



### Minutes of Meeting, Wednesday 8<sup>th</sup> December 2021 at 18:30 at Edinburgh College.

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**Community Council (CC) attendees:** Brian Wailes (Chair), Jane Wailes, Robin Barclay (Secretary), Brian Farrell, Christina Harley.

**Elected Representatives:** Cllr John Hackett, Cllr Peter Smaill, Cllr Stuart Mackenzie.

**Apologies:** David McNeill (Treasurer), Alan Symon (Depute Chair), Mo Price, Andrew Matheson, Rebecca Lewis, Joy Godfrey.

**Welcome & Apologies:** Brian Wailes (Chair) welcomed all. Apologies were received as above.

**1 Approval of Minutes:** the minutes from meeting on 12<sup>th</sup> November were proposed by Jane Wailes and seconded by Christina Harley.

**2 Matters Arising:** None not covered in matters on the agenda.

**3 Finance:** David McNeill had sent his apologies. The account's balance had not changed since his last report. David will apply for the small annual administration cost grant by the deadline. It has been clarified that there are no planning objections to the siting of a second noticeboard at Newbattle Abbey crescent, and that should be ordered. Robin has passed his key to Alan for him to remove the noticeboard at Eskbank Toll for refurbishment, with David, and Brian W will help if required.

**4 Planning Matters:** Robin Barclay reported that the recent application for two houses by Deaflawhill Cottage (ref: 21/00352/DPP) which ENCC and others had objected to had been refused (as anticipated, quoting policy in the 2017 Local Plan, and in particular policy which prohibited any development in the Newbattle Green Space) but understood that the planning department was minded to enforce removal of stone cutting equipment and its storage placed on that site without permission. Robin Barclay has contacted Bonnyrigg and Lasswade Community Council (in whose ward the site is located, close to ENCC ward boundary, neighbouring Deaflawhill Cottage is in ENCC ward) to find out whether they will pursue enforcement with Planning but has not had a response.

The concerns we have about the road access associated with the application for a development of 6 houses on Melville Road (ref: 21/00746/DPP) were drafted by Brian Farrell and as secretary Robin Barclay submitted that to Planning on behalf of ENCC as an objection.

We also objected to the retrospective application for a tree house at Waverly Road (21/00933/DPP) on the premise that it is highly visible from the road, not of a standard in keeping with the conservation area, and would set a poor example (for any similar applications in the future) if allowed.

Robin Barclay also noted that Planning Application 20/00869/PPP (Outline planning permission for business park (class 4) and associated works on Land At Sheriffhall South Gilmerton Road Dalkeith) was not called in by Elected Members, therefore Planning is minded to grant, and we quote part of their response: *"The recommendation is that the application be granted subject to the applicant entering into a suitably worded legal agreement and complying with a number of relevant conditions.*

*However, should the applicant be unwilling to enter in to the legal agreement within 6 months then the application may be refused without further notification to Elected Members. Planning Application 20/00869/PPP requires to be circulated because: the application is the subject of an objection from the local community council; and the application could only be approved subject to the applicant entering into a suitably worded legal agreement”.*

Since Midlothian’s Head of Planning, Peter Arnsdorf, will present to the December meeting of Midlothian Federation of Community Councils (MFCC) next week, and clarification may be given on when and what guidance on NPF4 they will provide, we will defer any decisions on implementing any response in preparation of Place Plans under NPF4. We reiterated that ENCC should start doing its homework early, and as previously stated, processes could be initiated ahead of time to identify priorities for the place plan. Andrew Matheson proposed that ENCC begin to bring together a list of priority projects over the next months, engaging the community on this. We should also consult neighbouring communities, especially Dalkeith & District CC since we rely on services located in their ward.

We need to follow up on the draft Eskbank & Ironmills Conservation Areas Character Appraisal and Management Plan consultation offered by Emma Hay (Planning, Sustainable Growth and Investment Services). Comments should be lodged by Friday 18th February so we need to action this early in 2022, probably jointly with DDCC. BF noted that some buildings listed in the previous plan are no longer listed. Peter Smaill suggested a tree survey be completed. CH then raised concerns over hazards presented by trees when owners of such trees could not be contacted or would not respond. Cllrs stated that hazards would be dealt with by the Council’s Works Dept. Similarly, removal of any obstructive growth (e.g. hedges overlapping pavements) would be enforced. RB has enquired why no documentation for the Newbattle Conservation Area can be located on line (it is marked on their map) but has not received a reply. CH also raised whether there should be a policy of discouraging property owners, especially of listed properties, from replacing wrought iron gates with wooden gates. JH proposed that a workshop on the Conservation area could be set up, jointly with DDCC.

The Eskbank Toll consultation can be dealt with below (Roads).

**5 Roads, Traffic & Road Safety.** It was confirmed by Councillors that the data-gathering assessment for Eskbank Toll would be available in the New Year. Brian Wailes suggested a dedicated meeting on road safety when the data was available. It was proposed again that Brian Farrell would contact Midlothian Council to invite the relevant officials to a meeting on council plans for Eskbank Toll and its feeder roads. It was suggested at the last meeting by Councillors that May would be a good time for this as the independent company commissioned to investigate options for the Toll would have reported by then, but JH warned that there would be a time around Council elections when there would be a period of “non-committal” within the council. Asked by SM about resident support for measures, ENCC members expressed the view that any measures which mitigated traffic problems (speeding, flow density and parking) would be popular with the majority of residents as most had taken advantage of the 30mph bin-sticker campaign, and with pedestrians and cyclists, but maybe not with motorists passing through or visiting the area.

**6 Active Travel:** Neither Alan Symon nor Andrew Matheson attended this meeting to speak on this topic. Christina Harley again raised concerns that ENCC did not appear to be receiving information about funding opportunities in time for ENCC to apply. This should be followed up in 2022. Cllr Hackett again mentioned that he would raise ENCC concerns at cross party meetings on grant funding.

**Environment:** Joy Godfrey was not present to speak on the ERIG meeting of Monday 18<sup>th</sup> November. Robin Barclay stated that we now expect that the draft minutes of ERIG meetings will be published

soon after meetings (on MSP Colin Beattie's Website at <http://www.colinbeattiemsp.org/> ) rather than waiting until they are approved at a subsequent meeting.

Christina Harley reported that there had been a further occurrence of raw sewage flowing down Newbattle Road (during clear, dry weather – not after excessive rain) at the same site as previously (has happened 4 times since September) and that it was foul, causing distress to pedestrians (especially mothers with children in push-chairs) and being sprayed up by passing vehicles. Scottish Water came out, again, and the fault may be in an underground trap or buried manhole cover. Christina has now established (by phone) a helpful contact at Scottish Water. It was also suggested that it should also be reported to Midlothian Council's Environmental Health Department (as well as SW) if it occurs again. No obvious remedial work has been undertaken, so that may be likely.

**7 Communications:** Nothing new on the Newsletter was reported, but it was suggested it could be used to publicise various pending consultations. Noticeboard purchase was discussed (under finance) above. Robin provided his key to Alan for the dismount and refurbishment of the existing Eskbank Toll noticeboard. Robin has carried out some maintenance and improvement of ENCC website (fairly subtle) and will continue with this as time and skills permit. Peter Smaill mentioned that as well as consultations on the Conservation Area, Place Planning, and Eskbank Toll improvement, we may anticipate consultations to be conducted on Jarnac Court redevelopment in 2022. DDCC may be involved in many and should be consulted – maybe room for joint activity. Our next meeting, in January, will be preceded by our AGM (held over from this meeting in December) and will be advertised on our website (there will not be functioning noticeboards to display that on).

**8 AOB:** The imposed cuts to Midlothian Council's Communities (CLL) department have resulted in withdrawal of community liaison officer support for all (including ENCC) but two of the 15 community councils in Midlothian. At Federation level there is a general feeling of disappointment in current levels of support for Community Councils or any consultation by Midlothian Council's Officers and in many cases (not ENCC) by elected representatives. ENCC has to become more self-sufficient in gathering relevant information as it may not be fed to us at former levels (which were not comprehensive anyway). It was not clear what statutory duties the Council has for Community Councils, nor are we aware of any service-level agreement. Our elected representatives should look into this.

Mo Price again relayed complaints relating to unrestricted parking in Dalkeith which meant spaces were being used for all-day parking and, for example, it was difficult to park at the Doctor's Surgery or conduct other essential business in the town centre.

Christina asked if we can find information on applying for funding (or actual trees) for tree planting, e.g. from the Woodland Trust. If such are available, volunteers would need to be organised to plan and undertake that. Peter Smaill said that funding for high quality specimen trees may be available (part of the Platinum Jubilee celebration) and the Council are following up on that.

**9 Date of Next Meeting:** the next meeting will be Wednesday 12<sup>th</sup> January and will be preceded by our annual AGM.

**NOTE:** Since our December meeting the guidance following the new surge in Coronavirus omicron-strain cases means we cannot meet at Edinburgh College, and we will meet remotely, by Zoom, at 7:00pm (19:00 hrs). Meeting codes will be sent out by email and residents can apply for them.

The meeting closed at 8.40 pm.