



Minutes 8th March 2022

- Attendees:** J. Sives (Chair), Cllr C. John, S. Campbell, L. Cullen, V. Garrad, N. Gwynne, I. Masterton, A. Pinkerton, K. Rees, J. Thomas, I. Watt, H. Hunter-Gordon (ex-Chair).

Apologies: Cllr D. Timpson, K. McKeown.

Due to the unavailability of a venue with adequate social distancing, this meeting was re-arranged to be held online as a 'virtual' meeting in line with WLC guidelines, using Zoom.

JS advised that the order of Agenda items would be adjusted to accommodate the participation of ex-officio attendees who had time constraints. *(Notwithstanding, for clarity, items 2 & 3 below are reported in their usual place – Secretary)*

- Declaration of interest:** None.
- Approval of previous meeting's minutes:** No amendments to the draft minutes as circulated were noted. IW proposed approval. VG seconded. The Minutes were approved.

4. Camilty Wind Farm:

- JS advised that he had circulated a letter received from the WLC Chief Executive (Graham Hope), together with a response proposed by HHG. He asked for comments from the floor on both GH's letter as received and HHG's proposed response. Cllr CJ was of the opinion that this exchange of correspondence exploring a possible community stakehold in the Camilty project was the right way forward and advised that GH was generally more responsive than Finance Director Donald Forrest. It was therefore best to go 'straight to the top' and push GH towards a favourable outcome.
- JS invited HHG to brief the meeting on the current position with respect to the correspondence with WLC. HHG noted that GH's reply to JS's letter requesting a meeting to pursue PWB funding (*Jan Minutes, item 4.4*) was not particularly encouraging. However it did establish the criteria that would have to be met. The issues of risk management and security for a PWB loan are significant, especially if a Community Council is involved as a third party. This is understood. Notwithstanding, the acknowledged possibility of PWB funding and its appropriateness to the Camilty scheme, which has government backing, makes the case for further discussion between WLC and KCC. HHG advocated maintaining the momentum with GH. He also suggested there were additional arguments which could be put to GH in support of KCC's proposal.
- IW asked what community benefit would accrue if PWB funded was not secured. HHG advised that EDF Energy is committed to a £60K community benefit payment, split between the corresponding communities. JS asked if Community Councillors are personally liable. HHG responded that they would be, in the event of mismanagement on the part of the Community Council. Provided everything is managed correctly Community Councillors would not be exposed to undue risk. In that context it is likely that any PWB funding would be set up such that WLC oversees and manages the loan.
- The meeting decided unanimously to continue to pursue PWB funding from WLC.



5. Park & Ride:

- 5.1** JS noted for the record his extreme dissatisfaction at the manner in which the KCC submission had been dealt with. He also noted for the record that he has extremely unhappy at Tony Irving's dismissive response. It transpires that the KCC submission prepared by NG was never forwarded to the DMC (Development Management Committee). TI insists that his responsibility was merely to upload the KCC document to the planning portal and it is up to the DMC itself to interrogate the portal for relevant material. JS believes this is a somewhat 'selective' interpretation on the part of TI. Cllr CJ commented that TI is not highly regarded in some quarters as a planning officer, and that his actions often seem to align more with the developer than the community.
- 5.2** Cllr CJ reported that he had had an opportunity to talk directly to Peter Stirling, and that this had proved constructive. The discussion also covered the issue of a footbridge at the station, to which PS was not averse. LC supposed that Network Rail would probably support its installation if there was no cost to itself.
- 5.3** LC reported that the previous DMC meeting was inconclusive as to the need to widen and/or realign the footpath between the road junction and the station to mitigate the danger to pedestrians. It was not clear if this issue was to be carried forward to the next DMC meeting at which the P&R application would be determined. Cllr CJ advised that discussions with the War Graves Commission indicated that it may be feasible to relocate the memorial. LC and Cllr CJ discussed the implications of these options. Cllr CJ added that moves are afoot to add missing names to the memorial via a supplementary plaque. JS cautioned that moving the memorial and realigning the footpath would probably entail a complete new application for the Park and Ride. He noted that details of any revised application would likely only be available three days before the next DMC meeting, leaving KCC little opportunity to respond. This would be completely unacceptable. LC concurred, and Cllr CJ noted that since KCC's submission had not been provided to the DMC prior to the last meeting, the DMC were effectively voting 'blind' at that meeting.
- 5.4** JS advised that Cllr D. Timpson has suggested contacting the Planning Ombudsman to express our grievances at the manner in which this has been handled by the WLC planning department. Cllr CJ enquired if KCC had written to the Head of Planning at WLC, raising a complaint at the planning officer's abrupt response to and handling of KCC input to the application. JS responded that he had not as yet. Either course would obviously require a consensus within KCC to pursue.
- 5.5** NG indicated that he would intend to write to the Scottish Government to raise the point that WLC, in ignoring the KCC submission, were also ignoring current Government transport policies, which had evolved substantially since this proposal was first mooted.
- 5.6** JS requested that the P&R sub-committee and he consult in the next few days to progress the above points.

6. The Paddocks:

- 6.1 The proposed development of 33 luxury holiday lodges at The Paddocks on Leyden Road was outlined. This has now been submitted as a planning application. There are many obvious problems with the proposal, including but not limited to:
- The existence of bats in the proposed development site
 - The existence of listed-building architecture
 - The unsuitability of Leyden Road to accommodate the additional traffic.
- 6.2 There is a history of various ad-hoc planning proposals in and around the area being knocked back by WLC, and prima-face this proposal would seem to have little chance of being acceptable to WLC. However there is concern that the developer has both the financial resource and determination to push this through by whatever means.
- 6.3 It was stated authoritatively that the wildlife situation and any interference with anything protected by Historic Scotland should debar the application, but it was noted that developers elsewhere have been known to ignore preservation constraints, clear the site as a fait-accompli, and factor in the resultant fine in their costs.
- 6.4 The proposed development is believed to be contrary to the Local Development Plan. Likewise the location is designated as being in an 'area of special control'.
- 6.5 There was discussion on the response time. The concern was that the deadline for comments as published is 24th March which does not allow scope for discussion at the next KCC meeting. The belief in some quarters is that KCC has a statutory right to request an extension, but some uncertainty was expressed as to whether WLC will take into consideration submissions made in the extension period.
- 6.6 It was decided that in view of the size, nature and location of the proposed development, KCC, as a statutory consultee, must have the opportunity to consult the local community and shall therefore write to WLC to formally request an extension to allow its comments to be submitted.
- ACTION:** – KCC to formally request an extension to the comments deadline.
- 6.7 It was noted that the traffic pattern implied by holiday accommodation change-over day was inconsistent with the traffic pattern cited in the applicant's business case. This calls into question the real purpose of the development.
- 6.8 After further discussion a sub-committee was appointed to investigate and consider the KCC response accordingly.

7. Councillors' Report:

- 6.1 Cllr CJ noted that most issues had been discussed in the foregoing items.
- 6.2 Cllr CJ advised that he had attended the opening of Calderwood Primary School. The provision of a school in Calderwood implies a need in due course for an East Calder High School. This is not expected to be realised until around 2030 to 2034. When opened, this is expected to include Kirknewton in its catchment area, ending Kirknewton Primary School's cross-boundary relationship with Balerno High School. In the meantime an extension to St. Pauls Primary School is planned.
- 6.3 Cllr CJ reported that the proposal to establish a bus service between Balerno, Kirknewton and East Calder had been rejected due to the level of subsidy that would be required.



7. Village Hall & Pavilion:

- 7.1** IW reported that the refurbishment of the Village Hall was well behind schedule. There has been virtually no progress and no response from WLC to requests for communication. There appears little prospect of it opening before the end of May or June. This represents a substantial loss of income and is a very disappointing situation. AP asked if there was any specific reason for the delay. IW cited WLC incompetence and lack of management. Workmen turn up sporadically at random without any coordination. IM questioned the wisdom of installing a glass door next to a pub. IW said this had been raised by many people, but that WLC were proving completely intransigent to deal with.
- 7.2** IW noted for the record his extreme dissatisfaction and exasperation at WLC's refusal to communicate, its propensity to impose 'fait-accompli' decisions without consultation such as the introduction of yellow lines at the shop, and its incompetent handling of the Park and Ride.
- 7.3** IW suggested that one potential project for the upcoming tranche of Town Centre Funding might be a renovation of the back area behind the hall.
- 7.4** IW reported that the Pavilion is gearing up for a busy summer ahead. The caretaker has undertaken several maintenance items. In particular the clean-out of the gutters has resolved the long-standing issue bequeathed by WLC of water flowing down the walls.
- 7.5** IW advised that there is funding for a full-time KCDT employee to provide support to the senior citizens in the village. A meeting has been held to generate the job description for the post.

8. Town Centre Fund:

- 8.1** IW noted that there is £14K available in TCF funding. Some potential projects have already been identified:
- AP has investigated the planting of apple trees at Roosevelt Road / Churchill Way.
 - SC has looked into planting a permanent Christmas Tree at Park Terrace, and is pursuing this with the village gardener.
- IW is looking for further ideas which will diversify the benefit to other areas of the village, eg, Kaimes. He believes that several small projects rather than a single big project might be appropriate this time round.
- 8.2** JT suggested that funding to redress the identified lack of play equipment in the park for children under 10 years old might be considered. There are also Health and Safety issues with the existing equipment that should be addressed. JS noted that the basket swing cost nearly £12K to install, so whilst this idea is certainly on the table, it would absorb a substantial part, if not all, of the available funding. It is also the case that the park has benefited from substantial investment in previous funding rounds. JS also believed that the H&S aspects are more appropriately addressed if WLC has responsibility.
- 8.3** JS noted the deadline for proposals to be submitted is around April 22nd. The proposals then go to the LAC (Local Area Committee) for consideration. As in previous rounds, it would make sense to forward one submission to avoid the danger of competing bids cancelling each other out.



8.4 AP reiterated the information from previous KCC meetings re- the apple trees proposal – viz: approximately a 30% response to her postcard survey, mostly positive. She agreed with IW that diversifying the benefit to other areas of the village would be a good thing, but noted the limited involvement of younger families in Kaimes with KCC/KCDT. She asked if Steph and Debbie, being of that generation, could sound out and collate ideas . IW advised that this was already happening.

8.5 There was some discussion on various aspects of improving the involvement of the various identifiable geographical areas in the community with KCC. AP commented that these tend to engage when a specific issue of concern emerges. IW noted the example of Meadowbank, where the residents wish the community to buy the land which RBS had failed to sell at auction. There was substantial discussion on the constraints on the use of the land in question, and the corresponding prospect of persuading RBS to accept a community offer of less than the bank's desired return. JT advised that the community right to buy legislation be consulted to inform any decision on the subject.

9. KCDT Report:

9.1 AP reported in SMcK's absence. There is little to report on this month:

9.2 Funding is in place to continue to employ Steph and Debbie, which relieves their recent uncertainty.

9.3 The Camps Junction project continues to progress. Scotframe is a little behind in providing engineering calculations for use by other contractors.

9.4 The KCDT AGM has been held on Zoom. Attendance was disappointing but one newcomer to the village did offer his skills to KCDT.

9.5 One person who attended the AGM was looking for assistance in addressing the giant hogweed affected areas. There was some discussion as to the best approach, and IW noted that the landowners of the affected areas need to be included in the discussions, which may prove problematic.

10. Building on Active Travel:

10.1 NG advised there was nothing to report on Active Travel.

10.2 JS noted that the Park and Ride had been discussed previously.



11. Planning: See foregoing items

11.1 VG noted that planning issues had been discussed previously.

11.1 VG raised the state of road surfaces and blocked gullies in the village. NG advised that the established WLC procedure to report problems be used. AP was sceptical that this resulted in any timely action. JS countered that an issue he reported was fixed within the week. JT stated that when reported in the appropriate manner, problems tend to be fixed quickly. Notwithstanding, JS acknowledged that the system could at times be overloaded given that most council employees were still working from home. He offered to intercede directly with the heads of department to fast-track a response.

12. Consultation:

12.1 JS noted that there are a number of consultations active at the moment. IM has circulated these for KCC members' consideration. JS encouraged members to look at and take part in the various consultations. He advised that they are listed in the Joint Forum newsletter.

13. Joint Forum:

13.1 JS reminded the meeting of the upcoming elections to the Joint Forum executive.

13.2 JS advised the meeting that the Joint Forum conference is on March 26th. It will be conducted online as a virtual meeting. Anyone wishing to take part should register with Pippa Plevin at the Joint Forum.

14. AOB:

14.1 JT repeated his belief that Community Councils are bound by the same time limit as individuals to comment on planning items. He cited an Edinburgh Council document referencing the Scottish Government Planning Advice Note 47 (PAN 47). JS pointed out that the statutory right of a Community Council to formally request an extension to the consultation period, if exercised, imposes a statutory duty on the corresponding local authority planning department to grant such an extension. The extended consultation period for the Park and Ride planning application is an example of this in action.

14. Next Meeting

The next meeting is on 12th April 2022 at 18.45. Format and location TBD.

The Chair concluded the meeting with thanks to all who had taken part.