# Minutes of West Calder & Harburn Community Council 11/02/2025

## Present: Joan O’Donnell JOD (Chair), Allan McLaughlan AMcL (Vice-Chair), Debra Jamieson DJ (Planning Secretary), Councillor Craig Meek CM, Councillor Pauline Clark PC.

## Apologies: David Burgess DB (Treasurer), Bart Smit BS, Linda Hughes LH, Lorna McCallum LMc, Matt Pearce MP (CDT), Cllr Cathy Muldoon CMu, Lesley Duncan LD (Police Scotland).

## Items of AOCB: No items were intimated.

## Minutes of January meeting: The minutes were proposed by AMcL and seconded by JOD.

## Reports from External Bodies:

## Police Report: No report has been received but information can be found at COINS link on the West Lothian Council (WLC) website.

## CDT Update: No report has been received.

## Matters arising:

* Website design. At the previous meeting, the committee discussed their final preferences for the design, JOD passed this information to the website designer and those changes were incorporated. Further points views were raised at today’s meeting. JOD will pass these to the web designer for clarification.

**ACTION: JOD will ask the website designer to provide more information.**

INFO FROM DEBRA?

* Minute Secretary. JOD will continue to take the meeting minutes until the post of Secretary is filled. **Ongoing.**
* Resident Query raised on 14th May – it has been established that the boundary fencing is correct and lies on the boundary line in accordance with the original planning application. Planning Enforcement have stated that this has been resolved. Email from WLC Planning issued to committee members on 3rd February 2025. Item closed.
* Hermand Birchwood ROW – AMcL that the project has been put out to contract and will be awarded by 14th February 2025. Item closed. **.**
* Gate to the old kirk has been padlocked. This is a precaution due to a potential public and employee health and safety concern. CM advised no further information has been received. **Ongoing.**

NO UPDATE.

* At the previous meeting, JOD proposed that the AGM for 2023-2024 be held on 11th March 2025. This means we will now be up to date following the delay, earlier this year. DB confirmed that accounts for 2023/2024 have been prepared and are now audited. JOD will send to WLC and issue notification, on social media, regarding the AGM.

**POST MEETING NOTE: Accounts sent to WLC/AGM date published. Item closed.**

**Harburn Bridge:**

AMcL, confirmed that the minutes of the scheduled meeting which took place on 25th November were passed to JOD. These are attached at APPENDIX 1. This matter will remain on the LAC agenda. Next LAC Meeting is 27th February – neither AMcL nor JOD can attend on that date.

**Traffic Management:**

1. Road closure at Monarch’s Way. JOD issued TTR on by 21sth January.
2. TTR (footpath resurfacing to rear of Mossend Crescent) 24/03 to 18/04 to be issued.
3. TTR Kirkgate (footpath resurfacing) 19/05 to 8/06 to be issued.

**Correspondence:** All forwarded. JOD asked committee members to review the following: :-

**SENT 15/12/2024** Review of the 2021 Scheme for Establishment of Community Councils - Amended Draft Scheme and Amended Boundary Suggestions for Consultation. It was agreed that the boundary changes were acceptable. JOD will follow up on GDPR requirements and WC&H CC email address.

**ACTION: JOD to report back to next meeting.**

**SENT 13/01/2025** West Lothian LDP 2 Evidence Engagement – RESPONSE TO DRAFT TOPIC SCHEDULES BY 28th FEB. JOD asked the committee to respond – no responses received. JOD will respond by 28th February 2025, in conjunction with Local Place Plan (LPP).

 **ACTION: JOD to report back to the next meeting.**

## Treasurer’s Report: Current balance £2,191.24.

## JOD confirmed that the accounts for 2022/2023 were required to be physically signed by the auditors – this has been done. Item closed.

## Planning Secretary Report: All Weekly Planning Reports from WLC have been issued.

* A further update has been received from Persimmon on the 1st Phase of Gavieside Village (see Appendix 1). This information was forwarded to committee members on 11th February Files for the proposed site layout were discussed. Also, the matter of the provision of developer funding and how/where these funds are spent was also discussed with the elected officials. Update sent to PC as requested. **Ongoing.**
* Modification of Planning Obligation (0701/FUL/20 refers). A further email was sent to WLC Planning – their final response is documented at Appendix 1. Item closed.
* DJ highlighted Planning Application 0007/H/25 ( extension to property at 15 Burngrange Park). No objections were raised for this application.
* A request was made, via our Facebook Page, for FOI details under Section 10(1) of FOIA, regarding the Broadmeadow ROW. JOD initially agreed but further checks indicated that in Scotland, the FOI Act, Scotland 2002 (FOISA) states that community councils in Scotland do not constitute one of the Scottish Public Authorities that must comply with Freedom of Information requests. JOD offered to send relevant copies of minutes/documents relating to the Planning Application. Minutes from Feb/Mar/April/May 2022 and CAP were sent on 20th February 2025. Item closed.

**Reports from Sub-groups and Other Meetings:-**

**Joint Forum of Community Councils Planning Forum – JOD/DJ** Possible meeting in February. JOD forwarded info on Planning Forum to DJ on 8th February.

**Joint Forum of Community Councils Police Forum – LH.** On behalf of LH, JOD requested any items for the meeting on 14th February. No items were raised.

**Local Area Committee – AMcL.** Date of next meeting is 27/02/2025.

**LAC**  link:  [West Lothian Council Committee Information - Meetings](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcoins.westlothian.gov.uk%2FAgenda.asp%3Fmeetingid%3D9620&data=05%7C02%7C%7Cb5f2fc6bb03a4ab8e2e308dc42c289b1%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638458650503244543%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=rlYvO5sNEPSBTnZrMn4Fvs5RK1Nh8oxP3Evh6sNx9I8%3D&reserved=0)

**Joint Forum of Community Councils Transport Forum – JOD**. No update on the next meeting date.

**CDT/CC Windfarm Sub- group** **– LH**. No update on the next meeting date.

**Any Other Competent Business**

* NONE.

**Date of next meeting AGM– 11th March 2025**

**APPENDIX 1.**

1.**Extraordinary Meeting of West Calder & Harburn Community Council**

**in conjunction with Harburn Residents Association**

**Date: Monday 25th November 2024, Time: 17:00hrs, Venue: Harburn Village Hall**

Minute of Meeting

Pre-Meeting Note - *This Meeting is being hosted by West Calder & Harburn Community Council. This extraordinary meeting of the WC&HCC and the HRA has been called by Councillor Craig Meek (Chair of the F&BV Ward LAC) to consider the matter of the Road Safety Issues arising from the increased frequency of accidents at the Harburn Railway Bridge on the B7008 road.*

**Present :-** Councillor Craig Meek; Gordon Brown (WLC); James Cunningham (Network Rail); Shona Moffat; Steven Moffat; Alistair Hutson; Robert Mackie; Mary Maclaughlan; Fiona Durham; Andrew Leslie; Heidi Idle; Jordan Stokoe; Ross Stewart; Matt Pearce; (All Harburn Residents); Allan Maclaughlan (Vice Chair WC&HCC).

**Apologies :-** Councillor Cathy Muldoon; Councillor Pauline Clark; Councillor Lawrence Fitzpatrick; Joan O’Donnell (Chair WC&HCC); Alastair Smith (Network Rail); Murray Pawluk (Police Scotland).

**Welcome :-** On behalf of WC&HCC Allan welcomed everyone to the meeting and conducted the Fire Safety housekeeping protocols. He then handed over the management of the Meeting to Councillor Meek, who reminded everyone that the purpose of this meeting was to receive an update from Gordon Brown (Manager, WLC Roads Department) on the progress of works to improve the safety on the B7008 – particularly the Harburn Railway Bridge that had previously been intimated at the last meeting of the F&BV LAC.

**WLC Update:-** Gordon Brown advised that :-

* The damaged Safety Barrier to the south of the Railway Bridge had been replaced, upgraded and extended.
* Dragons Teeth Road markings had been painted on the carriageway approaching the Railway Bridge from both the north and south.
* An enlarged Chevron Sign had been installed on the south side of the Railway Bridge to alert northbound drivers of the impending 90\* bend.

Gordon Brown also advised that :-

* An anti-slip road surface was to be added to the carriageway for both northbound and southbound traffic.
* Black and White Bollards would be installed on the south side of the Railway Bridge to advise northbound drivers to the oncoming 90\* bend.
* The 30mph signage on both northbound and southbound would be upgraded to have High Visibility Reflective Yellow Backgrounds.
* The AIP programme would continue to be delivered during the remainder of fiscal year 2024 / 2025.

**Network Rail Update :-** James Cunningham informed the meeting that his role with Network Rail was to ensure the safety of Railway Bridges such as the one at Harburn. James is called out to inspect the bridge every time there is an accident / incident on Harburn Railway Bridge.

When such incidents occur the railway line is automatically closed for SAFETY REASONS until the bridge has been inspected and declared safe. Such closures cost Network Rail £280 per minute in charges to the railway companies whose trains use the line.

James Cunningham advised the meeting that as darkness fell this evening, he had driven the B7008 approaching and crossing over the Harburn Railway Bridge from both the North and the South.

He observed that:-

* When heading south (from West Calder and the A71) although by no means perfect the awareness raising /warning signage / road markings and lighting were visible and adequate.
* When heading north (towards West Calder from the A70 Lang Whang) the awareness raising / warning signage / road marking and lighting were discernably less visible and adequate and should be enhanced to raise driver awareness of the impending 90\* bend / railway bridge.
* Gordon Brown took note of James Cunningham’s observations.
* ***Safety Barriers*** It was pointed out by the Meeting that :-
	+ *When approaching the Railway bridge from the south* (travelling towards West Calder from the A70) that both sides of the B7008 carriageway had crash barriers to prevent any vehicle from encroaching onto the railway line in the event of an *“Accident / Incident”.*
	+ *When approaching the Railway Bridge from the north* (travelling from West Calder and the A71) there are no crash barriers. The nearside of the carriageway [the left] is protected by a dry stone wall surrounding the private residence. The far side of the carriageway has no protection, other than a five strand wire fence to defend a drop down a banking of between 15’ to 20’ feet to a privately owned yard below which adjoins the railway line. The banking has some pine trees that have to date “caught” any vehicles leaving the carriageway in that direction. After each *“accident / incident”* the trees get broken and are becoming fewer.

**ACTION POINT** James Cunningham and Gordon Brown undertook to investigate whether there was a legal need to install a safety barrier to protect that side of the carriageway.

* *NB – Members present expressed the belief / understanding that following a tragic accident in England some years previously, it had been a Legal requirement that all Railway Bridges be protected by safety barriers (or equivalent) to prevent any vehicles being able to gain access to the railway line.*

**Open Discussion :-** A discussion and Question and Answer session then ensued during which members of the Community expressed individual concerns and reported a great many “near miss” accident situations.

The greatest concern expressed by those present was the disparity between the known number of accidents that had taken place at the Bridge and had been witnessed and attended by residents, and the official figures that WLC published as being the “Official Figure.”

WLC reported a figure of 4 incidents over a 12-month period, whereas the Residents / Community reported a total of 12 over the summer / autumn period.

* Gordon Brown informed the meeting that an “accident” is only an “ accident” :-If the “accident / incident” is attended by the Police who then have to undertake an *“accident reporting protocol*” which is lengthy and detailed procedure, during which the road would be closed.
* ***NB -- If the Police do not attend, thus no “accident reporting protocol” is completed – then as far as WLC is concerned no “accident / incident” happened.***
* The Police then send these details of the “accident / Incident” to WLC as part of a *National “accident / incident” Reporting Protocol* that is produced / published on an annual basis.
* Thus, the reporting figures for incidents on the B7008 Railway Bridge are always a year out of date and completely inaccurate.

The Meeting unanimously agreed that this reporting procedure / process / protocol was completely inadequate. Gordon Brown advised that he recognised the concerns of the Meeting / Community, but that his role was constrained by the existing governing practices.

**The Way Forward:-**

The measures / improvements already identified by the WLC AIP will be implemented asap subject to weather conditions.

The Harburn Railway Bridge issue will remain of the F&BV LAC Agenda and reports on the progress made / and or any other further suggestions for improvement will be followed up by the West Calder & Harburn Community Council representative.

Councillor Meek thanked all attendees for their attendance and for their contributions to the Meeting. He undertook to ensure that the matter of the Harburn Railway Bridge Safety Concerns would be pursued by the F&BV LAC.

The Meeting closed at 18.45.

*Allan Maclaughlan, Vice Chair WC&HCC, 25th November 2024.*

*[Ref – WC&HCC\_Railway\_Bridge\_Mtg\_V2\_Nov\_2024]*

**2. UPDATE FROM PERSIMMON.**

**GAVIESIDE VILLAGE PHASE 1.**

Email from Persimmon (31/01/2025) - Further to previous discussions with Persimmon Homes East Scotland, I confirm that an application for planning permission in principle with associated masterplan was today submitted on behalf of Persimmon Homes East Scotland and Andrew Graham and sons.

A full suite of documents will be available to view on the Council's planning portal once registered but I attach the design framework for your information.

An application for full planning permission has also been submitted for the Cleugh Brae site with documents to be made available on the planning portal once registered - I attach the proposed site layout for your information.

**3. PLANNING APPLICATION 1009/PO/24 – Modification of Planning Obligation (0701/FUL/20 refers).**

Commuted Funding (Tony Irving – 30/01/2025)

It is lack of grant funding from Scottish Government that means on-site affordable provision is not feasible at this time, hence taking a commuted sum is an appropriate option. Funds from the developer will be pooled and thus may be used outwith the community council boundary, but the reverse may also happen, ie pooled funds from developments outwith the boundary could be spent within the boundary. Local members are aware of the application.