



Minutes of Meeting, 7 pm on 3rd September 2020.

Held by video-conference due to Covid-19 social distancing restrictions.

Community Council (CC) Attendees: Brian Wailes (Chair), Robin Barclay (Secretary), Mo Price, Jane Wailes, Christina Harley, Alan Symon, Krissy McKale

Elected Representative: Cllr. John Hackett (part of meeting)

Apologies: David McNeill (Treasurer), Cllr. Peter Smaill, Paul Johnson and Brian McGuff (Midlothian Council).

Welcome and Apologies. Brian Wailes (Chair) welcomed everyone to the meeting; apologies were received from Cllr Peter Smaill (on holiday), Paul Johnson (Midlothian Council Communities) (on holiday) and Brian McGuff (deputising for Paul Johnson but unable to attend due to a clash with another meeting).

1. **Approval of Minutes and Matters Arising.** The Minutes of the meeting of June 4th 2020 were proposed for adoption by Robin Barclay and seconded by Mo Price. No matters arising that were not covered by items on the agenda were considered.

2. **Finances Statement.** Treasurer David McNeill (absent) submitted a statement by email to say that there had been no change to the account position since the previous meeting.

3. **Covid-19 resilience.** Communications by email from Midlothian Council and intimations at Midlothian Federation of Community Councils (MFCC) meetings (by teleconferencing) have indicated a winding up of the current phase of support/action through Community Councils and that final accounts of expenditure should be returned. Since ENCC did not receive the £10,000 support allocation from Midlothian Council at the start of lock down because of protracted delay by the Royal Bank of Scotland in reassigning signatories of our and since we had opted to route any requests for help through the central helpline

run by Midlothian Council CLL, there were no account records or residual funds to return.

We were also informed that under data protection procedure we should ask all volunteers recruited whether they wished to remain on record, and only those who indicate that they do wish to remain (i.e. opt in) should be retained. All volunteers have been contacted but only a few have responded. It was decided we should ask again (by email) whether volunteers wished to opt in to remaining on the list of potential volunteers, before deleting all those who either indicate they wish to be removed or do not respond.

It should be noted that significant help has been delivered informally in this community by neighbours, friends and family.

4. **Police Report.** An up-to-date police report for this area was received and circulated two days ago and will be published on our website.

5. **Environment.** ENCC have asked resident Joy Godfrey, an active campaigner against the sewage pollution of the South Esk river to represent ENCC (as an Associate) at the newly formed Esk River Improvement Group (ERIG) established by local MSP Colin Beattie. An inaugural meeting of ERIG was held on 6th August, and a draft minute was circulated on August 24 for comment. We do not believe that the minutes and submissions by attendees are available anywhere on line, but anyone can

have those sent to them – contact Louise Cameron, Colin Beattie’s Parliamentary Assistant, at Louise.Cameron@Parliament.scot We are considering whether to publish some or all of the documents we have received on our website, for context. There was extensive discussion of this and, for brevity of these minutes, we will present a fuller representation of that on the ENCC website at <https://eskbanknewbattlecc.org> soon. The gist of that was that while the rivers seem adequately monitored in terms of mineral/chemical content there is no requirement for microbial monitoring of rivers by the authorities (SEPA and Scottish Water) equivalent to what is done for coastal bathing water. Residents are concerned about sewage discharge into the rivers, but there is no public evidence to reassure or confirm concerns regarding that, and that should be addressed by the authorities.

We note that SEPA encourages individuals to report any concerns about pollution and notes it is best to do this via their website (<https://www2.sepa.org.uk/EnvironmentalEvents>). It is important that issues are reported directly to SEPA and Scottish Water, so there is no delay in them receiving this information.

We at ENCC would value feedback from the community on this via email or our website, and Joy Godfrey, representing ENCC at ERIG, would value suggestions from the community for possible actions – contact Joy at joy.h.godfrey@googlemail.com.

Besides ERIG, a CC member reported that raw sewage was recently running from a culvert and down Newbattle Road. Scottish Water attended.

We are aware of increased instances of fly tipping in the area and urge residents to take note and report any suspicious activity. This can be done at: <https://www.zerowastescotland.org.uk/DumbDumpers>). We urge residents to use this method to report incidents.

6. Active Travel & Roads. A subcommittee of ENCC has been set up to focus on these issues. Submissions on roads regarding speeding cars have been received from residents on Dalhousie Road and Lasswade Road, and similar observations have been made for Bonnyrigg Road. We have been informed by the Police that random speed checks using spare mobile unit capacity will be carried out in the area.

Andrew Matheson (from that subcommittee) submitted to Cllr John Hackett a set of potential low cost and uncontroversial actions which could improve active travel (walking, cycling) in the area and he said similar action proposals had been submitted to Dalkeith and Gorebridge CC by fellow members of Spokes. The subcommittee, and all ENCC, were disappointed with the failure of Midlothian Council to secure funding for projects under recent ScotGov initiatives under Covid-19 resilience to promote active travel, and hoped they would do better under any subsequent funding rounds.

We are now aware through MFCC of an MFCC subcommittee dealing with travel and pathways, the Midlothian Travel Roads and Paths (MTRaP) subcommittee. We are now receiving minutes, and hope to attend future meetings (Paul Johnson will set a date and circulate details for joining the next meeting on Zoom).

7. Planning. ENCC has not been informed of the outcome of our objection to the proposed changes to planning consent by Dandara, to alter the style and increase the number of houses at their development off Lasswade Road. Our chair will try to follow this up for information.

We continue to receive weekly lists of planning applications from Midlothian Council’s Planning – Place Directorate. Nothing of significant consequence has been noted in this ward.

No new information on Place Plan implementation or guidance on that has been forthcoming from Midlothian Council (MLC) Planning or the Midlothian Federation of Community Councils, (MFCC).

ENCC have not yet established a Planning subcommittee. As stated previously, interested residents should be recruited, along with any other individuals with appropriate skills, at whatever level appropriate and as they wish within the community council

8. Any Other Business. The lock on our notice board on Eskbank Road near the Eskbank Toll has been sorted, and new keys cut, so we can populate it with information more regularly. We have examined prices and possible sites (and conditions pertaining) for more notice boards.

We are aware that the appropriate application deadline for funding for 2021/22 for running costs and any project initiatives is October 16 and our treasurer will follow up on this. We thank the secretary of our neighbouring community council at Dalkeith for information on this.

Council membership recruitment is difficult without face to face meetings where individuals can be approached directly and encouraged to put themselves forward to be co-opted as full members (open to residents) or adopted as non-voting associated members (open to anyone with appropriate skills, interests and motivation), or serve on a subcommittee. **We ask anyone reading these minutes who might be interested in joining ENCC in some capacity to make themselves known to us.**

We made some enquiries at Edinburgh College about re-starting face-to-face meetings if conditions permit (but recent reintroduction of stricter regulations on who can meet where would seem to prohibit any meeting except online). Newbattle golf club and Newbattle Abbey have also been mentioned (in our ward) as possible venues, as has

Dalkeith Arts Centre (in Dalkeith). All will be kept in mind. We are eager to resume face-to-face meetings as soon as it is deemed safe to do so, under whatever conditions make that possible.

We continue to be advised (by Midlothian Council and the experience within MFCC) that where possible we should try to conduct CC meetings by teleconferencing, and Zoom seems to be the most amenable system, easily understood by most who have the technology to access it. In ENCC we have used the personal Zoom accounts of council members to host meetings (the free accounts only permit 40 minutes access as host but will allow anyone to join a hosted meeting). Other meetings (e.g. MFCC) have been hosted on Midlothian Council's account. MFCC is discussing purchase of a Zoom licence that can be shared between CCs to host their meetings (a pre-booking system will need to be established). However, we are advised of stringent requirements regarding security of open meetings (that the public may attend). This requires a level of experience and shared handling by hosts as a team that few, if any, Midlothian CCs have used yet to open up meetings beyond their council and invited elected representatives to include the public (their residents). Confidence is building in using Zoom which might allow this to be attempted, soon. The biggest hurdle is that such meetings do not have equitable access – only those with internet technology (PC, tablet, smartphone) can attend. This may become urgent when we consider when and how (and if) we hold an AGM. We understand that will be on the agenda of the next MFCC meeting and hope to be advised by that.

Fresh material is needed for continued updating of our website. The feed of Covid-19 information has reduced, and we need to look elsewhere for fresh sources to maintain interest. Send suggested items, as complete and finished as you can, to [Robin Barclay](#) for publication on the website (Robin says he is happy to maintain it but cannot solely be responsible for finding material to go on to it).

Further on communications (besides the website, notice board and mailing lists) we need to consider whether we can use the funds allocated to produce and distribute a newsletter before the end of the financial year (March 2021).

Questions to John Hackett (who arrived late, at this stage of the meeting). We intimated that an active travel forum public meeting for Midlothian (i.e. not confined to ENCC ward) would be desirable. John was supportive of the idea but said nothing like that could take place under current restrictions, and even on release would be next year at the earliest. He did draw our attention to the recent release of Midlothian's pathways/routes map (available on Midlothian Council's website), and also said that it is now in the public domain (mentioned publicly) that Midlothian Council were working extensively with Sustrans to secure funding for various initiatives, including 20mph implementations, and a press release should be available when that was a done deal. We asked if residents who had submitted proposals can be acknowledged.

John had no knowledge of whether Midlothian Council intended to erect notices advising people not to swim/play in the South Esk (mentioned in the ERIG minutes).

We asked what powers Midlothian Council had to stipulate what provision developers should make for sewage/wastewater and surface water disposal on new build sites. John said that he is learning on this and is aware it is of increasing concern to residents. He said that SEPA and Scottish Water are statutory consultees on planning applications and usually oversee these matters (possibly in a relatively formulaic way, remote from community engagement). He believed that there may be opportunity for Midlothian Council to have oversight and input on such matters at the stage when conditions are attached to any application approved in principle, and he will be scrutinising plans to include such considerations in the future. We are aware that many (most, all?) new

developments have ponding areas to collect surface water, such that it does not mix with sewage and threaten to back up sewage drainage during heavy rain (so we presume common sewage outlets, CSOs, are no longer used in new developments). However, we do not know whether that sewage still mixes (additionally) with sewage in the older CSO-dependent system, so still contributes to CSO overspill into our rivers. We do not know who has oversight of this but suggest that Midlothian Council should scrutinise these processes on behalf of residents and not leave it solely to the unelected officials at SEPA and Scottish Water.

9. **Next Meeting.** The ENCC's next scheduled meeting should be on Thursday October 1 at 7pm but will be held over until Thursday October 8.

We will continue to meet informally when necessary to respond to any situations that develop and will consider submissions by residents at any time. Relevant information will be published on our website.