained the Commissioner's investigation and decision will focus on the Council's statement that to respond to the Community Council's request would be manifestly unreasonable. If the Commissioner concludes that the request was not manifestly unreasonable then she will order the Council to issue a different response under the Environmental Information (Scotland) Regulations 2004 (EIRs). She also advised that the Community Council can always submit new requests for information based on specific emails that have been received during the course of our involvement in these matters

In discussion it was agreed that we await the Commissioner's decision to the appeal and/or the level of response to our questionnaire to those residents whose property borders on the flood defence wall before determining whether or not to submit fresh requests. A revised draft letter was circulated for approval and accepted. The letter to go out asap with 31 Aug being the closing return date. An electronic copy would also be available on the website for use.

*Action 1: Report noted*

*Action 2: JN to arrange for residents' letter to be delivered by 31<sup>st</sup> Aug. '13*

The third action to seek a conclusion to the Braid Burn Path flooding problem has still to be progressed

*Action 3: JN to progress*

### **Publicity Drive for New Members**

**Posters:** The Community Council are looking to develop two posters – the original A4 size and an A3 size that could be used in place of the presentation boards. The A4 poster is being reviewed by a

consultant. The Chair has circulated a template for the A3 poster for the members to add their thoughts on the work the Community Council have done over the past few years.

The timetable for Community Council Elections in 2013 is as follows:

#### Elected Representatives

- Monday 2 Sept Notice of Election (start of nomination period)
- Monday 23 Sept Close of Registration (forms to Returning Officer)
- Thursday 3 October Notice of Poll (if a poll is required)
- Thursday 24 Oct Polling Day (if a poll is required)

#### Nominated Representatives

- Monday 2 Sept - Notice of Election
- Monday 23 Sept - Close of Registration (forms to Community Council Liaison Officer)

There may be a meeting of registered Local Interest Groups to elect Nominated Members (if necessary)

Proposed timetable for the use of election material is as follows:

- Posters – distribute during the last week in August
- Electronic material – promote through website from last week in August
- Leaflets – start distribution during first week in September

***Action: Members to develop election poster and feed back to the Chair.***

#### **Amenity Notices**

Part of the CEC's Planning Enforcement Charter, amenity notices can be served on landowners in regard to any property or area of land, the condition of which is considered to adversely affect the amenity of the area. At a previous meeting, it was proposed we seek to apply for a Notice to be issued on a property in the Oxgangs area but no action has been taken since.

Cllr Rust proposed that he would raise the issue with the landlord in the first instance to see if he was willing to take steps to resolve the matter.

***Action: In the absence of Cllr Rust this matter is deferred to the next meeting.***

#### **PNP Reports: NEP Projects**

In previous discussions the Community Council indicated its general dissatisfaction at the value of the projects proposed at the SW Area Board and the Environmental, Transport and Infrastructure Sub Group for environmental improvements with the Firrhill CC area. It also recognised a need to be more proactive in regard to these projects.

The Chair had suggested this matter was one that might fit into the 'Citizenship' part of Firrhill High School's new 'curriculum of excellence' and enable pupils to become more actively engaged in their community. It had been agreed that the Chair should develop her proposal for discussion with the School's administration when it resumed after the holidays.

Cllr Aitken suggested this may also fit into the Junior Award Scheme Scotland (JASS), which is an accredited learning programme for young people (P6-S2). There are three levels (bronze, silver and gold), each requiring a higher degree of commitment. Each level also includes four sections to be completed. One section is a community or environmental project. JASS can be used as part of the school curriculum or to take account of out-of-school activities, and can be delivered in youth work settings.

*Action: Chair developing proposal.*

#### **Cockmylane:**

It had been discovered that the safety railings installed at the Oxfangs Hill end of the path running up to Pentland Primary School had been removed by workmen at some point to enable vehicular access but never replaced. Following action to remedy situation, the Chair reported the railings have now been replaced albeit on the opposite side of the path to facilitate future operations.

*Action: Matter concluded.*

#### **Community Police Report:**

No report available.

*To pass on information about crime anonymously, call Crimestoppers on 0800 555 111 or fill out their secure, encrypted online [Giving Information Form](#).*

#### **Ward Councillors' Reports**

##### **Councillor Aitken**

Complaints re refuse collections (HL proposes single issue meeting on this topic) / traffic monitoring / Pentland Primary School / Oxfangs Path (NIP project) / Firrhill Walkabout (dog fouling – 4 penalty awards; trees & roads) / Review by Police Scotland on opening times for police stations.

##### **Councillor Rust**

Written report sent to Secretary along with apologies for being unable to attend the meeting:

1. In my previous report I commented on the problems with refuse collection. Sadly, these problems continue and there has again been a marked increase in recent weeks of complaints predominantly from the Oxfangs Road North, Redford Road and Oxfangs Loan areas.
2. Attended the Beating Retreat on 4th July at Dreghorn Barracks. This was a memorable evening prior to 1st Scots departure to Belfast.
3. Seconded Elaine's motion nominating Margaret Walker of Buckstone Youth Group for the William Y Darling Award and I am delighted that the motion was successful and Margaret's local work recognised.
4. Further to the query raised at the last Community Council, arranged for the Environmental Wardens to visit the area at the Good Companions on 26th of June 2013 and they spoke to the Manageress of the business. They picked-up all escaped waste and secured it. Further advice was given to her regarding minimising any further waste escaping.

#### **Planning Applications Report**

1<sup>st</sup> July - Decision: Application 13/01829/FUL for the renewal of application 09/01057/FUL to demolish a church and erect a new church at 1C Oxfangs Avenue, Edinburgh, EH13 9JA has been granted. No other events to report.

#### **Correspondence:**

All members were provided with the correspondence list for the period to 20<sup>th</sup> June prior to meeting. The list was update at meeting. (see App 2).

## **A.O.C.B:**

### **Edinburgh Stair Cleaning Service**

Member raised dissatisfaction about the poor quality of this service provided by the City Council. The standard clean, which is supposed to be carried out on every visit, should include sweeping down the stair, disposing of dirt and debris; applying water and cleaning solution; finishing with a clean mop rinsed in clean water; drying with a mop; wiping down handrails with a damp cloth; sweeping and mopping front and back steps. Maintains this standard is not provided.

The charge for the service to Council tenants is £4.38 per fortnight and for private sector tenants and home owners a standard fortnightly clean is £81.41 per flat per year. At these costs the Council can collect £35.04 per wash per stair per fortnight (8 Council flats). Annually this equates to £911.04. For the same service provided to 8 private sector tenants or home-owners the Council would collect £651.28 (81.41 x 8) annually per stair. Collection should vary between these two parameters dependant of make-up of stair.<sup>1</sup>

General opinion was that tenants were not receiving value for money as the standard was not being maintained.

*Action: deferred to next meeting*

### **Firrhill Health Centre Project**

Proposed date for the public meeting is 27<sup>th</sup> August. Venue to be confirmed

**Date and Time of Next Meeting : 26<sup>th</sup> August at 7.00 pm.**

**Venue:** Board Room in the Oxfangs Care Offices, 12 Firrhill Neuk.

This meeting ended at **08.35 pm**.

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<sup>1</sup> Information obtained from CEC website

**To:** Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
KY16 9DS

10 July 2013

**FAO:** Julie Frew, Freedom of Information Officer

Dear Ms Frew,

**Application for Decision by the Scottish Information Commissioner  
Public Authority: City of Edinburgh Council (the Council)**

With reference to your letter of 3 July 2013 to our Secretary, Peggy Wright, requesting further information, please find the following answers:

**1.** The Community Council (the CC) were informed by two residents that they had complained to the Council regarding the problems experienced since the completion of the flood defence work but could/did not provide evidence of such. Correspondence from the CC to the Council concerning issues arising from the flood defence work may have been logged by them as complaints.

On the assumption local authorities use complaints as a method of measuring performance, we sought to find out if such complaints had been made and how extensive the problems were. If complaints are logged, then we would have expected the information contained in the log to be provided. The Council did not provide information on their method of recording complaints but apparently it is not in a usable format.

This is borne out in your letter where you refer to the Council's review response stating *it had identified five parties who had made complaints and had conducted a search of a database which did not identify any further complaints*. The review response also states *the complaints identified are ones that staff in the project team recall being made*. It does not state the 5 identified parties were identified from the database or how many complaints they actually made. To take 20 hours to interrogate a database beggars belief.

**2.** Our original letter to the two Council officers who attended our November meeting covers the information we are seeking (a copy will be included with this return for your clarification).

a) Within the section titled "Flooding of Properties" in Oxgangs Road North, a reference is made to this problem being investigated by consultants. This was admitted by one of the two officers who attended the meeting as well as the resident. We are not sure if only one investigation was done, so we asked for a copy of all reports

b) Regarding the section titled "Flooding of Braidburn Path" the CC has attended site meetings with Council officers and the local elected Councillor in regard to this problem. We have a copy of an email sent by Stewart Farquhar, Local Environment Manager - South West, on 1<sup>st</sup> May 2012 to Brian Torrance and Tom Dougall regarding the *Local Flooding on Braid Burn Path and Oxgangs Road North*, which indicates he had discussed the Braid Burn path flooding situation with the Neighbourhood Team and that a remedial design could be undertaken to rectify the problem.

We are certainly seeking documentary evidence of the Council's actions taken as a consequence of that email.

Because we did not know what transactions/meetings had taken place within Council's offices or with other relevant parties, our request was loosely worded within the parameters set by our letter.

Having sat through a two hour meeting with CC members and one of the local residents involved, the Council officers knew what information we were seeking. They could/would not provide answers at the meeting with the result we were obliged to submit a written request.

**3.** The CC do not consider it has received any of the information it has requested from the Council other than the plans of the flood defence construction work carried out on that stretch of the burn from the raised bridge at Oxfangs Road North to the bridge at Firrhill Cres.

Information CC are seeking is:

a) in regard to Nos. 139 & 141 Oxfangs Rd North and adjoining properties – a copy of any report carried out by the Council or by consultants employed by the Council into the problems referred to in our original request. An investigation by consultants was referred to by a resident and a report was alluded to by the Council officers at our meeting in November 2012.

b) in regard to the Braid Burn path – a copy of all transactions/minutes or notes of meetings arising from the site meeting arranged by Councillor Eric Barry on Tuesday 1<sup>st</sup> November 2011 (his email to Stewart Farquhar dated 26 Oct 2011 refers); and

c) also in regard to the Braid Burn path – a copy of all transactions/minutes or notes of meetings arising from Stewart Farquhar's email of 1<sup>st</sup> May 2012.

The above is the only specific information I can give. Trusting it will assist your investigations. If you require copies of the emails referred to above, please advise.

Yours Sincerely



Firrhill Community Council member

## Correspondence List

**By e-mail:** all messages forwarded to members with this facility; some transferred to website where appropriate.

- 1 Cllr Rust requesting a pdf of colour A4 poster, discussed at last meeting, so that copies can be organised.
- 2 Websitebuilder: message forwarded to Police, Councillors and SW Neighbourhood, and being dealt with by officers.
- 3 ACE Technology Drop-in sessions, July to end of August, every Mon & Tues, 1-3 pm, £7.50 per session. Tel 0131 477 3883 for more info.
- 4 Eileen Hewitt: pledge support for National Performance Centre for Sport in Edinburgh (short-listed against Dundee & Stirling): [www.goedinburgh2016.com](http://www.goedinburgh2016.com)
- 5 Social Media Officer at CEC online public survey to find out what people want from Council's use of social media: [www.edinburgh.gov.uk/socialmediasurvey](http://www.edinburgh.gov.uk/socialmediasurvey)
- 6 H Levy: Hope Triangle Health Group; notes from 23 May; next meeting 25 July.
- 7 Jim Napier: Flood defences letter & questionnaire (draft) for residents near Braid Burn.
- 8 Websitebuilder: question referring to April Minutes re Area Board business [Min Sec replied to sender].
- 9 E Hewitt, thanking Sec for info re Firrhill CC activities (for city-wide election publicity).
- 10 Scott Neill: request for CC meeting dates for 2013-14 [Sec replied].
- 11 Cllr Rust: copy of e-mail to G Budd re CIMS Report, questioning why only Oxfgangs Loan was chosen in our huge area.
- 12 Cllr Rust: SW N'hood Summer Action Programme, June to late Aug: budget of £17,800 for improvement projects, eg, replacement of guardrails; signs; litter bins; installing handrails; graffiti removal; park improvements. Progress of projects will be updated on SW Web page.
- 13 Sec to Councillors (f. to Council officers) re neglect of garden at front of new pavilion – overgrown with high grasses & weeds. Contractors (still their responsibility) were contacted by SW N'hood team, and their landscapers weeded and added more bushes on side which had very few planted originally.
- 14 E Hewitt: Review of Community Councils Scheme: copy of draft Scheme can be viewed in Oxfgangs Library and [www.edinburgh.gov.uk/communitycouncils](http://www.edinburgh.gov.uk/communitycouncils) Comments by 31 July to [community.councils@edinburgh.gov.uk](mailto:community.councils@edinburgh.gov.uk) Tel: 469 3838.
- 15 Cllr Rust: CEC 'Call for people to speak up for their local communities' - publicity campaign to get more city dwellers to join their Community Council: 'local residents working together to make a difference'.
- 16 Police Scotland re Review of Traffic Warden Provision & Public Service at Police stations in Edinburgh: 'to meet needs of communities and deliver best possible quality service'.
- 17 Sarah Boyack MSP: June e-newsletter, including debate by MSPs on who will be eligible to vote in 2014 referendum.
- 18 Investigating Officer at OSIC re application to Commissioner, with questions about our communications with CEC [f. to J Napier, and answered by him].

- 19 Cllr Lewis: exhibition at Central Library 'A Mountain in our Midst'. View some images on [www.capitalcollections.org.uk](http://www.capitalcollections.org.uk) or get more of Arthur's Seat history (+ history on other parts of Edinburgh) at [www.ourtownstories.co.uk](http://www.ourtownstories.co.uk)
- 20 E Hewitt: requires view on CPOs, given out by Courts to criminals as an alternative to prison, especially unpaid work part of a CPO which replaced Community Service in 2011. Do you have experience of offenders doing unpaid community work, or do you know of a project that would benefit from this support? [Catriona.mckenna@edinburgh.gov.uk](mailto:Catriona.mckenna@edinburgh.gov.uk) (Tel 529 4427)
- 21 Cllr Lewis re support from top businesses on economic benefits if Edinburgh's bid for Nat. Performance Centre for Sport is successful (see also 4 above).
- 22 Cllr Lewis: CEC and neighbouring local authorities (incl. Fife) have agreed to co-operate and work on a range of shared issues for the benefit of all.
- 23 Edinburgh & Lothians Greenspace Trust: Badger Watch Workshop, 8 Aug., 7.30 pm, at Corstorphine Hill. Contact [ruth@elgt.org.uk](mailto:ruth@elgt.org.uk) for more info and/or to book.
- 24 E Hewitt re 'Towards a Litter-free Scotland' consultation on strategy to tackle and prevent litter & fly-tipping. See Scot.Gov. website. E-mail [EQ\\_CAT@scotland.gsi.gov.uk](mailto:EQ_CAT@scotland.gsi.gov.uk) by 27 Sept.
- 25 Cllrs Rust & Lewis: re SummerActionProgramme-SouthWestNeighbourhood-SouthWest-RoadsTeam-City of Edinburgh Council.
- 26 Cllr Lewis re Hearts War Memorial's return to Haymarket junction.
- 27 Cllr Aitken re delays to garden waste collections due to holiday.
- 28 Cllr Rust: VAS sign: recording of vehicles using Caiystane Cresc to identify whether there is an issue with speeding.
- 29 Cllr Rust re query to G Budd on CIMS assessments (see 11, above): these are carried out on a random 10% of Edinburgh streets by Keep Scotland Beautiful, on behalf of – but with no influence by – the City Council.
- 30 SW N'hood Office re Employer Recruitment Incentive (Edinburgh Jobs Fund): up to 50% of minimum wage given to any small business employing someone 16-24 yrs, under 6 months unemployed, for up to 6 months.
- 31 Gordon Macdonald MSP July newsletter, incl. condemnation of 90 job losses at Dregghorn and Redford Barracks, in the latest round of defence cuts, with possibly more to come.
- 32 Council's Proposed Amendments to Waiting Restrictions & Disabled Parking Spaces: Oxgangs Green 2 disabled bays no longer needed; Oxgangs Avenue new bay being introduced.
- 33 H Levy: Report from Oxgangs Suicide & Self-harm Engagement Event (April); no June PNP Health meeting, but actions still to be carried out by members.
- 34 Robert Scott, Oxgangs N'hood Centre: Family Fund Day at Centre, 10 Aug, 12-4 pm.
- 35 Gordon Macdonald MSP re Scottish Gov's Climate Challenge Fund: details to be found at [www.keepsotlandbeautiful.org/ccf](http://www.keepsotlandbeautiful.org/ccf) Applications invited to present to CCF grants panel in Sept & Dec '13 and Mar '14, for community/organisation projects – grants up to £150k/yr.
- 36 EACC Sec: 'Trees in the City' consultation on action plan by Forestry Service for proposed policy document <https://www.surveymonkey.com/s/SSWHZQD> (by 23 Sept.) Comments to [forestry.service@edinburgh.gov.uk/](mailto:forestry.service@edinburgh.gov.uk)
- 37 S McDonald, SW Office: papers for EIT meeting, 29 July. [Sec will be on holiday, so asked Sarah to send hard copies to Sheila Duffy, which can be passed on if necessary.]

- 38 D Webster: Cllr Lewis's apologies for 22 July meeting, and enquiry as to status of sign- posts with concrete bottoms lying at entrance to park. [Still not uplifted by contractor.]
- 39 H Levy re EVOC '**at 800**' project: proposed meetings for elderly, vulnerable & disabled, with info & advice on mobile 'phones going over to 4G. Contact Josie Isles, Tel 555 9131.
- 40 E Hewitt: Members Briefing 423 re further city-wide delays to refuse/garden uplifts. [No mention of delays in Pentland NP area – but today's (Thurs) garden uplift here has not happened!]
- 41 D Webster (obo Cllr Lewis): Living History performances, Historical Fashion Shows, and garden events at Lauriston Castle this summer. Also, Enchanted Christmas experiences for schools in same venue in August. Info: Edinburgh Museums/Lauriston Castle Events website.