

BONNYRIGG & LASSWADE COMMUNITY COUNCIL

Minutes of Meeting Held on 17 March 2011 within Sports Pavilion, King George V Park Bonnyrigg at 19.30 hrs

Present: Ian Baxter (Chair), Dorothy Innes (Vice Chair), Stewart Renwick (secretary), Elaine Ferguson (Treasurer), Ruth Scott, Brian Scott, Eddie Ramsay, Cameron Scott and Gilbert Scott,

In attendance: Councillor Derek Milligan, Councillor Bob Constable, Councillor Jackie Aitchison, Dawn Morrison (Midlothian Advertiser), Graeme McGrath, Neil Milliken, Andrew Hamilton, James McHale, Mike Leslie, Thomas McFadden, Iain Macintosh, Kevin Hanratty

Apologies: None

Welcome: The chairperson welcomed all to meeting.

Minutes of Previous Meeting: Proposed Elaine Ferguson Seconded by Brian Scott

Matters Arising:

August meeting

- a) Hard Wood Bench — to determine costs ER will contact Mayshade garden centre. We need to write to NHS Lothian to ensure that it is acceptable in a PPP and we will not have future costs. *Letter received from Eddie Egan's accepting our offer of a bench and confirming there will be no ongoing maintenance issues. ER will contact Mayshade again. It was agreed that we would spend £200* **Ongoing**

ACTION: ER

October Meeting 2010

- b) Gourlaw Committee Grants — *John Blair preparing report that we have requested a copy once it can be issued to the public.*

March Meeting 2011

The Chair intimated that the majority of observers were at the meeting due to this item and as a community council we had agreed not to discuss this item until the report by MC had been released. IB stated that he had received information due to his personal request under FOI he also stated that if the CC decided to discuss the subject tonight he would make this information available to all. It was then opened to discussion as to whether we would discuss the item or not. DM felt that we needed to discuss parts of it as it was causing considerable damage to Bonnyrigg Rose football club's reputation. There are several people in attendance at the meeting who can answer a number of questions. DM circulated the application letter submitted by Bonnyrigg Rose to the Gourlaw sub committee. DM informed the meeting that he could not speak as a councillor at the meeting but as a supporter of Bonnyrigg Rose. He felt that we needed to discuss what community councillors had been saying and if they were acting on behalf of the community council; the information he had was that councillors had gained access to private houses. DM started to read a hand written report form a member of the public on a meeting he had W Cameron Scott to investigate the issues of Bonnyrigg Rose on behalf on 'Bonnyrigg and Poltonhall community council'. CS denied this, he had gone as an individual to an ex colleague who is a previous councillor very involved with Bonnyrigg Rose and also a JP. CS asked him if he would mind answering a few points. CS stated that he agreed and proceeded to provide information to CS.

The chair then asked for the CC to make a decision on whether this item should be discussed further. BS believed that after what had been previously said it was necessary to discuss the item tonight, as well as it is now going for too long. The subject was raised first in October and we are now in the middle of March and still no report from the council. GS had a view that we needed to see the findings of the report but also agreed that there needed to be discussion. A vote was taken of the CC with 6 voting for and 3 abstentions.

The chair then asked DM if he wished to continue. DM informed the meeting due to his interest in Bonnyrigg Rose he took no part in any decisions regarding the allocation of this grant by MC, he also stated that he had been surprised that the club had not come forward and highlighted what work had been carried out. DM wanted to put to rest the view that no work had been carried out. In circulating the application letter DM stated it is clear that there would be other works carried out and this work had been completed. The large hut had been removed and the wall demolished with new fencing and gates installed. Shavings had been laid on the car park as to tarmac it would have required planning permission. The access via Dundas Street had to be closed as it was being used as a rat run to avoid the traffic lights at the toll and a number of residents were concerned for safety. DM concluded by stating that if the CC has problems with value for money it is the council we should be asking the questions of as they checked the work carried out before issuing the remaining 1/3 of the grant. IB thanked DM and then issued the information he had received through his FOI request and he agreed with DM after having read

the information it was far more damning of MC than it is of Bonnyrigg Rose. IB did not have information regarding Bonnyrigg Rose as 3 times he had asked their committee for information and see their books but this has been refused. IB explained the 'Following the public pound' procedures which MC had adopted in 2006 following a bad report from audit Scotland. IB highlighted the detailed audit and monitoring procedures which should have been in place regarding any funding over £30k which is considered substantial. MC has only two documents in relation to this application (a) the application letter and (b) Bonnyrigg Rose statement of accounts at 31 December 2008. MC released the application but withheld the accounts under section 33 (1) commercial confidentiality and 36 (2) breach of confidence. Mr Hamilton interrupted to point out that IB had been contacting the social club which is separate to the football club. The football club and the social club are two separate organisations. IB stated that there should have been strict auditing for this grant, but MC would appear to have not followed their own policy on funding over £30k. In IB's opinion MC should be holding receipts and evidence of competitive tendering for the work that was to be carried out. It would appear as if there are major failings in MC relating to this grant. Mr McHale asked why IB had not contacted him regarding the funding as he had been named in the newspaper article. IB informed Mr McHale that he had not named him in the paper and CS denied naming him in the paper. Dawn Morrison intimated that from her memory it was a letter from Poltonhall CC that had mentioned his name, but she would have to check. The letter had been introduced in correspondence at Bonnyrigg CC. IB stated that there was no collaboration between Poltonhall and Bonnyrigg CC on this matter but there is communication between the two CC. IB stated that he had contacted Bonnyrigg Rose on 3 occasions and apologised if he had contacted the wrong people but on all occasions he had been told he would not get the books. The people he had contacted were the chairman and the person who he believed to be the treasurer and he was not given any other name to contact. SR stated that the CC had originally asked what the audit procedures were for the Gourlaw committee and as such it was the council who the CC were asking the questions off. DM asked if this was the case why had CS gone to a member of the public's door advising that he was acting on behalf of Bonnyrigg and Poltonhall community councils and wanted information on where the grant money had been spent. SR stated that as a community council we had not asked any members to ask questions and any decisions taken as a community council were the minutes. DM then asked CS to explain his actions. CS stated that as we were not getting information from MC he had contacted a personal friend to see if he could supply some answers. IB read the October and January minutes to highlight the CC involvement and that "BS in the January meeting had asked for it to be minuted that the CC had not submitted a FOI and the comments in the paper implied that it was the CC. This was not the case but the views of individuals". From the same minutes, the chair stated that members should make it clear that it is their personnel views and not that of the CC, also stating that until the report is released the CC will take no further discussion". IB then intimated that if CS has been saying that he is acting on behalf of the CC he would be reprimanded. IB then asked CS if he accepted this statement and he acknowledged in the affirmative.

Neil Milliken then informed the meeting that he lives at the entrance to the car park and could verify that numerous lorries had removed material from the site over a period of time. He also informed the meeting that it was he who had blocked the Dundas street entrance with first of all a pallet with concrete blocks, and then the existing box which is full of concrete as he was concerned for safety due to the cars driving through the area. He also stated that the vennal to Lothian street is jointly owned by himself, the neighbour on the opposite site and Bonnyrigg Rose. His view was that the negative attitudes were affecting the club. IB agreed and emphasised that he also wanted to protect the club and could not understand why they were not prepared to show him the receipts and evidence of competitive tenders. Mr McHale then interjected that the £37.5K had been used to remove the hut, knock down the wall, remove rubbish and rebuild a fence. The car park was bonus and the spreading of tarmac shavings were all that had been allowed for the car park. He intimated that they had done a good job with the money. IB responded by stating that was a matter of opinion and he wondered what the Gourlaw sub committee were thinking about as their remit is to provide benefits for the community. Mr McHale responded that the club is for the benefit of the community with the various levels of football and juniors are allowed into the matches free. SR intimated his disappointment councillor Milligan had not offered, to the CC, some of the information which now seems to be available. DM responded by saying that he had researched the information as he could not remember what had taken place some months previous. In response to Mr McHale's view that the CC were responsible for the newspaper articles. BS stated that the articles had not been provoked by the CC; he also reiterated his comments at previous meetings that the CC would not get involved and if individuals wanted that was their choice. He then went on to say that the document that we had received tonight (Application for funding from Bonnyrigg Rose Athletic AFC (Appendix a) was the nearest thing we would get to get a specification as to what was planned, Everyone's definition of a car park may vary, my view of a car park is a flat well drained piece of land marked out to take vehicles, whether it be ordinary or for disabled drivers. It states "Bonnyrigg Rose JFC ask that a 50% contribution be made to the cost of providing a car park at Dundas Park. The total cost of the project is £75,000". BS's interpretation of this is that the project is to make a car park, and appreciates that other areas may need to be adjusted to complete the car park. BS view is that regardless of the work carried out a car

park has not been provided as the area is still full of potholes.

Mr McHale stated that the application had not been to provide a car park but a parking facility. He had not seen any correspondence from the Gourlaw sub committee so was not aware of the Gourlaw expectations from the funding. IB detailed the documentation which Bonnyrigg Rose should have received from the council. Under the "Following of Public Pound" procedure, "The funding of the ALEO (Bonnyrigg Rose) will be in writing detailing specific and explicit funding conditions. The ALEO is able to accept the conditions in writing". MR McHale confirmed that he had received no correspondence regarding funding conditions or guidance from the Council. Graeme McGrath wanted to know what was the outcome we're trying to achieve - work had been carried out according to the application letter, although the car parking area was not as had been expected by some people, it is an assumption that there is no money left to fix the parking area. There is concern on what monies were spent on, but the main issue appears to be the shortfall in the administration by MC. This is what we should be chasing. ER was concerned that there had been a major breakdown in communication with Bonnyrigg Rose and we need to try and changes this by having a meeting with them. IB's view now was that the main failings were with MC who failed to communicate to Bonnyrigg Rose their responsibilities in accepting the funding. Unfortunately, after the scrutiny checks, Bonnyrigg Rose may now be implicated for not providing the correct documentation due to MC failings. IB also queried if the Gourlaw committee had done their job and allocated the funding according to criteria for disbursement of funds. Graeme McGrath felt that the main issue was what was initially intended for the funding and the expectations of observers and more questions should have been asked at the initial stages so that a proper specification was prepared. BS's main concern is when the car park will be fit for purpose with all the relevant markings and signs to cover health and safety requirements. EF asked Neil Milliken how he felt about the area being used as a car park during the week as his wife runs a nursery at the entrance. Neil replied that after a week of both entrances opened he had major concerns of cars running through the area thus the reason for him blocking off the Dundas street entrance. EF asked if the prefabricated house that had been erected in the ground had been donated by MC. Mr McHale informed the meeting that it was he who had acquired the buildings from the demolisher. He also agreed that as they were permanent buildings that they will need retrospective planning permission for their erection.

It was agreed to consider at another meeting what we should do in respect of the Council and in particular the Gourlaw committee failings in issuing funding for major projects. ER also suggested that we should also consider meeting with Bonnyrigg Rose. MR McHale stated that Bonnyrigg Rose had made a blind application and it was up to someone to question it, reject it or ask for more definition. The council have all the definition and paper work covering the quotes. Mr McHale had received money but he did not get £37.5 and he donated back to the club the money he did not use. He intimated that he was quite happy to show anyone his books at his office. IB summed up by saying that it had been an informative meeting and it had been good to hear from Bonnyrigg Rose and again stated that the CC would do nothing until the findings of the audit were released. He also reminded community councillors that they should desist from commenting in any way which suggests that they are commenting on behalf of the community council when they are not. This must make plain to the media that it is their personnel view unless it is cleared through the CC. DM wanted to make clear that Bonnyrigg Rose was not represented at the meeting. Neil Milliken was a local resident and Mr McHale was a past president with Mt Hamilton is President of the Social Club. It was agreed that contact should be made with Bonnyrigg Rose, this to be discussed at the next meeting.

- c) Newsletter delivery — It was suggested that it may be possible to have the newsletter delivered with the Midlothian News. IB will contact Kenneth Lawrie. IB has emailed as is waiting a reply. **Ongoing**

ACTION: IB

November Meeting

- d) Lights in the High Street— CS felt that the lights in the high street were very poor in comparison to park road. JA explained that they increased in illumination as it got darker. JA will have them checked. JA checked on the lighting on the 31 Jan, 7 Feb, 14 Feb and 16Feb JA along with Keith Slight (Street light manager MC) and Dave Smith consultant engineer. They walked from the bottom of Lothian street up and along the high street and up through the park and along Dobbie's Road. A light meter was used to check the luminosity and all reading proved to be good or very good. Murky nights can have an effect and some of the lamp standards are fitted with two types of light to compensate for foggy conditions. GS asked what the specification were as the Factory Act had a minimum level and he assumed that it would be the same for street lighting. JA did not know. SR offered to email the specialists who had carried out the testing to ascertain what is the minimum specification JA to supply email address **Ongoing**

ACTION: JA/SR

January Meeting

- e) Broomieknowe bus stop— IB raised the issue of traffic overtaking buses stopped at Broomieknowe and also the keep left bollard. PC Hutchison told the meeting that the bus stopped had passed safety checks

over the last couple of years and was not seen as safety problem. SR to contact Neil Dougal with a view to moving the bus stop towards Bonnyrigg. DM and officials have looked at the situation with community police to see if it can be moved. They are now investigating if it is possible. **Cleared**

February Meeting

- f) BS asked if there was an up to date green belt map. *Maps received larger maps are in the post* **Cleared**
- g) BS informed the meeting that a grit bin was in the burn at Cockpen Road. *BS Removed the bin himself and replaced it in its location. The state of the burn is not MC responsibility. BS is attempting to get the local residents to clean it up.* **Cleared**
- h) BS feels that there is a need for a bus stop installed at the Melville roundabout for the hotel and the proposed housing across the roundabout. *Karl Vantners responded. One of the planning conditions for the new Melville hotel was that a pair of bus stops were to be provided by the developer on the A7. These stops would have been used by bus service 29 [Lothian Buses] between Edinburgh and Mayfield/Gorebridge. However, I understand that this condition was subsequently relaxed by our Planning Department, and the bus stops on the A7 are not now going ahead. There is no budget for such matters within the Travel Team. A report on the re-tendering exercise of bus service 328 is currently awaiting consideration by the Council [15 March]. If accepted, the 328 will be diverted to run from Dalkeith along Lasswade Road and the A7 to Sheriffhall [and on to Danderhall / Newton] instead of via Lugton Brae [already served by the 49, 51, 52 and 86 bus services]. I would seek agreement from a Bus Stop Working Party for a new pair of bus stops on Lasswade Road as close to the A7 as road safety considerations will permit. Such a pair of bus stops would serve the Melville hotel and any new residential units at the north-western end of Lasswade Road.* **Cleared**
- i) ER— highlighted a large amount of rubbish in a company's yard on the Cockpen road. JA will action this item. *A skip was filled and then removed however there is more rubbish there again. JA had spoken to environmental health but as it is on private property there is nothing can be done unless it is dangerous. JA will give a reminder to the environmental manager to contact the company.* **Cleared**

Financial Report:

Current Account:	As at 17 March 2011	£ 1,864.53
Transactions		
Debits	None	
Credit	None	

No Interest is being added to this account as it is a flexible current account.

Twinning Account:	As at 17 th March 2011	£1,713.29
Transactions		
Debits	None	
Credits	None	

Police Report:

No report

Midlothian Councillors' Report:

Councillor Constable

Hopefield Primary School — although it is not in our area it was passed at the planning committee, with discussion on pedestrian access routes.

Broomieknowe planning application — this was turned down in keeping with the earlier decision to build in a protected area.

Councillor Milligan

Budgets — Concentration has been on completing the budget and it is now 99% complete but has taken up all of DMs time.

Councillor Aitchison

Brixwall Burn — there have been various complaints about the "wee Red" burn its official name is Pittendreich Burn.

Budget — A couple of things still being worked on but it is a good budget with a small surplus and £5m into the reserves. MC has submitted a legal budget but there must be a health warning over the next few years - it could be difficult.

Potholes — the bad weather continues and the repairing of potholes will not be completed until the better weather is here. The repairs so far have cost in excess of £3m. Some work is being carried out throughout Midlothian but there are 18 councillors all trying to get priority for their wards.

Roslin Glen Road — the work has commenced on the Roslin Glen road. The land is still slipping on the Rosewell side of the road.

Lasswade Bridge — the damage to Lasswade bridge happened during the bad weather but it is not known who had the accident. MC is therefore now responsible for repair.

Fire, Police and Health boards — There is a consultation paper on the future of these boards and requires to be back by the 5th May. The status quo is not acceptable. The question that is pertinent is should there be 1 or 8 authorities for fire and police. Health boards - there are 22 authorities. JA will listen to the briefing on 15th April and will report back to the CC and various organisations within his ward.

ER asked if the swimming pool will be open for all. This was confirmed that the pool will always be available for public.

EF - the bus stop in Cockpen was burnt down. It is due to be replaced.

DI raised the possibility of a vehicle accident at the junction between Pendreich Terrace and Pendreich Drive at the entrance to Lasswade Primary School. The road markings have disappeared and car driving along Pendreich Drive from the Eskbank road are driving straight across into the school entrance, although the main route is up Pendreich Terrace. BC had already emailed the appropriate department but would do so again. SR will also contact Ricky Moffat

ACTION: SR/BC

Planning:

There were various planning applications for domestic alterations.

Transport:

Nothing to report.

Twinning:

Nothing to report.

LHSC

The project is currently out to tender with the 3 shortlisted contractors (BAM Construction, Carillion Construction and Graham Construction). We are in the "Competitive Dialogue" phase where we discuss the negotiable elements of the project. This will finish on 7th April after which the bidders will have till 8th May to prepare and submit their final tenders.

The tenders will then be assessed and a report will go to the Council meeting on 28th June with a recommendation to appoint the contractor.

Work on finalising the design will then be carried out by the Contractor in summer/early autumn and a detailed Planning Application will be submitted by him with a view to starting work in November.

Work is still on schedule to be completed to allow pupils to commence in the new school in August 2013 at the start of the new Academic year. Demolition of the old school will then follow and the new pitches will be established. These will need to lie dormant for a full growing season to allow the grass to establish before they will be playable.

Fair Trade:

The Fairtrade Town steering group had its inaugural meeting, with 20 attending. There is a lot of enthusiasm from all the schools. Hoping to get Fairtrade status before the end of the year. G Mc reported that Lasswade Primary school is hoping that it is not the case that once we have Fairtrade status we will continue to make the public aware of Fair Trade.

Correspondence

Midlothian Council

Town and Country Planning act notification of Local Review Body visit to church road to view a planning appeal site.

Minutes presented 22 February

Traffic order to enforce disabled parking bays

Midlothian Council SNP group

SNP Budget proposals

NHS

NHS link Lothian and Link West Lothian

Newbattle Abbey

Spring Short course programme

Girl Guide

Invite from Midlothian girl guides to their annual event Magic Moments

Spokes

Spring Bulletin

Esk Valley Trust

Spring Bulletin

AGM papers to be held on 2 April.

PPF

Invite to a development day

PPF are looking for volunteers to carry out a follow up to a survey last year.

Email

Scottish Water

Copy of a press release sent out by Scottish water.

Community Pay Back Orders

Subject: Community Payback Stakeholder Group email from Ian Neil, Service Manager Midlothian Council Criminal Justice Team Dalkeith Social Work Centre. BS will attend

ACTION: BS

Phone Scams

Information on two telephone scams.

Digital Switchover news

100 days to go

AOCB

Newsletter ready mid May

Spring Clean – 30th April and we will clean up from the Health centre down the walkway towards Tesco.

Community Transport – this is due for renewal agreed £12

ACTION: EF

Esk Valley Trust – to join as an associate member agreed £60

ACTION: SR

Social work adoption placement worker to be invited to next meeting.

Next Meeting: 21 April 2011, Sports Pavilion, K G V Park at 19.30hrs.