

Minutes of the business meeting of Leith Central Community Council, held via Zoom on Monday 19 October 2020 at 7:00pm

Actions and decisions are RED ITALIC UNDERLINED SMALLCAPS. *nem con* means that no-one spoke or voted against a decision.

1 Welcome, apologies, minutes

There was discussion of how attendance etc should be recorded for online meetings.

1.a Attendees:

- LCCC: Jack Caldwell, Charlotte Encombe, Pierre Forissier, Nick Gardner, Fee Gerlach, Sheila Kennedy, Ian Mowat, John Tibbitt, Harald Tobermann, John Wilkinson, Amy Woodgate, Bruce Ryan
- CEC: Cllr Susan Rae,

1.b Apologies

Alan Dudley (LCCC), Ben Macpherson MSP, Deidre Brock MP

2 Approval of minutes of business meeting 21 September 2020

Approved (proposed I Mowat, seconded J Caldwell) subject to removal of some of a thread about burdens, formatting the attendance-record as above and correcting the spelling of P Forissier's surname.

3 *to agree*: LCCC to hold an AGM on 16 November 2020 using the following format, agenda and rules of engagement and currently online only:

DECISION: LCCC TO HOLD AN AGM ON THIS DATE (AGREED NEM CON)

3.a AGM Format

3.a.i While the online platform will be decided by the Communications Group, (taking into account the rules of engagement below, as well as the need to accommodate users of Council hardware and members of the public), members need to agree a budget of a maximum of £570 towards this

- Chair: I propose adopting the proposals in the comms group's recent paper, i.e. spending the amounts suggested.
- A Woodgate: LCCC has agreed that there should be an AGM, but circumstances dictate it is online. So LCCC needs to agree how it does things online. (AW then précised [this paper](#).)
- A Woodgate (later): typically, online channels require payment by credit card. So this may delay setting up the proposed channels, hence it's probably easiest to hold the AGM via Zoom.
 - J Caldwell: it's probably best to enable the office-bearer emails one at a time
- P Forissier: go for the long-term option
- J Tibbitt: I concur – LCCC might want to use these facilities for more than meetings, to engage with the community
- H Tobermann: I agree with looking for long-term solutions, but I want online to be in addition to, not a replacement for, in-person meetings. Subject to that, I am in favour of investing.
- Cllr Rae: CEC will offer CCs a version of Teams, and assistance with costs for other systems.
 - Chair: I understand that CEC is happy for CCs to divert the money they would normally spend on venue-hire to pay for online systems. Is this correct?
 - Cllr Rae: this is incorrect. CEC's vision is for blended meetings – digital has increased participation at several levels. The offer of Teams is not to replace in-person meetings. A relevant motion has been passed by CEC.
 - J Caldwell: what is the timeline for implementation of this motion?
 - Cllr Rae: as far as I know, 2 months. But I recommend that LCCC invests in its own technology. Don't depend on CEC.
 - B Ryan: I understand the version of Teams that CEC has recommended omits some features.
 - A Woodgate: this version does not enable recording.
- A Woodgate: assuming we want to go digital, we need to think about whether we record meetings. This would dictate what tools LCCC uses.
 - H Tobermann: I am happy for meetings to be recorded to enable accurate minutes, and possibly with streaming. Unrestricted later viewing is problematic, and LCCC may not have the capacity to deal with related problems. Our images would be out there for ever, and I am concerned about this.
 - H Tobermann: there is also the question of people choosing not to switch their cameras on. I would prefer that we all can see who is attending.
 - P Forissier: I concur with recording for minutes, but am unsure that it is safe to have our discussions online forever. For example, big developers might claim that my words have stopped them advancing a project.
 - B Ryan: video-recordings are really helpful for minutes.
 - N Gardner: why would LCCC want to publish recordings of its meetings? I concur with recording for minutes.
 - I Mowat: I am also concerned about publishing video-recordings, so recording facilities are not a justification for this spend. The CEC offer would not help with the AGM (only 1 month hence) so we have to do something that works.
 - I Mowat: the proposal is for an annual expenditure – that could be revised downwards in later years. LCCC cannot afford to spend £570 each year indefinitely and still meet its other commitments.
 - Chair: I suggest LCCC goes for a platform that supports video-conferencing, but review this decision when appropriate. I concur that there is an issue of privacy. The minutes should be sufficient [ongoing] records.
 - Chair: hence I proposed spending £570 this year as in the comms group's paper.
 - J Wilkinson: why can LCCC only afford this for 2 years? LCCC has £2000 in the bank.

- I Mowat: I am not necessarily saying only 2 years. But if we spend £570 per year on this and £600 or more per year on the minutes secretary, this exceeds our annual grant and so would diminish LCCC's reserves.
- J Wilkinson: LCCC's grant is dependent on its population, which is increasing – so the grant should increase.
- I Mowat: any increase would be around £50 at most. £150 was deducted by CEC due to reduced venue-costs.
- B Ryan: this increase in grant isn't guaranteed and so should not be relied on.
- A Woodgate: we would have the facility to record, share between office-bearers etc better. We do not need to publish recordings. We could publish as is decided appropriate with such a system, and certainly make sure files are better archived and accessible to LCCC members. The proposal includes LCCC email addresses for the 5 office-bearers and the minutes secretary, all on the same platform, and LCCC-owned video-conferencing channel. £570 is the absolute maximum for now.

- Chair: thanks to comms group for thinking this all through

DECISION: LCCC TO SPEND UP TO £570 FOR ONE YEAR'S SERVICE AS OUTLINED IN THE COMMS GROUP'S PAPER (AGREED NEM CON)

3.a.ii Using the chosen platform, a prior technical and logistical test needs to be carried out as a dress rehearsal

ACTION: A WOODGATE TO ARRANGE THIS, WITH HELP FROM COMMS GROUP MEMBERS.

3.a.iii the maximum length of an online meeting should not exceed 60 minutes

- Chair: this limit is not realistic.
- B Ryan: I suggest a comfort-break after 60 minutes.

3.a.iv The Chair will obtain proper dispensation from the Standing Orders (see [SCHEME FOR COMMUNITY COUNCILS](#)) for the AGM that is less ambiguous than the current "We can now endorse holding AGMs using virtual means" (CEC 13-08-20)

- H Tobermann: CEC officers who deal with CCs has issued informal, sometimes contradictory emails, often signed off with first names. These 'drive a coach and horses' through the CC scheme. I do not see where CEC officers get the authority to do this. Hence I want a formal statement with a rigorous legal basis for these actions. The emails I am concerned about here do not quote legal authority such as CEC motions, Acts of Parliament.
- Chair: I am happy to write to CEC, requesting for such legal basis/bases.
- Cllr Rae: what are the specific concerns, subjects of these concerning emails?
- H Tobermann: see the example in the agenda section-heading.
- Cllr Rae: the CEC official would have been told to send this by a councillor or the Scottish Government.
- H Tobermann: we cannot reply on such assumptions – we would end up with an illegal AGM. The CC scheme is clear.
- Cllr Rae: could you not have asked the official about this when he emailed – in August?
- Chair: there have been similar missives from him that lack legal bases.
- S Kennedy: this officer had sent approval of holding in-person meetings, but when LCCC proposed doing so he informed LCC this could not be done. I phoned him to ask whether LCCC could meet in-person and he said that other CCs were doing this, so this was allowed. Hence I support enquiring where his authority on this comes from.
- Cllr Rae: his authority comes from his role in CEC governance about CCs. It's [part of] his job.
- N Gardner: I sympathise with CEC governance staff, but this question of due process needs to be answered.
- ACTION: CHAIR AND H TOBERMANN TO COLLABORATE ON WRITING TO CEC ABOUT THIS

3.b AGM Agenda

- i. Recording of membership present and apologies received
- ii. to agree: minutes of the last annual general meeting of LCCC.
- iii. to note: Chairperson & Secretary's & Engagement Officer's Annual Report (and questions from the floor).
- iv. to agree: Treasurer's submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- v. Demit of current office bearers/election of office bearers.
- vi. to agree: Dates, times and venue of future ordinary meetings
- vii. to note: Date of next annual general meeting
 - S Kennedy: how will votes be counted?
 - H Tobermann: see item c below
 - Chair: I generally ask whether everyone is in favour, and if anyone is against.
 - DECISION: THIS AGENDA WAS AGREED NEM CON

3.c AGM rules of engagement

- i. Prior identification of anyone who wants to speak (no aliases)
- ii. Roll call of LCCC for any votes taken
- iii. The Chair will identify and appoint (neutral) facilitator/s of the above, including definition of their roles and responsibilities.
 - Chair: LCCC could use digital 'thumbs-up' to vote in favour
 - H Tobermann: I think it's important that each voter actually says whether they are for or against, and that it is know how each voter votes.
 - S Kennedy: I can only currently see the screen-shared agenda, and not other people present. Seeing people is much more engaging.
 - A Woodgate: we will dry-run the AGM, and will stop/start screen-sharing as appropriate. People will have to follow the agenda otherwise when it's not being screenshared.
 - Chair: in the past, Cllr Munn has chaired election-sections of such meetings, so I will ask him again.

- H Tobermann: that is not the point of this item. LCCC does not need anyone else to chair such items except at initial AGMs [i.e. of newly elected CCs]. The point is that any member who is running the IT will not be able to give full attention to the meeting, and has extra powers, e.g. muting attendees. Hence for equality members should not host such items. I would be happy if a non-member hosted.
- B Ryan/ A Woodgate: this can be done, e.g. B Ryan can be given hosting power.
- H Tobermann: the comms group should think about how items i to iii will be done, then circulate their conclusions.
- I Mowat: there needs to be someone [i.e. not the chair] who chairs at least the chair's election. The chair could then chair other elections. There should be formal nominations of office-bearers. LCCC should decide where nominations will be sent.
- A Woodgate: I can create any needed forms.
 - **ACTION: CHAIR AND S KENNEDY TO ARRANGE NOMINATION PROCESS**
- J Tibbitt: There should be a proper timescale for nominations, and maybe even a form, so it is clear who is standing.
- Chair: I can email nominations to members.
- A Woodgate: should this be published, so others can stand for these roles?
- B Ryan: only existing voting members can stand for office-bearer roles. So if someone was co-opted before the elections, they could stand. But non-members cannot be elected to such roles.
- B Ryan: if absolutely necessary, I will chair these elections. I cannot vote in them, so am effectively neutral.
- H Tobermann: the current LCCC constitution is silent on this, so LCCC could choose to accept nominations at the AGM. There is no rule on whether candidates nominate themselves or are nominated by others.
- H Tobermann (later): business cannot continue if a member who wishes to be present loses their connection.

4 to note: until the AGM or the next properly constituted LCCC meeting, whichever comes first, Office Bearers will continue to act and communicate on behalf of LCCC under previously delegated powers with any decisions taken on behalf of LCCC to be reported and ratified at a subsequent properly constituted meeting.

DECISION: THE ABOVE WAS NOTED

--- A comfort-break was taken at this point. ---

5 Reports from Office Bearers and sub-committee conveners

5.a Treasurer: paying for digital channels

Following on from probable need to use a credit card to pay for digital channels (section 3.a.1):

- I Mowat: I am looking into internet banking for LCCC after the AGM. This may enable LCCC to have a credit card.

5.b Treasurer: invoice from Out of the blue.

- I Mowat: I received this invoice for ~£100 recently, probably resulting from the cancelled August meeting. I wasn't involved in making the booking. Who made the original booking? While the invoice is for 3 hire hours (according to the chair), LCCC cancelled about 2 weeks before the due date. Hence payment is dependent on OOTB's terms and conditions about cancellation.

- H Toberman: I probably made the booking.

- **DECISION: LCCC TO GATHER RELEVANT INFORMATION, AND REVIEW THIS AT ITS NEXT MEETING**

5.c Planning: Spey St

- P Forissier: A private company has applied to demolish a workshop here and replace it with a 3-bedroom house. I have been approached by many concerned people: this lane has many active workshops that serve the community. Such a change of use would have a domino effect, reducing employment here. Residents are also concerned about the proposed scale. Scales in the application were incorrect. I agree that this application would not suit the area.

- Chair: I live very nearby (and hence have an interest) – and will object personally.

- Cllr Rae: I also have an interest – I also live very nearby. The local development plan does not specify that this lane should be light industrial – instead it should be a housing area. I will object to the proposed development due to its scale, the potential domino effect etc. However, the lane does need cleaned up. Some buildings don't have toilets or water supplies. Hence any campaign should be not about saving the physical lane but saving the community.

- **ACTION: LCCC TO SUBMIT AN OBJECTION (AGREED NEM CON)**

5.d Planning: tram-noise

- P Forissier: I met with the trams team (TT) and a resident – he is concerned that vibration would harm his property. Hence he has contacted a specialist, who has identified gaps in TT's strategy for vibration mitigation. TT has been very helpful, acknowledging this issue. TT is now working to resolve it.

5.e Planning: conservation area

- P Forissier: I would like to know whether and how this topic has been progressed.
- A Woodgate: I have no update. I helped residents put together the original proposal but have done nothing since then.
- H Tobermann: CEC reviews conservation areas periodically, but I would be surprised if this is a current priority.
- P Forissier: I am happy to take this on.

5.f Planning: trees

- P Forissier: a resident noted that some trees on Leith Walk are due to be removed by TT. What can LCCC do about this?
- Chair: any trees that are removed should be replaced with similar thriving ones.
- **ACTION: CLLR RAE TO CONTACT THIS RESIDENT, THEN SHARE OUTCOME WITH LCCC**

5.g Planning: Pitt St PAN consultation

- H Tobermann: the site is where the Pitt St market is. The proposal is for housing development. The developer has broken many rules, including poor neighbour notification, a 'lackadaisical' online PAN meeting
- **ACTION: H TOBERMANN TO SUBMIT LCCC'S OBJECTION TO THE CEC PLANNING OFFICER (AGREED NEM CON)**

5.h Planning: formal response to Drum re Steads Place presentation

- Chair: Drum had not answered 15 questions it had sent prior to the meeting. Is LCCC content with this?
- P Forissier: many of the questions were irrelevant – they addressed later stages of the project.
- Chair: it only came out at the end of the meeting that Drum plans to sell the whole completed development. This implies lack of transparency.
- H Tobermann: the normal PAN process is that the developer writes a report on its consultation, and send a draft to LCCC before it submits its report to CEC. This should be agreed with the developer before LCCC agrees to host a PAN consultation. LCCC should also have its own record, so that if the developer's report is incorrect, LCCC can raise this.
- B Ryan: can LCCC say to Drum 'we will hold you to answering the unanswered questions at the appropriate point'?
- **ACTION: P FORISSIER AND PLANNING CTTE TO ENGAGE WITH DRUM AS SUGGESTED**

6 AOCB**6.a Support for Leith Chooses**

- J Tibbitt: LC has asked each participant CC to contribute £50 towards the cost of its domain and online promotion. LCCC should support this important community event.
- I Mowat: I support this.
- H Tobermann: CEC should pay for this. LCCC should write to CEC to say it should do this.
- Chair: LCCC can afford this. I agree that CEC ****should**** pay for this but its resources are continually shrinking.
- N Gardner: CEC does put a lot of in-kind support (officer-time) into LC.
 - **DECISION: THIS £50 SUPPORT AGREED**
 - **ACTION: B RYAN YO ASCERTAIN HOW THIS MONEY IS TO BE TRANSFERRED**

6.b Consultation on public spaces

- S Kennedy: this contains a section on public parks that invites community comments. Considering recent issues with the Ladyboys of Bangkok, LCCC should submit its opinion, as community representatives, so that proactive action is taken.
- **ACTION: N GARDNER TO DRAFT A SUBMISSION, WORKING WITH JOHN WILKINSON**

6.c Edinburgh Association of Community Councils

- J Tibbitt: EACC will produce a good-practice guide on virtual meetings and AGMs very soon.
- J Tibbitt: EACC will hold a special meeting on 22 Oct on Spaces for People and low-traffic neighbourhoods.
- J Tibbitt: EACC's AGM is on 19 November. Nominations for office-bearers are due by 16 November.
- **ACTION: J TIBBETT TO EMAIL EACC-UPDATE TO LCCC MEMBERS**

6.d Dissemination/website content

- J Caldwell: should planning submissions etc go onto LCCC's website? LCCC hasn't generally done this, but it would help explain LCCC's positions to its public.
- **ACTION: LCCC AUTHORS TO CC SUCH SUBMISSIONS TO COMMS GROUP**

7 Next meeting

16 November 2020 (AGM)