



Minutes of Meeting, Thursday 12th October 2023 at 18:30

Boardroom, Edinburgh College Midlothian Campus

Community Council (CC) attendees: Brian Wailes, Jane Wailes, David McNeill (Treasurer), Gordon Chisholm, Christina Harley, Robin Barclay (Secretary), Barbara Mackie, Joy Godfrey (Associate).

Elected Representatives: Cllrs Stuart Mackenzie, Bryan Pottinger,

Residents: Andrew Reid, Janet Reid, Robin Spinks, Bill Hunter

Apologies: Brian Farrell (Acting Chair), Rebecca Lewis, Mo Price, Sally York (Associate), Peter Smaill (Cllr)

Welcome & Apologies: Brian Wailes (former Chair) chaired the meeting in the absence of Brian Farrel and welcomed all and noted apologies received as above.

- 1 Approval of Minutes:** the draft minutes from the June meeting were proposed by David McNeill and seconded by Barbara Mackie. There were no matters arising which will not be dealt with within this meeting.
- 2 Finance:** David McNeil reported that there had been no expenditure since the previous meeting, and this year's basic support claim (£300) had been received, so the account balance now stood at £2997.
- 3 Planning:** Robin Barclay reviewed recent activity.
 - A reply from Planning Enforcement (Bruce McLeod) to our queries stated that multiple activities which were not permitted under planning regulations and authorisation were taking place at the "Squirrel Storage" site off Melville Road and that an enforcement order would be served for them to cease, and the site be tidied up.
 - Regarding the enforcement order requiring removal of materials dumped in the woodland on the site for which Planning Application 21/00352/DPP (Land 25M South West of Deaflawhill Cottage) off Cockpen Road was refused, instead of removing the material as required, the material has been redistributed from sight from the roadside and dumped further into the woodland and into the valley of the Dalhousie burn which flows through the site to join the South Esk nearby. Bruce MacLeod, Planning Enforcement Officer, stated that they have never experienced such a situation previously, and a new Enforcement Order has been issued covering the whole plot, not localised to the previous site within the plot, requiring removal of the materials dumped along the bed of the burn. Further, Bill Hunter, nearby resident, reports meeting a SEPA officer inspecting aspects of the South Esk nearby who he recommended should have a look at the Dalhousie burn from where it flows through the site to enter the South Esk. The officer returned saying he was going to report the issue of the materials dumped there when he returned to the local SEPA office, and the nature of the materials would require expert investigation ("a white coat job" to

quote him). We have passed that information on SEPA's interest to Planning Enforcement.

- We are aware of the "incident" that took place by Old Golf Course Road in Newbattle (by Newbattle Abbey Crescent) where an attempt was apparently made to further clear a site (to place a caravan there) which had previously been partially cleared of mature trees without authorisation and contrary to tree protection orders (on the weekend of the Queen's Jubilee). Nearby residents called the police who intervened to stop the activity. It appears that this is a complex situation and we will seek information from Planning Enforcement in due course when they have a better understanding of the issue.
 - Regarding our LPP preparation, the ENCC Planning subcommittee (Barbara, Gordon & Robin) continue to distil down the questionnaire responses and provide suitable descriptive and introductory material, to achieve a draft LPP which can be submitted to Planning by the October 31 deadline. We note that provided a draft has been submitted by that deadline, we have until March 31 to produce a final version.
- 4 Communications:** Christina's further confirmed that she will not be able to find time to produce another newsletter in 2023. She has indicated that she may drop down to a 3-day week eventually, which would give her more time. David said that he has spoken with Alan Symon, who had sourced the new noticeboard located at Newbattle Abbey Crescent, about sourcing a replacement for the noticeboard by Eskbank Toll. David said that the new noticeboard had cost £475, and if Alan could match that price he should just go ahead and order one. Robin stated that the 3-year hosting plan for our website would need to be renewed in March 2024. The website had had a cheap first year introductory offer, but renewal price had shot up – but the price we had paid had been negotiated (by David). If we cannot get a similar deal we should look at switching hosts.
- 5 Environment:** Joy Godfrey reported that she had attended the most recent ERIG meeting (9th October) for ENCC. Since the minute of that meeting will be available on MSP [Colin Beattie's website](#) she will not report in detail, but draws attention to:
- Scottish Water is on track to completely replace the CSO outlet to the Mary Burn in Lord Ancrum's Wood by Newbattle Abbey, where work is expected to start in January.
 - Updates by the Coal Authority on the Dalkeith Water Treatment Plant (Junkie's Addit – minewater flow into the South Esk).
 - SEPA plans on weir removal and/or fish pass construction to improve fish movement on the Esks.

Rebecca also updated us on activities by Buglife and the local citizen science project Riverfly on the Esk whose success and reputation are growing. She advised that the Riverfly group's activities will feature on a BBC Scotland's Landward programme to be aired in early November.

Gordon advised that he still had not had a meeting with Scottish Water (to be attended by him, Cllr Stuart Mackenzie and MSP Colin Beattie) regarding sewage overflows around Newbattle Abbey Crescent. On the recent work near there to extend sewage capacity (serving the Miller Homes Cockpen Farm development) he had discovered that the "reservoir" pipework had been located in the wrong place (not as specified on plans). Midlothian Planning will not pursue retrospective planning application on this (public utilities do not normally require planning permission for their works but it had been deemed necessary in this instance because of close proximity to a residential area) because

it will have little or no effect. Gordon also reported that there had been a near serious incident in Newbattle Abbey Crescent where contractors working for SSE had not provided adequate barriers around an excavation for electrical supply work. There were general complaints about the apparent lack of accountability or oversight of service infrastructure works by public utilities who apparently have “carte blanche” in their activities.

- 6 Roads- Traffic & Safety:** Brian Farrel was not at the meeting to report on this but had given an extensive update at the previous meeting. Cllr Stuart Mackenzie noted that authorisation for the introduction of 20 mph speed limits had been given, and that the ENCC area would likely experience early effects of that since it had been designated as a pilot area for the introduction. White line road markings need to be renewed on Newbattle Road between Newbattle Gardens and Newbattle College entrance. In that area it was noted that the gate to the old Cemetery had been padlocked closed. Folk often cut through the cemetery to come out by the old church to avoid the dangerously narrow pavement there (the only pavement, on the west side of the road), and getting it re-opened should be pursued. There was discussion with Cllr Mackenzie on policy on permanent/temporary repair of potholes, and the activity of the new pot-hole repair machine acquired by Midlothian Council.
- 7 Active Travel:** as reported at the last meeting, MLC have still not published their active travel strategy (it had been suggested it might be available in July), so nothing from that can be included in LPP preparation if we don't know what the strategy is. On the Ironmills Bridge and the Footpath to Cemetery Road, Robin Barclay reported on this at the previous meeting, and has now had a confirmatory email from Justin Venton, Land and Countryside Manager with MLC, stating his intention to recommend re-opening.
- 8 Health & Wellbeing.** It was discussed whether ENCC should pursue acquisition of another (third) defibrillator. There was agreement that Cortleferry would be a good site, having poor access to other defibrillator locations, and that should be investigated. David said that a gift should be purchased for the blacksmith who had constructed the stand on which the recently-acquired Newbattle Abbey Crescent defibrillator was mounted, and that was approved. We should continue with St John's as the supplier (and ignore emails from other suppliers touting for business) since they were reputable and provided “after-care and training”.
- 9 AOB.** Brian W showed a leaflet that local Rotary had used to successfully recruit new members and recommended that we consider something similar to recruit for ENCC. Complaints had been received (verbally) about a dog care facility operating at a residence in Ancrum Bank where, among other complaints, dogs barking are disturbing neighbours. It is claimed that it operates without a licence. The owner is said to be hostile and intimidating if complaints are made directly to him, and Midlothian Council Officials (planning and/or public health) have not resolved residents' complaints.

Cllr Mackenzie brought various issues to our attention. There is a consultation on school transport ongoing. Engineers are considering locations for traffic-calming measures (speed bumps/humps, etc) relating to the 20 mph limit introduction and speeding problems in general. Residents complained again about parking on Bonnyrigg Road, especially by non-residents, and said that traffic wardens do not appear to operate here.

- 10 Date of Next Meeting:** The next meeting will be Thursday 14th December 2023 at 6:30 pm in the Boardroom of Edinburgh College. It will be preceded by our AGM for which arrangements will need to be made and information circulated.