



## Powderhall Village Owners Association

([www.powderhallvillage.org.uk](http://www.powderhallvillage.org.uk))

### Minutes of Committee Meeting held on 28 July 2010

**Present:** Roddy Martine (Chair), Ian Corbett (Sec.), Bill Scott (Treasurer), Kathryn Tomlinson, Frans Kooy, Gordon Chrumka, Joanna Bytheway, Jane Chisholm and William Mackie

**Apologies:** none – all present

#### Agenda:

- Approval of Previous Minutes
- Actions from Previous Minutes
- Road Adoption and Parking
- Gardening Issues
- Social Event on 22 August
- Any Other Business
- Date, Place and Minutes of next meeting

Approval of previous Minutes. The Minutes of the meeting on 16 June 2010 were approved with two small amendments – the date of next meeting should have been 28 July and in the last line of the paragraph on B&Q Trees, the word “no” should have been “new”.

#### Actions from Previous Minutes

Fire Windows **Action 02/12//09:** Gordon is still working on the production and fixing of suitable notices to the fire windows to discourage residents from opening them. **Ongoing**

List of Preferred Contractors **Action 02/12/09:** Gordon said that the list of preferred suppliers had been added to the website, but the link to this page is not working properly. **Ongoing**

Water seepage into underground car park **Action 5/5/10:** The report by 24 Hour Roofing and Building Ltd. has been forwarded to the NHBC (copy sent to PVOA for information) together with a copy of the Miller Deed of Conditions. Colin Macbeth has been nominated as the Claims Coordinator for this claim by the NHBC and Sarah is currently waiting for him to contact her this week. **Ongoing**

Rubbish Collection **Action 5/5/10:** Sarah has now met with David Bain of Edinburgh City Council earlier this month and he has been monitoring the situation up until last Friday. The Council will not be reinstating the twice-weekly collection for general rubbish, however the blocks where there are more than 14 flats may be given another bin. David Bain is currently

continuing to monitor over the next 4 weeks and will inform me of a date when the extra bins will be delivered. It was pointed out that not every bin store could take a third large bin for general rubbish. **Ongoing**.

**Action 28/7/10: Sarah to inform David Bain that not all bin stores for blocks with more than 14 flats can accommodate a third large bin for general rubbish**

Fabric Fund **Action 5/5/10:** The committee decided that no further action would be taken on the setting up of a fabric fund until the matter has been discussed at the next AGM. **Completed**

Buildings Insurance Claim Form **Action 2/12/09** Gordon has added an e-copy of the form to the website and it is now accessible to owners. **Completed**

Refilling of grit bins **Action 27/1/10:** Sarah has had assurance from Taylor-Woodrow that they will do this. Powderhall is now on their schedule as one of a number of sites where grit bins need replenished, but the work won't be done until the autumn.. **Ongoing**

Offer of help with website **Action 5/5/10:** Gordon said that he had now contacted the person offering to help and is waiting for that person to get back to him. **Ongoing**

Commercial vehicles **Action 17/3/10** Sarah has now contacted the owners of the two white vans, one in the Brae and the other in the Rigg, and both have now been removed. An untaxed Mercedes with a permit is parked in the Brae. The owner has called Sarah and stated that the car will be removed as soon as possible. It was reported that there is also an untaxed BMW in the underground car park that should be brought to Sarah's attention. **Ongoing**

Sky television **Action 16/6/10:** Kathryn contacted Sky and found that their advertising literature did not refer to a complete distribution system to all flats in a block. The committee had previously agreed that no further action would be taken, **Completed**

B&Q trees overhanging 1 &2 Brae **Action 16/6/10:** William has tried unsuccessfully to contact Fergus Morrison to commit his concerns to paper, and so alternative ways forward need to be discussed. **Completed**

The committee decided that William should pursue the matter further with Frontier Forestry. There were a number of details that need to be clarified with Frontier Forestry before the committee can decide whether to go ahead and commission a survey by them. In particular:

- what exactly is involved in an "aerial" survey?
- would Frontier Forestry need access to the trees from B&Q property, and have they experience of how easy it is to get a neighbouring landowner's permission for access?
- will Frontier Forestry look not only at the health of the trees but give an opinion on the threat to residents' safety from the overhanging branches.
- if the trees are not considered dangerous at the moment, could Frontier Forestry estimate when in the future they might become so?
- would Frontier Forestry give a ball park figure for reducing the height of the trees to the height they were reduced to when this was last done a few years ago?

**Action 28/7/10: William to contact Frontier Forestry to get answers to the above points, e-mail the answers to Ian who will then circulate them to all committee members for a decision (via e-mail) about whether to proceed with a survey at the quoted price.**

One suggestion from the Council's Agricultural Officer that hasn't yet been followed up is to contact the Council's Clarence team, responsible for Edinburgh's roads and pavements. It was implied that the Clarence team could force B&Q to take remedial action if there was a danger from overhanging branches to people using a pavement.

**Action 28/7/10: William offered to contact the Clarence team to see if they would assess the situation and take further action.**

It was also suggested that a further letter from the Owners' Association to the CEO of the B&Q Group should be considered, but it was decided to wait until further evidence could be provided.

Buildings Insurance

**Action 5/5/10:** Ian had already forwarded an e-copy of the full, 48-page Buildings Insurance Policy to Gordon to add it to the Powderhall website. Gordon says that he has lost the e-mail and asked Ian to re-send it.

**Action 28/7/10: Ian to re-send e-copy of Buildings Insurance Policy document to Gordon to add to the website (completed on 29/7/10)**

**Action 16/6/10:** Sarah invited Chris Cadwallender of Deacon Insurance Brokers to attend this Meeting to discuss claims information in the year to date, but he was unable to do so as he is on annual leave until 9th August.

**Action 28/7/10: Sarah to repeat invitation to attend the next committee meeting.**

**Action 16/6/10:** Sarah sent the ballot paper on how the insurance excess due to water damage should be paid to 325 owners at Powderhall (all except town house owners). There were only 115 ballot papers returned (35%), well below the 60% return for a valid ballot as stated in the Minutes of the last meeting, and so there will be no change from the existing arrangement where the excess is shared equally among all owners in the blocks covered by the relevant policy.

As a matter of interest only, of the 115 returns, 45 voted for the status quo, 37 voted that the owner of the flat causing the leak should pay the whole excess and 33 voted that the owner of the flat causing the leak should pay 50% of the excess, the remaining 50% being shared among the other owners in the block.

The suggestion from a resident that Charles White should nominate a Plumbing company to provide an annual check on water seals and pipe connections at a reasonable price was discussed. The committee decided not to ask for this on the grounds that the owners of flats where a water problem is most likely to occur are not the ones who would be likely to make use of such a service. This topic will be discussed again at the AGM next year.

Annual Safety Inspection of Play Park (No Action) Sarah advised that this will take place in August

Communal Electricity Supplier (No Action) Sarah advised that she has asked a John Wilkinson of Commercial Power to check whether the current supplier of communal electricity at Powderhall, Scottish Power, is providing the best rates. His report is expected shortly.

Smell from Waste Transfer Station **Action 16/6/10:** Roddy forwarded the e-mail on this topic from a resident to Louise Lang. She had been in touch with the resident who raised this complaint, but the problem seems to have been temporary and has not re-occurred. **Completed**

## **Road Adoption and Parking**

Our Chairman Roddy received a letter dated 30 June 2010 from the Transport Policy and Planning Manager at the City of Edinburgh Council, Ewan Kennedy, advising him that a report entitled “New Development Roads in Controlled Parking Areas” would be presented to the Council’s Transport, Environment and Infrastructure Committee on 27 July. The report would deal with the practice where private companies are controlling parking on roads, as Central Ticketing does on our behalf at Powderhall. The report would also inform the committee of the intention to formally adopt the roads in the Powderhall Development.

Over the past years and at various AGMs, our local Councillors had assured us that no decision would be taken about parking at Powderhall without the owners being consulted, and via Councillors Lang and Brock, Roddy and Ian arranged to meet Andrew McBride and Andrew MacKay of the City Development Dept./Transport at the City Chambers on 16 July to discuss the implications of this report, and investigate options that could be put to all Powderhall owners for a decision.

Despite an earlier agreement reached between PVOA and Council Officials in 2006 in which all but 31 of the parking spaces at Powderhall would be for the sole use of residents, and the Council Officials concerned stating that they had successfully persuaded the Chief Engineer at Taylor Woodrow to resubmit their plans for the adoption of Powderhall Road to reflect this agreement, the current Council position is that they are proceeding with the adoption of the roads in Powderhall with the original plan submitted by Taylor Woodrow which would bring 168 of the 345 parking spaces at Powderhall under Council “control” after adoption.

In the interests of trying to find a satisfactory solution to this sorry mess, we discussed the two best options that would be acceptable to the Council that could be put to all owners for a vote.

One option, a concession by the Council, is that we could vote to stay outside the Controlled Parking Zone (CPZ) N1. However, the Council is insisting that the Roads (Scotland) Act of 1984 states that only the Council has the legal authority to control parking on any road, and so we would be prevented from controlling parking at Powderhall using Central Ticketing (unless we challenge the Council’s interpretation of the Act). This would mean that if it became widely known that Powderhall was outside the CPZ, we may well have a problem of “fly” parking between 8:30am and 5:30pm, Monday to Friday, the operating days/times within N1.

The best second option that the two Council officials would agree to at this meeting is that Powderhall Road would become part of the N1 zone, and Powderhall Brae, Powderhall Rigg and the spaces behind Powderhall Road would be “mews” parking. Everyone at Powderhall could apply for a “mews” permit, and the added advantage would be that anyone with a Powderhall “mews” permit could park anywhere in N1 (including Powderhall Road) but people with N1 permits would not be able to park in our “mews” spaces (but would be able to park in Powderhall Road). As a special concession, everyone in Powderhall could apply for one (or a maximum of two) “mews” permits that would be free in year 1, and 30%, 50% and 70% of the full permit price of £80 in years 2, 3 and 4 respectively – the full price of £80 per permit would apply in year 5 and beyond. The result would be that our parking bays would be patrolled by Council wardens between 8:30am and 5:30pm, Monday to Friday, but outside these times, there would be no control and we would be no better off than we would be by being outside the CPZ.

One disadvantage of this scheme is that no visitors' parking would be allowed in mews areas, and so visitors to, and tradesmen working in, any Powderhall residence would have to park in Powderhall Road and either pay for a parking ticket from the nearest N1 ticket machine or be given a visitors permit. Books of visitors' permits (10 per book at 60p per permit and a max. of 150 permits per household per year) could be purchased by Powderhall residents from the Council for the use of their visitors, but one visitor's permit only lasts for 90 minutes. Any tradesman working all day at Powderhall would therefore have to use 6 visitors' permits (at a cost of £3.60) unless he already possessed a £100 Council all-zones permit of his own.

We argued for an alternative scheme to make Powderhall a zone in its own right, with the same costs as outlined above. The advantages would be that N1 permit holders would not be able to park in Powderhall Road between 8.30am and 5.30pm, Monday to Friday, and that visitors could park anywhere at Powderhall. The slight disadvantage is that Powderhall permit holders would not be able to park in spaces in the much larger surrounding N1 zone. The Council's view is that Powderhall is too small for this to be a practical solution, but conceded that Councillors could make this happen if they had a mind to.

The committee discussed the various options, and were of the unanimous view that the best Council-controlled scheme would be to have Powderhall as a separate zone within the CPZ and that we should try to persuade our Councillors to support such a scheme. The committee also said that we should not ballot all owners until we had a clear written agreement with the Council on a controlled scheme and a plan showing exactly which parking bays would be patrolled during the working week. Individual committee members had a number of detailed questions that needed answers and it was decided that Ian should ask Councillors Lang, Brock and Mackenzie and Council officials McBride and MacKay if they would agree to meet the whole PVOA Committee one evening to finalise the details of a Council-controlled scheme that would be one of the two options put to all owners.

**Action 28/7/10:** **Ian to e-mail Councillors Lang, Brock and Mackenzie and Council officials McBride and MacKay to invite them to an evening meeting with the PVOA Committee at a mutually convenient place and time.**

**Action 28/7/10:** **Ian to e-mail Andrew McBride to ascertain the target date for the adoption of the Roads at Powderhall.**

Comments from residents can be sent to the committee via the website.

### **Gardening Issues**

**Action 16/6/10:** Roddy arranged an evening site meeting with Brian Hunter on Wednesday 7 July. Five committee members joined Brian Hunter for a walk round the estate and various suggestions were made for improvements to selected areas. It was agreed that this walk-round was a very useful exercise and should be repeated every six months or so. **Completed**

Brian Hunter has already implemented some of the suggestions. After discussion, it was agreed that the beech hedging at Powderhall should be allowed to grow to windowsill level but no higher. Also, it was confirmed that the tree in the central area in front of the bridge that is badly bent should be replaced, and Jane suggested that a trial communal herb garden should be established in the grass behind 1 Brae. The committee agreed that Jane could spend up to £50 on hardy herbs to get this garden established.

**Action 28/7/10: Sarah to inform Brian Hunter that the beech hedging should be allowed to grow to windowsill level, the bent tree in the central area should be replaced, and ask him to cut and prepare a circular 6ft. bed in the grass area behind 1 Brae for a herb garden**

**Action 28/7/10: Jane to purchase hardy herb plants to establish the herb garden.**

### **Social Event on 22 August**

**Action 16/6/10:** Kathryn confirmed with the Elbow Bar and Kitchen (corner of East Claremont Street and Broughton Road) that they would be prepared to give Powderhall residents sole use of the premises between 2pm and 4pm on the afternoon of Sunday 22 August for a social get-together and a chance to meet other residents at Powderhall.

Kathryn

also distributed posters advertising the event for committee members to display on the front and

rear entry doors of all blocks. Frans agreed to inform the residents in the town houses.

**Completed**

Kathryn also confirmed that the free tickets for the event would be available for collection by Powderhall residents directly from the Elbow Bar and Kitchen from Wednesday 4 August onwards. Each ticket will be in three parts - the two-part ticket given to residents will consist of an entry ticket for the day and a voucher to be used at the Elbow bar and Kitchen at a future date. The third part of the ticket is the stub that will remain with the Elbow Bar and Kitchen as an indication of numbers likely to attend. Kathryn asked committee members for their views on which items from the extensive buffet menu should be chosen.

All residents are encouraged to come along and meet their neighbours at Powderhall in a relaxed social atmosphere. Remember, buffet food is free but you buy your own drinks.

The committee thanked Kathryn for the excellent job she did in organising this event so well in a comparatively short time.

### **Any Other Business**

Our Treasurer, Bill Scott, will be leaving Powderhall soon and William agreed to take over as Treasurer and liaise with Bill on the hand-over of documents. Kathryn agreed to be a third signatory for PVOA cheques (the Treasurer and the Chairman are the other two signatories).

The committee thanked Bill for his work as treasurer over the past two years.

### **Next Committee Meeting**

The next committee meeting will be in Ian's flat (7/21 Brae) on Wednesday 15 September (unless that date is highjacked for the meeting we are trying to arrange with the Council on parking