

From: [REDACTED]
To: [REDACTED]
Subject: RE: Chains Queens Park Ave & Royal Park Terrace
Date: 30 January 2023 09:21:00

Hi guys,

Could you please proceed and change the 2 x NRW bins to ones with metal lids for 38 Royal Park Terrace?

Thanks

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 27 January 2023 19:09
To: [REDACTED]
Subject: FW: Chains Queens Park Ave & Royal Park Terrace

Dear All,

Passed twice this week whilst visiting Spring Gardens one being just today. On both occasions ALL bins were in situ and correctly presented so again looking good.

PS [REDACTED] mind hold on changing over to metal lids as mentioned today.

Regards,

[REDACTED]

From: [REDACTED]
Sent: 25 January 2023 09:36
To: [REDACTED]
Subject: RE: Chains Queens Park Ave & Royal Park Terrace

Hello,

Thanks for the feedback. Can we hold back on the metal lid for the moment? At least we have them in stock if necessary

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 24 January 2023 12:33

To: [REDACTED]

Subject: Chains Queens Park Ave & Royal Park Terrace

Dear All,

Passed both locations on Sunday morning around 10:00am and ALL bins were presented correctly in their designated hubs.

The fact that this was a weekend suggest that residents are finally accepting the hubs and crews returning bins as requested. The new metals lids will be the icing on the cake.

Regards,

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Royal Park Terrace - STAGE 2
Date: 02 February 2023 17:17:00
Attachments: [image001.png](#)

Hi [REDACTED],

I have changed the lids as per [REDACTED] instructions because of the vicinity of the park and BBQ however we are not stating they are unsafe. As well we have a complaint from other residents for the noise from the metal lids.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 01 February 2023 11:05
To: [REDACTED]
Subject: RE: Royal Park Terrace - STAGE 2

Thanks [REDACTED]

I can't have anything either – do you have anything [REDACTED]

[REDACTED] has just emailed me again stating that we've changed two of the lids and this is evidence that we know they aren't safe.

I'm keen to respond as this week if I can.

[REDACTED]

From: [REDACTED]
Sent: 01 February 2023 10:52
To: [REDACTED]
[REDACTED]
Subject: RE: Royal Park Terrace - STAGE 2

Hi [REDACTED]

I have done a thorough search and I have not communications about RPT on this day, only one email from [REDACTED] forwarding Cllr's Whyte email about this. So I am unsure if something was sent from our side this day about that subject.

Thanks,

[REDACTED]

From: [REDACTED]
Sent: 01 February 2023 10:40
To: [REDACTED]
[REDACTED]

Subject: FW: Royal Park Terrace - STAGE 2

Hi both

I'm just in the process of responding to this. I'm just going to keep it simple and say [REDACTED] needs to contact the SPSO. However I just wanted to respond to one point he's included in his timeline – twice.

31 October 2022

CEC Waste Team stated in writing they had not adequately considered fire safety when locating the bin hub. This illustrates a basic lack of knowledge of fire safety principles.

Did we do this and if so what was the context? I'll think it's important to push back on this if we can.

Thanks

[REDACTED]

From: [REDACTED]
Sent: 27 January 2023 10:48
To: [REDACTED]
Subject: Re: Royal Park Terrace - STAGE 2

Morning, [REDACTED],

It is beyond disappointing to read the council have chosen once again not to right their wrongs and continue to attempt to justify the utterly needless and avoidable risks you place us in.

It would take a professional a single glance to understand that the situation is entirely avoidable given the varied conditions available at the location.

The service has never been questioned.

The material of the bins was never initially questioned by us. The reference to the item was used to illustrate how weak the justifications were contained in the 'fire mitigations principles' document formed by CEC Waste Team. We have been trying to highlight the potential for the waste stored within the bin to act as significant fuel for a fire. The CFPA-E is a useful document to explain this and the resultant effects if not adequately distanced from a vulnerable building.

You lean on how historical a city Edinburgh is and how existing streets force you not to comply with minimum requirements. Yet in the location here there are locations nearby which would comply with the safe distances. Yet we have in writing fire safety was not considered. The narrowest point in the pavement adjacent to combustible doors and windows creates the most dangerous situation viable. No consideration was given. Due diligence was not applied.

This week in Edinburgh we have seen the headlines cover the havoc fire can wreak. Nationally, Grenfell has been well documented over the years, where the safety of a multi-story multi-occupancy building was neglected whilst residents raised concerns,

which ultimately led to significant loss of life.

Here is a timeline of how matters have unfolded at 37 Royal Park Terrace for the benefit of both our records;

-From at least 2008-March 2022

Communal bins at the west end of Royal Park Terrace were located at a location complaint with safe guidance. The reason CEC Waste Team cite the location cannot be adopted again is it would create a dangerous junction at Clockmill Lane. This has never been justified with any fact. The bins were able to be positioned clear of double yellow lines, which is the locations vehicles much higher and wider than the bins now are able to park. No road incidents were recorded between 1999 & 2021 at the junction with Clockmill Lane with bins opposed to parked vehicles in this location adjacent to a walled garden. There were absolutely no issues with the previous location.

<https://www.crashmap.co.uk/>

-3rd March 2022

Bins were relocated at the narrowest point in the pavement available by CEC Waste Team. This generates a fire risk close to non-fire rated windows serving habitable rooms. Residents raised concerns immediately.

-4th March 2022

It was noted to the council that residents were not adequately communicated with the details of the relocation of the bins. The drawings available via the council's website are dated 07.02.2022 less than a month before the installation took place. Residents were not aware of the proposed plans prior to viewing works taking place in connection on the street.

-7th March 2022

Correspondence from CEC Waste Team quickly established their intent would be to defend the newly installed position opposed to listening to concerns.

-5th July 2022

A fire occurs at the neighbouring bin hub A69 causing damage to a tree set back approximately the same distance as 37 Royal Park Terrace from hub A70. SFRS would be able to confirm this incident.

-31 October 2022

CEC Waste Team stated in writing they had not adequately considered fire safety when locating the bin hub.

-April - December 2022

Residents seem to add weight to their concerns by providing supporting information from multiple guidance document relating to fire safety in respect to buildings including BS 9991 Fire safety in the design, management and use of residential buildings. Code of practice, CFP A E Guideline No 7 2022 F; Safety distance between waste containers and buildings and the Building standards technical handbook 2022: domestic. These documents clearly set out guidance which the installation does not comply with.

-31 October 2022

CEC Waste Team stated in writing they had not adequately considered fire safety when locating the bin hub. This illustrates a basic lack of knowledge of fire safety principles.

- 20 January 2023

CEC Waste set out why they need not apply the principles due to technicalities on how the documents can lawfully be enforced opposed to considerations of safety. CEC Waste state they will not adhere to minimum guidance in respect to fire safety as they have not had experience of an incident within Edinburgh, a city of a small population of around half a million. Ignoring Scottish, British and European wide guidance containing tested calculation methods of determining minimum safe distances.

We sincerely hope that CEC can rectify the situation immediately and remove our needless exposure to the risk and allow us to feel safe within our own homes once more. Being denied these simple rights has had a profound and prolonged impact on our well-being and mental health.

Despite the length of this episode to date, I am still continually dumbfounded by the gross incompetence and contempt demonstrated towards us at every stage, seemingly in pursuit of the defending an initially rushed and poorly considered design, despite how easily rectifiable the situation is.

I trust and hope none of the team inflicting this suffering on us has ever had to endure such a situation. It would not be the case that anyone would dismiss our concerns should they themselves experience this torment.

Fire safety experts have encouraged us to continue as our message will eventually reach those who recognise the severity of the situation.

Regards

[Redacted]

From: [Redacted]

Sent: 20 January 2023 15:10

To: [Redacted]

Subject: Royal Park Terrace - STAGE 2

Dear [Redacted]

I would like to apologise again for the delay in responding. As I indicated before Christmas I wanted additional time to review and answer the questions you had raised following my initial stage 2 response.

Firstly I'd like to reiterate that the waste and recycling service is statutory and as such, the City of Edinburgh Council has a legal duty to provide the service. The Council also has a duty to make sure the service is accessible and safe to use by residents and the parameters and criteria that have been used to identify bin locations across the city allow this to be done consistently and transparently.

Communal bins have been widely used in the City of Edinburgh since the 1990s and we have no records of fire safety being a major cause of concern. Having said that, fire risk has been actively considered and mitigated against as part of the communal bin review project with the choice of container materials, increased collection frequency and siting parameters reflecting this.

I must also reiterate that the project is trying to balance a range of considerations (accessibility of the service, health and safety, road safety considerations, loss of parking spaces, ensuring there is enough capacity, walking distance) and as such we often need to make decisions based on what we, as professional officers, deem appropriate based on professional knowledge and experience.

An example is the material which we use for the bin lids. We opt for plastic lids as they allow different apertures and colours to be used, which will reduce contamination of the recycling materials and misuse of the non-recycling bins. It is not possible to achieve these variables with metal lids, and as there is no evidence of there being a greater fire risk associated with bins with plastic lids, this is option we use.

Incidents like the one you have highlighted on bin hub location A-69 are, unfortunately, possible but cases of accidental or intentional arson are not something that the Council can fully mitigate against and prevent from happening. As the team has previously explained, the guidance you quote is not relevant to the communal bin review project since this service is being retrofitted.

Specifically, the “Scottish Government Published Building Standards Technical Handbook 2022: domestic edition” is a document for new builds and new building warrants. Similarly, “BS 9991:2015 Fire safety in the design, management and use of residential buildings. Code of practice” is also a document that applies to the design of new buildings, and to material alterations, extensions and material changes of use to existing buildings. As such they both exclude retrofitting a statutory service like the waste and recycling in the public realm for properties that do not have premises for these types of facilities.

Finally, “CFPA-E Guideline No 7:2022 F Safety distances between waste containers and buildings”, is a set of guidelines, and thus recommendations. A country or Local Authority can have its own guidelines that may or may not match those. This is the case within the City of Edinburgh where due to the legal need to provide this statutory service, the physical restrictions on a historic city were pavements and roads often have odd layouts and dimensions and the mitigation measures already adopted; we do not follow such recommendations.

I can confirm that the bins at this location will have sensors installed as part of the enhanced service. These sensors, on top of other information, measure temperature. If it exceeds 65 degrees Celsius an alert will be sent to the operational team making them aware of elevated temperatures.

I note that you also raise concerns regarding the bin hub being an alleged fire and smoke risk at the main exit of the building and windows of 38 and 37 Royal Park Terrace. Given the length of the hub (8m) this is not possible to avoid as it would always be in front of windows or main doors. Furthermore, in the absence of the bin hub, motor vehicles would be present and could too be classed as alleged fire, smoke and also explosive risks. The 1.8m dimension used on our mitigation measures allow for a sensible dimension and clearance between buildings and bin hubs that can be achieved in the majority of Edinburgh’s constrained streets.

I have also spoken with our operations team to ensure the bins at this hub is collected as scheduled to avoid the risk of overflowing containers. If capacity is still an issue, the team can investigate installation of additional bins. I note that chains locks have been fitted to hold the

bins within the hub. These measures were implemented as the bins were being moved by residents to the corner with Clock Mill Lane where they are a visibility road safety hazard. I have recently received correspondence regarding a missed collection due to a problem with the lock. Seized locks during freezing weather due to frozen moisture or water in the lock mechanism are unfortunately common during this time of the year, the team will take steps to prevent this in the future and monitor the situation. I apologise for any missed collections due to this.

Concerning your insurance enquiry, the council has public liability insurance in place for all of its activities. Any claim received in relation to its activities would be assessed and the Council would need to be found as legally liable for any claim to succeed.

Finally, the impact and circumstances you describe with regards to noise apply or could apply to any property on this stretch of Royal Park Terrace. Therefore, unfortunately, there is nothing more that the team can do to reduce its impact since the circumstances would just be moved and transferred to wherever the hub is. The team has been transparent on the design process and explained why the hub has been located here following the parameters and criteria. They have also explained all measures that have been taken both at a local and project level to mitigate any impact to local residents.

As stated in my initial stage 2 complaint response if you remain unhappy with my reply I would advise that you raise this with the Scottish Public Services Ombudsman (SPSO) so your complaint and my response be independently considered.

You can contact them through the following ways:

by telephone Freephone 0800 377 7330; or
website www.spsso.org.uk or
in writing Freepost SPSO

You can find more information on our complaint process on our website at www.edinburgh.gov.uk/complaints

Yours sincerely



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Royal Park Terrace 1502381
Date: 03 February 2023 17:04:43

Dear [REDACTED],

Please set out how the metal lids mitigate the fire risk.

I am concerned the lids actually make the fire risk worse, as heat will build up in the bins and potentially cause an explosion. Please set out the physics, I am deeply worried you have made the risk severity considerably worse.

Please refer to my Stage 2 complaint regarding the siting of A70. I believe it is unlawfully sited under the noise nuisance provisions of the public health act Scotland 2008.

My stage 2 complaint also sets out how the road safety matter is contested on account of crash map data and a lack of cross reference to the councils active travel plans for the junction.

I submitted my stage 2 complaint 8 weeks ago and have not had a response. Please can you update me on this.

Regards,

[REDACTED]

On Fri, 3 Feb 2023 at 15:12, [REDACTED] wrote:

Dear [REDACTED],

Thank you for your email in regards of the metal lids on the general waste bins at [37 Royal Park Terrace](#).

The metal lids that have been placed on the non-recycling waste bins in response of residents' concerns about the potential of disposal BBQs being placed in the bins. We install these lids where there have been issues with disposal BBS, such as on the Meadows.

I note the suggestion for moving bins to a location on the corner of Clockmill Lane which was previously used to store communal bins. This location has been deemed unsuitable and unsafe as the bins restrict lines of sight for vehicles emerging from Clockmill Lane, presenting a danger to both road users and pedestrians.

Kind regards

[REDACTED]

From: do-not-reply@edinburgh.gov.uk

Date: Monday, January 30, 2023 at 5:51:04 PM

To: Customer.Care@edinburgh.gov.uk

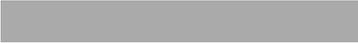
Subject: Email to be generated to Customer Care Team

CRM Number: 101001672563

Reference Number:

Customer name:

Address:

Contact details: 

Customers Comment: The waste team today 30/01/23 installed metal lids at bin hub A70. The metal lids make a louder noise than the plastic lids when they slap shut, thereby making the noise impact of the binhub worse. The residents of [37 royal park terrace](#) are protected from unnecessary nuisance noise like this by the noise nuisance provisions of the Public Health Act Scotland 2008. The addition of metal lids once again demonstrates the waste team do not understand the Act. The addition of the metal lids is unlawful under this Act. Move A70 to a location with less noise impact I.e. the very close to the existing location where they have been located for a number of years.

Customers previous reported issue: This complaint relates to the addition of the metal lids and is therefore a new issue regarding binhub A70

Any previous reference numbers linking to current complaint:

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: 38 Royal Park Terrace
Date: 10 March 2023 16:20:00
Attachments: [Spring Gardens.jpg](#)
[Spring Gardens 2.jpg](#)
[Royal Park Terrace.jpg](#)
[RPT 2.jpg](#)
[proper use of bins - glass noise.docx](#)

Hi [REDACTED]

Can you confirm the metal lid bins at this locations were swapped for plastic lids?
A picture would be great if [REDACTED] doesn't have one already.

[REDACTED], thank you for the picture of the posters.
[REDACTED], attached the draft letter we have about the glass noise to send to residents. I believe you would like to make some amendments.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: Friday, March 10, 2023 9:18 AM
To: [REDACTED]
Subject: RE: 38 Royal Park Terrace

Hi [REDACTED],

Please see photos of request for glass correx posters.
These were done yesterday. A main door garden flat resident came out to thank me for this and said they were delighted with the new recycling hub and extra measures for to deter noise form glass.

Regards,

[REDACTED]

From: [REDACTED]
Sent: 09 March 2023 08:53
To: [REDACTED]
[REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: 38 Royal Park Terrace

Good morning,

■, can you please organise:

- Removal 1 x 660L glass bin and deliver 2 x 360L glass instead
- Removal 2 x 1100L metal lid NRW bins and deliver 2 x 1100/1280L new NRW bins
- Liaise with ■ for the sensors in order to be swap

■, can you please ensure there are glass correx posters along Royal Park Terrace and Spring Gardens (where there are glass bins on street)?

■, can you update confirm with the new size of glass bins?

I will organise the letter to residents about the glass by end of this week

Kind regards

■