

## **Howgate Community Council. Minutes of meeting 27 March 2019**

Present.

Bruce Hobbs (chair), Graham Young (treasurer), Jenny Westwood, Ian King, Ian Quigley (Secretary).

In attendance. Councillor Debbi McCall, PC Allanah Juchniewicz, PC Keith Dolan, Tommy Goldie.

The following residents from the area of Wellington School, namely Jane Tallents, Kenny Loraine, Richard Steel, Susan Robson, Irene McDonald-Smith, Winifred Cunningham, Pauline Cunningham, Doreen Moffat, Tom Moffat.

### 1. Apologies.

Colin Bennett, David Wilson,

### 2. Minutes of Meeting held on 27 February 2019.

Approved, proposed by Jenny Westwood, seconded by Graham Young.

### 3. Community Policing Report.

The full report was issued in advanced and will be attached to the Minutes.

However, Allanah drew attention to the following incidents, an intruder at Eastfield Industrial Estate went on to one of the farms in the area, but was caught and charged, a female drink driver was caught at Leadburn Inn, and windows on a JCB on the A6094 near Gladhouse were smashed.

Police are continuing to carry out speed checks.

### 4. Consequences of Closure of Howgate Church.

A steering group is being formed.

There is no update on the Church's plans for the church and glebe.

### 5.and 6. Report by Tommy Goldie, Community Liaison Officer covering roads and traffic.

This was sent in advance and will be attached to the Minutes.

Ian Quigley commented that although the report was full of good intentions there appeared to have been very little in the way of practical progress over the last year or so.

Tommy acknowledged the issues but felt that the next steps section of the report were the way to go.

Tommy has received over a long period details of roads issued affecting Howgate and Ian King and Tommy will update the list.

## **ACTION: TG and IK**

Ian K agreed to attend the meeting of the Roads Group to be held on 8 April.

7. Any other matters arising.

Debbi reported that no progress had yet been made relating to signage warning of blind summits because of change of personnel within the Council..

8. Standing Items.

8.1 Correspondence.

None.

8.2 Planning

8.2.1 No update on the planning application at Netherton.

8.2.2 A Proposal Of Application Notice was submitted to Midlothian Council in relation to a proposed residential development on land at the former Wellington Residential School, Peebles Road , Penicuik.

A copy of this having been delivered by HCC to Irene MacDonald Smith a number of concerned residents from the surrounding area were in attendance at the meeting. In the Midlothian Local Development Plan an area at the Wellington School site is included, reference AHs5, in the part of the plan headed “Additional Housing Development Opportunities “. The site has an indicative capacity of 50-60 houses but a key consideration is the issue of access restrictions, although the plan states that there may be potential to incorporate adjacent land to assist in overcoming these restrictions.

There was a wide ranging discussion about the undesirability of a large development and all the negative consequences, including access problems, water and drainage etc. The following practical steps were agreed.

1. Debbi will contact the Midlothian planning officials to try to ensure that sufficient public notice is given of the consultations/ exhibitions referred to in the covering letter from Strutt and Parker and that these are held at convenient locations.

2. Given that Midlothian Council have not engaged in any discussions with the residents in relation to their earlier objections to parts of the Development Plan, or with HCC but have simply pushed it all onto a Reporter, HCC would like to see a copy of the Report. If the Development Plan has been adopted we assume that the report has been completed.

If the report has not been completed then presumably it would not have been competent for Midlothian Council to adopt the Plan.

Debbi agreed to take this request forward at the appropriate level in Midlothian Council.

**ACTION: DMc**

3. It was agreed that the Wellington residents would work together to draw up a comprehensive list of objections and the reasons for such objections in terms of planning regulations and other policies and that each household would send a letter including that list to the planning department, with copies to Strutt and Parker. HCC will be prepared to review such a list and make objections consistent with planning regulations.

It was pointed out that insofar as the proposed development was to be on land which is a "brownfield" site then so long as all other issues such as access etc were satisfied, HCC would have to have regard to that fact, even if the Wellington residents wished personally to object to any development.

It was noted that this application process is at a very early stage and that the stronger the arguments could be put at this stage the better.

8.3 HCC Funds.

Graham Young reported that the bank balance had not changed since the last meeting.

Bruce asked if we had received the annual grant from Midlothian Council. Tommy explained that payments would not be made until April.

Bruce produced a reminder from Zurich Insurance for payment of a premium. Tommy said Bruce should forward it to him and he would arrange payment.

**ACTION: BH**

9 Preparation for AGM.

It was agreed that the AGM would be held on 26 June.

We might ask the chief executive of Midlothian Council to give a brief talk but we have to be clear what we will ask her to discuss.

10. AOCB

None.

11 Date of next meeting  
24 April 2019.

## Appendix 1. Howgate Community Police Report February 2019.



### Howgate Community Council Report Feb 2019

During the month of February 2019 in the beat areas PK01, PK02 & PK03 (Penicuik & District), there were 43 recorded crimes reported of which 20 were solved. This is a solvency rate of 46.5%. During this time period, there were 307 calls made to Police Scotland.

#### INCIDENTS OF NOTE

On the 1 February a 19 year old male was issued a Recorded Police Warning for possession of drugs on Dykes Road, Penicuik.

On the 2 February two males were charged with assault on Edinburgh Road, Penicuik.

On the 2 February a vehicle parked on Rullion Green Avenue, Penicuik had its number plates stolen.

One of the units at Eastfield Industrial Estate was broken into on the evening of the 2 February, prior to reports of an intruder on a farm at Howgate. A 32 year old male has been charged and reported to the Procurator Fiscal in relation to these.

At Pomathorn Bank, Penicuik on the 4 February, a 57 year old female was charged with driving without a valid insurance policy.

On the 6 February, a 16 year old male was charged with assault at Tesco, Penicuik,

On the 9 February, an 80 year old man was involved in an accident with a bus near to Imrie Place, suffering minor injury.

At the High Street, Penicuik on the 9 February, a 26 year old male was charged with possession of an offensive weapon in a public place. A report has been submitted to the Procurator Fiscal.

On the 9 February at Pomathorn Bank, Penicuik there were reports of a suspicious male shining torch into property. Area searched with no trace.

On the 11 February a Perspex trolley bay was damaged by youths at Tesco. Police are carrying out increased patrols around Tesco due to antisocial behavior being reported.

At Edinburgh Road on the 13 February, a 47 year old male was charged with dangerous driving.

On the 13 February at the A701 near to the Leadburn Inn, a female was charged with drink driving.

On the 15 February at Terregles, Penicuik ladders were stolen from the roof of a parked vehicle. Enquiries are ongoing.

At Carlops Road, Penicuik on the 15 February, a 19 year old male was issued with a Recorded Police Warning for threatening and abusive behavior.

On the 19 February at the A6094, near to the Gladhouse Crossing, a parked JCB had its window smashed. Enquiries are ongoing.

On the 23 February, a chainsaw was stolen from within a shed at a property off the A702. Enquiries are ongoing.

Between 0830 and 1340 hours, 26 February, a property at Milton Bridge was broken into and a substantial value of property taken. Enquires are ongoing.

On the 28 February, at Tesco, a 28 year old male was charged for possession of drugs. He was reported to the Procurator Fiscal.

**If any person has any information about the incident(s) listed above, or indeed any other crime, please contact your Community Policing Officer PC Alannah Juchniewicz via 101 or email: [LothianScotBordersPenicuikCPT@scotland.pnn.police.uk](mailto:LothianScotBordersPenicuikCPT@scotland.pnn.police.uk)**

### Additional Information

Hate crime and domestic abuse can now be reported online via the official Police Scotland website at [www.scotland.police.uk](http://www.scotland.police.uk) or by visiting a Third Party Reporting Centre – details of which are also on our website.

Information regarding crime can be passed to Crimestoppers on 0800 555 111 or through an Online Form - both of these routes are completely anonymous and available 24 hours a day, 365 days a year.

Police Scotland use social media to circulate the latest news, events and information to the public via Twitter (@LothBordPolice and @MidLothPolice) and Facebook ([www.facebook.com/LothiansScottishBordersPoliceDivision](http://www.facebook.com/LothiansScottishBordersPoliceDivision) and [www.facebook.com/MidlothianPolice](http://www.facebook.com/MidlothianPolice)).

### Your View Counts

Police Scotland consults with the public every year on what their priorities are for policing in their community.

In the past this has always been by hard copy consultation questionnaires which were distributed by police officers within the community they work.

This year Police Scotland's consultation process is widening and becoming more flexible. The consultation process is moving online to a digital format and consultation will be open all year.

The public consultation is for you to tell us what is important to you in your community. Your opinion is valued - we need your opinion to inform our policing. Having your say in the decision making process of Police Scotland is a vital tool for residents of Scotland to be able to shape the way their public services should operate.

Everyone's views across Scotland will be taken on board at a national and local level. We want you to help us focus on the priorities that will help communities most. There is no 'one size fits all' approach to local policing and all the needs and wants of individual communities will be considered.

This is the first time Police Scotland's public consultation is being hosted on a digital platform. This allows us to reach a much wider audience than ever before ensuring that everyone can have their say.

The online consultation is open all year which allows you to take part when it suits you but also gives the flexibility of being able to re-submit the consultation if your priorities change.

It's a very simple process that should only take a few moments of your time but will shape the way that policing is coordinated across Scotland and in your local community.

We will keep you updated on our quarterly results. The consultation will be a completely transparent process as it's all about your priorities.

Below is a link to the 'Your View Counts' page.

[www.scotland.police.uk/yourviewcounts](http://www.scotland.police.uk/yourviewcounts)

### LOCK DOWN CRIME PREVENTION INITIATIVE

Midlothian residents are being urged to safeguard their properties in order to reduce housebreakings in the county as part of the new 'Lock Down Crime' campaign.

The Council in partnership with Midlothian Community Safety Partnership and Police Scotland are raising awareness of crime prevention by informing local residents about the best ways to help eradicate the ongoing threat of housebreakings.

### RURAL CRIME INITIATIVE

#### POLICE IN MIDLOTHIAN WARN DOG WALKERS ABOUT SHEEP WORRYING

Sheep worrying is a perennial problem in the countryside and will be a feature of the 2018 Rural Crime Initiative beginning on Saturday 31<sup>st</sup> March. Sheep worrying is a criminal offence and if a dog is found to have attacked livestock the owner may face criminal action.

Livestock worrying is not just when a dog chases or attacks an animal, but can also be when a dog is in close proximity to livestock. This can cause sheep to panic and flee, resulting in serious injury or death. As well as the distress and harm caused to the animals, these incidents have both a financial and emotional impact on the farmer that is completely avoidable.

Dog owners have a responsibility to ensure that they are in control of their dogs at all times and should avoid fields with livestock, where possible. Where livestock are unavoidable, dogs should always be kept under close control, preferably on a short lead. Even if they are usually very obedient, it is every dog's instinct to chase. They don't understand the impact of this – but their owners do.

Sergeant Michele Lindsay of Penicuik police station said: "It's important that dog walkers prepare to meet livestock whenever they're walking in the countryside, even if its routes they've travelled before as livestock tend to be moved with the seasons.

"There have been ten reported livestock worrying incidents in the Midlothian area including Penicuik, Loanhead, Roslin, Rosewell, Dewarton and Gorebridge between 1<sup>st</sup> January 2017 and 12<sup>th</sup> March 2018.

"We know that these incidents often go unreported and would encourage farmers to come forward when they do occur, or when there are any 'near misses'.

"We'd also urge farmers to engage with dog walkers if they have any concerns and put signage up on the relevant gates, paths and entrances to warn walkers of the presence of livestock.

"I'd urge farmers, dog walkers and members of the public to talk to us for any advice on this issue, as officers will be carrying out rural patrols between end of March and beginning of May 2018.

"Please be assured that any incidents of livestock worrying will be robustly dealt with, and offenders reported to the Procurator Fiscal."

National Heritage Officer staff advised that:

"Every spring thousands of lambs are born in the Pentland Hills Regional Park, in the lowland areas as well as the open upland hills. The sheep move around freely and during lambing season (March – May) they are vulnerable to being abandoned by their mothers (ewes), attacked by foxes, exposure to cold and wet weather... This is why it is essential that visitors and their dogs do their very best to not cause any more issues for ewes and their lambs. Please adhere to the seasonal signage present throughout the Park"

NFU Scotland regional manager Teresa Dougall said: "Livestock worrying continues to be a burden on Scottish livestock farmers, and it is not just the financial losses they suffer, but the stress it can

cause for cattle and sheep, and the time they have to take away from the day to day running of their business to deal with such cases.

“Some people just don’t realise the damage their dogs can do by being amongst vulnerable livestock, like pregnant cows and ewes or young lambs. Ninety-nine per cent of those who are walking their dogs take care, it’s the one per cent who are careless and cause death and injury to helpless animals. Reluctantly farmers can sometimes be left with no option but to shoot a dog to stop it worrying their livestock.

“Last year saw 178 instances of livestock worrying in Scotland, the highest in seven years. We need dog owners to take heed of our warnings, to keep dogs on a lead and under close control, avoiding fields with livestock where possible and taking an alternative route. There are no irresponsible dogs, only irresponsible dog owners and we need those who are acting irresponsibly to change their ways.”

## **Appendix 2. Community Officer Report for Howgate Community Council:**

**27 March 2019.**

### **Background:**

Howgate CC has highlighted many roads and traffic issues. Midlothian, Traffic Roads and Paths group are recognised as a sub group of the Midlothian Federation of Community Councils.

Representatives met in 2018 with John Blair (Resources Director) and Ricky Moffat (Head of Service for Commercial Operations). Talks were constructive and open and the group were keen to work in partnership wherever possible in a “solutions based” relationship with Midlothian Council, to address the lack of financial and other resources in completing tasks important to local communities.

One of the points raised concerned lack of staff (vacant posts being difficult to fill) within the roads service. A proposal of supplementing paid staff with people sentenced to “Community Payback Orders” was suggested and this provided the starting point for all parties present today. The proposal would give those in the Community Payback system worthwhile and serious work which would make a contribution in their community. A further meeting took place recently, attended by Ricky Moffat (Head of Commercial Operations), Stuart Pratt (Health and social care; criminal justice) Tommy Goldie (Communities) to address the best way for the Council to work with community groups and clarify the legalities around voluntary labour. Considerations included agreements with trade unions to ensure voluntary labour is not used to deprive Council staff (or potential Council staff) of paid work, ensuring that voluntary labour is not being exploited by MLC and that Criminal justice service users and any other volunteers gain training or qualifications from the experience.

### **Main points:**

- All parties agree to the principle of working together.
- There are legal requirements which must be adhered to so that the criminal justice system is not used by unscrupulous employers as a means of cheap labour. Any collaboration will therefore need to be in the best interests of the service users that Stuart works with.
- Work undertaken should involve personal development and certified training in a supportive environment.
- Commercial Services is keen to work in partnership and sees opportunities not only in giving opportunities to develop skills and experience in road works but possibly in mechanical posts or other areas of the Council.

### **Next Steps:**

- The Council requests all Midlothian Community Councils submit a report (to the Federation/ MTRaP) of all work or issues in their area which causes concern to residents. These should be valid and up to date. Previous submissions are now generally out of date due to the long period of time taken to get any results or discussions.
- Once the information is submitted, it will be compiled into one report Midlothian wide report and submitted to the Roads Service/Head of Commercial Operations.
- Community Payback and Roads staff will assess where suitable opportunities exist for collaborative work which will address the issues raised by Community Councils.

- The Roads Service to give realistic feedback. For example, some of the issues raised may be on the “to do” list of the Roads Service within the current budget and others may be unrealistic to expect in the foreseeable future. However good communication can help to establish the working collaboration.
- The Midlothian traffic, Roads and Paths group will next meet on the 8<sup>th</sup> of April 7pm in Edinburgh College to plan the strategy and way forward.
- Ideally the MTRAP group will be driven by Community Councils and operate in a similar way to the Federation of CCs. In order to do this the group must be supported by as many pro-active Community Councils reps as possible.