



**Minutes of Meeting, Thursday 11<sup>th</sup> May 2023 at 18:30**

**Boardroom, Edinburgh College Midlothian Campus**

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**Community Council (CC) attendees:** Brian Farrell (Depute Chair), David McNeill (Treasurer), Robin Barclay (Secretary), Gordon Chisholm, Christina Harley, Barbara Mackie, Mo Price

**Elected Representatives:** Cllrs Stuart Mackenzie, Bryan Pottinger, Peter Smaill

**Residents:** Bill Hunter, Robin Spinks

**Apologies:** Brian Wailes (Chair), Jane Wailes, Rebecca Lewis, Joy Godfrey (Associate), Sally York (Associate),

**Welcome & Apologies:** Brian Farrell (Depute Chair) welcomed all and noted apologies received as above. Brian noted the recent death of Peter de Vink, former Councillor for Midlothian East and a regular attendee of ENCC meetings. Brian also noted the recent retirement from community policing of Sgt Michelle Lindsay, who thanked ENCC for their support. Brian had returned thanks for her engagement and contribution and sent best wishes for her retirement.

- 1 Approval of Minutes:** the draft minutes from the February meeting were proposed by David McNeill and seconded by Brian Farrell. There were no amendments and no matters arising which will not be dealt with within this meeting.
- 2 Communications:** Christina Harley stated that the schedule for production of our next Newsletter before the summer break was not feasible, and it should be targeted for publication in the late summer, before or around when ENCC meetings resume in September. She thanked those who had already agreed to produce articles. She also said that Dandara had followed through on their provision of hedgehog highways within their development off Lasswade Road and that publicity photographs had been obtained (one of which will be used in a Newsletter article). For those, a hedgehog was supplied by the hedgehog hospital at Rosyth, who were immensely grateful for a donation from Dandara to them of £500 to thank them. We hear an article on this will be published in Scottish Construction News. Christina also asked for updates on the provision of another defibrillator (see below, Health & Wellbeing), especially on any relevant photographs – and Robin asked for the same (and on the hedgehog highway) for the ENCC website.
- 3 Planning:** No new planning applications of note were noted since our March meeting.
  - Around then SEPA had threatened to intervene in the illicit dumping of materials at the brownfield site off Melville Road (Glenesk Yard/Squirrel Storage) unless unauthorized materials were removed promptly to an authorised waste disposal site. This clean up to skips was seen to begin on March 13<sup>th</sup>. Meantime Midlothian Planning Enforcement were about to serve an order on the site, but decided to wait to see whether SEPA's intervention would produce results. Since while

the unauthorised waste has been removed the site is still unsightly and apparently in use for different purposes, ENCC should seek to establish Midlothian Planning Enforcement's current position on this site. We note that this site and the adjacent one have active planning applications under consideration for housing development, to which ENCC have not objected (we have commented that we are not agreed on the fit of the proposed housing to the Conservation Area so will leave it to Planning to decide) but have commented that the sightlines at the access to Melville Road appear inadequate for drivers' speed on Melville Road if the 30mph speed limit is exceeded. Measures would need to be taken to ensure greater compliance with the speed limit there (possibly by funding from developers' charges).

- At the Deaflawhill site (which lies just beyond ENCC's boundary with BDCC, but adjacent to Deaflawhill Cottage in ENCC ward) on which Planning Enforcement had served an order that the unauthorised materials related to stonemasons' work be removed from this site within the safeguarded Newbattle Strategic Greenspace (MDLP 2017), it has been reported that instead of the materials being removed they have been redistributed within the site. We should initially leave this to Bonnyrigg CC to follow up, but may return to it – we should seek information as to the status of the enforcement and response.

- We were informed by Planning soon after work commenced to install what appeared to be piping associated with expansion of the sewage system by the A7 adjacent to Newbattle Abbey Crescent (NAC) that a planning application should have been submitted in advance because of its proximity to the NAC residential area. We understand that in many cases Scottish Water's provision of infrastructure, especially that to be buried, can be exempt from the planning process (but it would appear that a judgement on whether it is exempt still lies with Planning). We have not since seen any retrospective planning application submitted by Scottish Water, or by Miller Homes (or their contractor) who we understand undertook and funded the work in order to provide sufficient capacity for Miller Homes' nearby development at Cockpen Farm to be connected to the sewage system. We are seeking further information (Gordon Chisholm now leading). There have been several sewage spills rising through drain covers around NAC since this work, and it is not clear whether Scottish Water has taken action to prevent such spills from recurring.

- Midlothian's Planners have now invited local groups to prepare and submit Place Plans to be incorporated in their new Local Plan, and ENCC has received such an invitation (as have the other Community Councils across Midlothian). We encourage ENCC members to respond to Planning's consultation on the Local Plan at their website at <https://midlothiancouncil.citizenspace.com/>. The Place Standard Survey at <https://midlothiancouncil.citizenspace.com/planning/placestandardsurvey/> should be prioritised. Active travel aspirations should be included in Place Plans. It is essential that ENCC engage with this now. As a preliminary, to advise ENCC, a subcommittee was formed (comprising Robin Barclay, Barbara Mackie and Gordon Chisholm – others said they could not commit, but others absent from this meeting were invited to join) which should meet before the next ENCC meeting to suggest an initial action plan.

- David McNeil asked whether it has been clarified if the SUDS drainage pond on the Dandara site south of Lasswade Road has been improperly placed. It was also stated that pavement leading from this site needs to be joined to the paving along the

south side of Lasswade Road to make it continuous, for residents' pedestrian access, especially children, and safe road crossings need to be provided.

**4 Environment:** Joy Godfrey was not in attendance to update us on any recent ERIG activity (we think the next meeting will be due before our June meeting, not this one). The minutes of ERIG meetings are published on MSP Colin Beattie's personal website ([link here](#)). Rebecca Lewis was not in attendance to update us on the Citizen Science volunteer activities on the Esks but sent an update by email which Robin Barclay read out:

- In brief! I have added a couple of new sites to the *Riverfly on the Esk* project-completing the planned catchment scale monitoring. We continue with the biological and chemical monitoring at the sites.
- We completed baseline monitoring on 5 sites which will give us a full species list for each of these sites- results will be shared once released.
- 230 trees were planted in the upper catchment of the North Esk and we are continuing to build our relationship with landowners who are keen to join the project.
- Our pilot citizen science project on the Esk continues to develop- we will be looking at comparing CS techniques on 2 catchments in Scotland to see if we can build a better picture!
- I continue to work with schools and hope to build on this in the coming year.
- Riverfly on the Esk volunteers also supported a source to sea event this year, doing workshops and litter picking on a stretch of the Esk with Marine conservation and Buglife. We are looking at repeating this due to great attendance.
- One of our RotE volunteers continues to develop outlet mapping to help keep track of pollutants running into the Esk - as a group we will continue to support this project which would be a free resource for the local community once complete.
- The Climate Emergency Group submitted their contribution to the new plan which is currently out for public review.
- Midlothian hedgehog society continues to grow sharing information of conservation issues.
- Midlothian school uniform swap shop maintains numbers and remains another place for uniform recycling in Midlothian.
- *No now May* has begun! It would be great to be able to support this in Eskbank and Newbattle.

**5 Roads- Traffic & Safety:**

- Brian Farrell reported that a letter drop by ENCC to advise residents on how to submit complaints to the local police (to provide a body of complaints that local police could use to justify the case for action by the police and the funding allocation for that) had resulted in around 40 to 50 email complaints (submitted by email and copied to us), with most complaints coming from Bonnyrigg/Lasswade/Dalhousie/Eskbank Roads off Eskbank Toll. However there had been no response from the community police

team. A follow up through Sgt Lindsay resulted in the response that Community Policing with the MCAT team will conduct enforcement, and Brian will meet with the Community Policing representative and the Roads Policing Inspector to discuss when enforcement might take place. It was noted that Midlothian has the highest casualty rate per 100,000 population in the UK.

- Concerns were raised with Councillors over discrepancies in the map showing the application of the proposed 20mph speed limit, and we were informed that all roads off Eskbank Toll will be 20mph, and that the 40mph stretch of Dalhousie Road approaching the A7 will be reduced to 30mph (where there are no residences or drives on either side). It has been the Edinburgh experience that there is a high level of compliance with 20mph areas, but some prominent early enforcement action may help get the message over.
- Proposals to put a bus lane on the A7 when it is urbanised (from Dobbies to Newtongrange, approximately) may infringe on its capacity to provide a roadside footpath/cycleway, important for active travel. This needs to be reviewed.
- It was reported that stones are falling out of the wall (boundary wall of the previous St Davids Secondary School) into Abbey Road, on the same side as and towards the Fire Station. The previous grassy bank verge has been concreted over and no longer absorbs water, especially splashes from moving vehicles. The Roads Officer should serve an enforcement order for its repair to make the wall safe. Councillor Bryan Pottinger said he would report it.

**6 Active Travel:** Silt and leaves accumulate on the multi-user cycle-path/walkway between Dobbies and Gilmerton (A772, East side) presenting a hazard to users, especially cyclists. Waste services are not sweeping it, and responsible council officers do not respond to complaints. This material gets carried into drains, blocking them, and increasing the hazard. Road services have cleared the blocked drains, but they repeatedly re-block due to the failure to remove the blocking material from the path. The failure of waste services is costing road services the repeated expense of drain unblocking. Senior managers also fail to respond to complaints, so a complaint has been made to Grace Vickers, Chief Executive.

It is anticipated that Midlothian Council's Active Travel team will publish their policy statement in July.

**7 Health & Wellbeing: Defibrillator Update.** David McNeill said that everything has now been supplied for the second defibrillator sourced by ENCC, to be located at the east end of Newbattle Abbey Crescent estate. He had had a meeting with the Council's head of lighting, and they have identified a source of power (from the lighting power supply upstream of the light time-controlled circuits). ENCC need to provide a stand (have it manufactured) to house the defibrillator and the Council will erect it. David is liaising with Gordon Chisholm of ENCC (NAC resident) on this, and it is anticipated that it will be fully installed and registered by July. St Johns Ambulance who provide defibrillators and training in their use are very interested in this source of power, which may be a first in implementation, and ask to be updated on operation. David asked whether we could fund a third defibrillator for location at the west end of NAC and whether NAC Residents Association had any funds to contribute towards the cost (of the order of £1000 after subsidies). He advised that if a defibrillator is taken then, whether it

is used or not, it comes off the on-line register until it is serviced and replaced. The on-line register of defibrillators (and the location of your nearest one) can be found [here](#) (link).

- 8 Finance:** David McNeill (Treasurer) gave ENCC current bank balance as £2696.88. There has been some confusion over the 2023/24 grants by Midlothian Council to Community Councils. ENCC (and others) have been under the impression that only the basic running cost maintenance grant of £300 would be available to community councils this year because of the financial constraints on the Council and no community council need apply for any additional funding for projects. However it appears that some community councils have received much more than this £300. We appreciate that some community councils have additional costs such as hall hire charges which we do not have, but we will incur expenses beyond the £300 this year (e.g. replacement of noticeboard, stand for defibrillator, production of newsletter) which we could have applied for funding for. It appears now that the previously agreed annual allocation of £10,000 to be split between the 15 community councils and the Midlothian Federation of Community Councils (i.e. 16 applicants), administered by CLLE, has not been cut – but deadlines for applications have passed. We would like clarification on whether the unused (large) proportion of that £10,000 allocation will be carried forward additionally to next year's funding round so that we can plan accordingly. On the replacement noticeboard (for the one by Eskbank Toll) David should speak with Alan Symon who sourced the new one at NAC to see if he can negotiate another at the same price from the supplier.
- 9 Midlothian Council Budget 2023/24:** It was noted that the final statement on the balanced budget will be presented in June.
- 10 AOB:**
- Buses. It was noted that Lothian Buses service #49 from Rosewell via Bonnyrigg Road and Dalkeith to the Royal Infirmary then on via North Bridge to Leith Walk and the Jewel will be withdrawn, without consultation, on May 28<sup>th</sup>. That leaves only service #3 as a direct service to central Edinburgh from Eskbank (Eskbank Rd and Melville Rd), with service #29 skirting ENCC ward at a stop on the A7 by NAC and Tesco's car park (although eventually further stops for the #29 on the A7 will be made near Melville Dykes roundabout when that section of the A7 is urbanised). Borders Buses to/from Edinburgh have some stops in ENCC ward. East Coast Buses (a division of Lothian Buses) run local and cross-county buses which pass through ENCC ward and service #46 will partially replace service #49 from Rosewell but only as far RIE where you would have to change buses for onward travel to central Edinburgh as service #46 will go from RIE to Fort Kinnaird. It was also asked if bus stops could all be marked (or re-marked) to prevent cars being parked on them preventing buses from pulling in (especially on Bonnyrigg Road).
  - Graffiti. Brian Farrell stated that despite Police having the list of properties vandalised by the perpetrator recently charged with that offence, and despite most council properties (e.g. bus shelters) having been cleaned, the council staff should pass that list on to other owners of "street furniture" (e.g. Telecoms companies) to inform them of the vandalization of their property to help get this graffiti completely removed from the area. In that context, there is a dispute between Midlothian Council and Network Rail as to who owns the wall at Hardengreen Lane between Tesco's car park and the rail bridge. Midlothian Council have adopted the footpath, but the adjacent wall was built by Network

Rail on Network Rail's land, and Midlothian Council say it still belongs to NetworkRail. They need to resolve this and get the wall cleaned of graffiti as it is intimidating.

- Youth Vandalism at Hardengreen Lane. Robin Spinks, resident there, had reported (with other residents) at our March meeting that there was persistent stone throwing over the wall at properties in Hardengreen Lane, by youths using stones exposed by weathering on the mound by the rail bridge and Hardengreen Coach Works (K & I, Ltd) yard, causing distress and damage. Since that report he now reports a good prompt response by Midlothian Council in re-covering the exposed stones in that mound with topsoil, and by local police who erected a temporary close-circuit surveillance camera, and that the problem has ceased. He is aware that local police have made representations to Tesco to concrete a mini roundabout from where youths are still retrieving stones to throw into the K & I yard, and to try to engage with youths gathering in McDonalds regarding some form of provision of youth activity such as football as a diversion.

The meeting ended at 20:10 and closed.

**11 Date of Next Meeting:** There are no regular meetings of ENCC in July or August, so the next meeting will be Thursday 14th September 2023 at 6:30 pm in the Boardroom of Edinburgh College. Meetings are open and residents may attend. We encourage residents to raise points before meetings by contacting us by email or our website form so that we can seek answers to give at the meeting.