



Powderhall Village Owners Association

www.powderhallvillage.org.uk

Minutes of Committee Meeting held on Wednesday 29 April 2009

Present: Roddy Martine (Chair), Bill Scott (Treasurer), Ian Corbett (Minutes), Stephanie Scott, Jane Chisholm, Gordon Chrumka

Apologies: Joanna Bytheway, Kathryn Tomlinson, Sharon Lennie, Peyman Taheri, Franz Kooy.

This would have been Sharon's last meeting, and the committee wanted to record its thanks to her for all her efforts over the past few years, and to wish Ewan and her happiness in their new home.

2. The Minutes of the meeting on 11 March were approved.

3. Parking Ian and Roddy summarised the outcome of the meeting with Council officials on 23 March. The Council presented us with two options:

- become part of the N1 CPZ scheme and pay £80 per annum per permit for residents' parking permits. Books of use-once visitors parking discs could also be purchased at £60 per hundred discs (it is thought that a 60p disc would give 90 mins. parking).
- a new offer from the Council that we could choose not to be part of the N1 CPZ, but the Council would still not allow us to control parking at Powderhall in any way.

The only concession that was offered was that the fee for parking permits could be deferred for one year. We told the Council officials and Counsellors that this was unacceptable, and asked them to go away and come up with a compromise solution that was much closer to the scheme we have at present, and which might stand a chance of being accepted by Powderhall owners. We are still waiting for a response.

There was a discussion on what further steps, if any, should be taken at this time. The crux of the matter is whether the Council's assumption (based on its interpretation of the Roads (Scotland) Act of 1984) that the parking bays at Powderhall are part of "the road" and therefore will be adopted by the Council when Powderhall Road is adopted. Also, whether the Council's opinion that only the roads authority (the Council) can control parking on any road, whether public or private.

The committee decided that initial steps should be taken to try to get clarification on both these issues. It was decided that we should contact the Scottish Executive to ask its opinion on the City Council's interpretation of the Roads (Scotland) Act. If this approach proves fruitless, we would still have the option to pay for independent legal advice if we could identify a solicitor with the necessary expertise.

Action 29/4/09 Roddy to write to Stewart Stevenson, Transport Minister at Holyrood, asking for a view from his Department on whether Edinburgh City Council's interpretation of the Roads (Scotland) Act is correct, and to keep Malcolm Chisholm, our MSP, in the loop and ask him to ensure that our enquiry is dealt with promptly.

It was also suggested that, under the Freedom of Information Act, we could ask for copies of internal Council papers on specific related topics such as

- interpretation of the Roads (Scotland) Act
- attitude to use of private firms controlling parking in Edinburgh
- parking issues on other housing developments in the city

Action 29/4/09 Gordon to draft separate enquiries on the above topics requesting information from the Council under the Freedom of Information Act, and forward to Roddy for confirmation before being sent.

These are the only actions that will be taken until we get a response from the Council, but other future strategies were discussed. It was agreed that we should maintain our current approach of standing up to the Council, taking independent legal advice, contacting other Owners Associations and perhaps involving the Broughton Community Council if necessary. Franz Kooy (via e-mail) suggested that a petition of Powderhall residents could be a powerful weapon. We still have the option of involving the Press, but it was felt that this should be a last resort.

If eventually we lose our fight with the Council and do have to pay for parking at Powderhall, Franz Kooy (again by e-mail) suggested that the best solution would be "mews parking" for the whole Powderhall site (essentially a separate zone (N1 A?) for the sole use of Powderhall residents). This was agreed by the committee.

Once we hear from the Council, a special committee meeting will be called if necessary to discuss parking only, and invitations will be extended to people known to have the expertise and desire to determine future actions.

4. Update on actions from previous meetings.

Fence Panel Behind 18 Powderhall Road – **Action 3/2/09** – Matt Davis of The City of Edinburgh Council revisited the area on 31 March and is now of the opinion that as the wall is not in danger of collapse he will not issue the statutory notice or enforce it. Sarah is annoyed about this as he had been told that Rutterford Developments had been served with a statutory notice previously. She has e-mailed Gayle Cunningham, PA to the Managing Director Mike Rutterford, to request a meeting with a member of their staff to again discuss these issues and was informed that the person concerned is currently on holiday but would contact her on his return. Ongoing

Dripping overflows (Individual) – **Action 12/8/08** – Sarah has completed the overflow plans for the Road and has completed 85% of the overflow plan for 2-6 Rigg. She estimates that this latter plan will be completed by the end of May. Rather than pay the Council for copies of plans for the Brae and 7-11 Rigg, Sarah now reckons that she can complete these plans from a site visit, but this will take more time as it needs to be done as time permits. Ongoing

Overflow above 2 Brae – **Action 12/1/09** – Joanna reported recently that there was still a problem of water dripping from an overflow above 2 Brae. Sarah has had a contractor inspect the communal

tanks in 2 Brae again, and he has confirmed that these tanks are not the source of the problem. Sarah is convinced that the problem must be from the cold water tank in the loft of 2/19 Brae and has written to the owner requesting access to try to confirm this. Jane (the owner of 2/19 Brae) has had a plumber inspect her cold water tank, and the water level is 6 inches below the overflow outlet, so the problem is not with her tank. Jane is convinced that the tank in 2/16 Brae, a leased flat, is the probable source of the problem.

Action 29/4/09 Sarah to write to owner of 2/16 Brae requesting access to inspect the cold water tank in the loft above that flat.

Trees in B&Q – Action (undated) – Sarah has made several phone calls to B&Q in April and finally found that tenders for the work are all with the B&Q property department in England. Sarah has been told that the work will definitely be done since one of the trees is leaning dangerously over the B&Q covered plant area on the site. - Ongoing

Buildings Insurance - Action 3/2/09 – A letter to all owners at Powderhall was sent out with the March bill. Charles White have chosen Zurich as the preferred insurer from 1 May as the Zurich quote for the gross premium was £66K compared with quotes of £101K from Axa and £126K from Allianz. - Complete

Gardening – Action 3/2/09 – Sarah reported that Brian Hunter claims to have completed the wood-chipping of all beds asked for. This needs to be checked by the Gardening sub-committee. Also, Brian Hunter says that all the debris and twigs have been removed from beds and ties around trees have either been removed or loosened. Joanna (via e-mail) says that debris has not been removed from the beds round 3 Brae and that the loosening of tree ties is incomplete on trees close to B&Q boundary, and that no support posts have been removed.

Action 29/4/09 Those members of the gardening sub-committee that are available (Roddy, Stephanie and Jane are definite) will conduct another walk-round inspection at 1pm on Tuesday 5 May.

Sarah now says that edging the grass beside the footpaths in the central area with an edging tool is not in the current gardening contract - this work, on a once-per-annum basis, should be included in all future annual gardening contracts.

This led to a general discussion on the gardening contract that highlighted the fact that the committee is not only unaware of what tasks are included in the current gardening contract, but had no say in what should be included in it (applies to cleaning contract also). It was agreed that this should be remedied in the future.

Action 29/4/09 The gardening sub-committee will draft the future gardening contract that firms will be invited to tender for when the current contact comes up for renewal. As a basis for this, Stephanie will get a copy of the current gardening contract from Sarah.

Some dissatisfaction with the quality of the gardening work at Powderhall was expressed, and Jane reported that she had heard good reports about the gardening work currently being done by Green Fingers at nearby Boat Green. Jane had also ascertained that Green Fingers would be interested in tendering for the Powderhall contract, and could manage a site of this size.

Action 29/4/09 Sarah to ensure that Green Fingers is one of the firms invited to tender for the Powderhall gardening contract when it comes up for renewal, and advise the committee of the renewal date.

Action 11/3/09 – plank in fence near incinerator has been replaced. Completed

Unsealed Boiler Exhausts – **Action 11/3/09** – Sarah reported that a contractor had confirmed that these exhausts should be sealed where they exit the outside wall to prevent water ingress, but says that it is the responsibility of each individual owner to have his/her exhaust outlet sealed. The committee decided that in view of the costs of having this done, this should not be pursued further. Completed

Replace Missing cover on wall at 7 Rigg - **Action 11/3/09** – Sarah wrote to owner on 13 March requesting that this cover be replaced, but this has not been done to date. Ongoing.

Treatment of Fence beside Water of Leith – **Action 11/3/09** – Sarah has requested three quotes for this work and is waiting for responses. The committee decided that it would be sensible to wait until the Water of Leith Flood Prevention work was completed before this fence treatment is undertaken. Ongoing

Rubbish around development – **Action 11/3/09** – Sarah asked Annfield Cleaning to quote for a regular collection of rubbish on site, and has received a quote of £60 per collection every two weeks. The committee decided that since the gardeners already pick up rubbish (once a fortnight during the summer and once a month during the winter), the only need for an extra collection would be once a month in the winter, interleaved with gardeners visits. – Ongoing

Action 29/4/09 Sarah to confirm that the quote of £60 per additional collection would still be applicable for this arrangement.

Quarterly bills – **Action 11/3/09** – The reasons for the large increase of about £70 in last quarter's bill for Brae owners was as follows:

- £34 for communal electricity (not included in the previous bill so double the normal amount of £17)
- extra £13 for lift maintenance (5 week period instead of 4 weeks)
- £15 for additional gardening work requested by committee. Completed

- **Action 11/3/09** – format of bills – Sarah explained that the current Charles White system cannot produce a statement of account per quarter to accompany the quarterly invoices of those who pay by standing order – hence the separate annual statement of account sent to those owners. Sarah has asked the IT department to investigate the possibility of producing quarterly statement of accounts to accompany invoices. Ongoing

Additional items

Action 24/4/09 – Sarah to get “To Let” sign at 6 Brae removed from downpipe

Action 24/4/09 – Sarah to get Brian Hunter to re-stake tree that is bent over in central area behind 6 Brae

It was noted that the new green parking permits are fading to blue, and Sarah has warned the CT warden and asked him/her to check validity of permits by looking at the ‘valid from’ date.

5. New Business raised by Sarah

Sarah asked the committee to consider setting up a “fabric fund” (or depreciation fund) for the Powderhall Development. Each owner would be asked to contribute a small amount once a year into a high-interest account to cover the cost of possible expensive maintenance and repairs not covered by buildings insurance and hopefully well in the future, to the fabric of the buildings and to roads not adopted by the Council. The committee agreed that this was a good idea in principle but that a detailed proposal would need to be presented at the next AGM for a decision.

Action 29/4/09 Committee to ensure that this topic is included on the agenda for the next AGM.

6. AOB

Bill asked the committee to approve the quarterly payment of £26.39 for hosting our website, and this was agreed.

Gordon advised that the Council had suspended all Thursday evening lets of Broughton Primary School hall, and so Thursdays in January will not be available for the next AGM. Bill reported that he had heard that the Lady Haig Poppy Factory had a hall that might be available and suitable if required.

Action 29/4/09 Bill to check on suitability and availability of Lady Haig hall.

6. Next committee meeting

Unless a special committee meeting is arranged to discuss parking developments, the next scheduled committee meeting is at **7.30pm** on **Tuesday 9 June** in **2/19 Brae** (Jane’s flat). Roddy has agreed to take the Minutes at this meeting.