

Notice of Meeting and Agenda



Petitions Committee

Venue: Council Chambers,
Midlothian House, Dalkeith, EH22 1DN

Date: Monday, 31 March 2025

Time: 11:00

Executive Director : Place

Contact:

Clerk Name: Democratic Services
Clerk Telephone:
Clerk Email: democratic.services@midlothian.gov.uk

Further Information:

This is a meeting which is open to members of the public.

Privacy notice: Please note that this meeting may be recorded. The recording may be publicly available following the meeting. If you would like to know how Midlothian Council collects, uses and shares your personal information, please visit our website: www.midlothian.gov.uk

1 Welcome, Introductions and Apologies

2 Order of Business

Including notice of new business submitted as urgent for consideration at the end of the meeting.

3 Declaration of Interest

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

4 Minute of Previous Meeting

No items for discussion

Minute of Petitions Committee Meeting of 31 March 2025
(approved at the meeting of Midlothian Council on Tuesday 13
May 2025) 3 - 8

5 Public Reports

- | | | |
|------------|--|---------|
| 4.1 | Terms of Reference and Nomination of Chair– report by Chief Officer Corporate Solutions | 9 - 12 |
| 4.2 | Newtongrange Primary School Playground Upgrade (Ref: 2025/001) – report by Chief Officer Corporate Solutions | 13 - 22 |

6 Private Reports

No items for discussion

7 Date of Next Meeting

The date of the next meeting is to be confirmed.

Minute of Meeting

Petitions Committee
Day DD Month YYYY
Item No



Petitions Committee

Date	Time	Venue
Monday 31 March 2025	11.00 am	Council Chambers

Present:

Councillor McCall (Chair)	Councillor Curran
Councillor McManus	Councillor Russell
Councillor Smaill	

In attendance:

Councillor Alexander (Virtual)	Councillor Bowen (Virtual)
Councillor Drummond	Councillor McEwan
Councillor McKenzie (Virtual)	Councillor Parry
Kevin Anderson, Executive Director Place	Saty Kaur, Chief Officer Corporate Solutions
Michelle Strong, Education Chief Operating Officer	Alan Turpie, Legal and Governance Manager/Monitoring Officer
Louise Middleton, Democratic Services Officer	Maria Perez Democratic Services Officer
Julia Gossip, Petitioner	Ben Miller, Petitioner

1. Welcome, Introductions and Apologies

The Legal and Governance Manager/Monitoring Officer welcomed the Committee Members and Petitioners, Ben Miller and Jullia Gossip, to the meeting of the Petitions Committee.

Apologies were received from Councillor Winchester. Councillor Smaill confirmed they would substitute for Councillor Winchester.

2. Order of Business

Order of business was as per the agenda.

3. Declarations of Interest

Members were reminded they should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

4. Minute of Previous Meeting

No items for discussion.

5. Public Reports

Report No.	Report Title	Presented by:
5.1	Terms of Reference and Nomination of Chair	Chief Officer Corporate Solutions
<p>The Legal and Governance Manager/Monitoring Officer referred to the report which sets out the membership and Terms of Reference of the Petitions Committee and invited the Committee to appoint a Chair.</p> <p>Following the Local Government elections in May 2022, at its meeting on 24 May 2022, Council agreed the Petitions Committee membership to be 5 members as stated in the Scheme of Administration. Furthermore, at its meeting on 25 February 2025, a change to the membership was agreed.</p> <p>The Petitions Committee is recommended to:</p> <ul style="list-style-type: none">• Consider the appointment of a Chair; and• Note its Membership and Terms of Reference <p>Councillor McManus nominated Councillor McCall as Committee Chair. The motion was seconded by Councillor Curran.</p>		
Decision		
Councillor McCall was appointed as Chair of the Petitions Committee and the Terms of Reference were noted by the Committee.		

Report No.	Report Title	Presented by:
5.2	Newtongrange Primary School Playground Upgrade (2025/001)	Chief Officer Corporate Solutions

The Chief Officer Corporate Solutions presented the report for decision, which includes the petition from Newtongrange Primary School Parent Council, submitted on 6 March 2025, in respect of a request to upgrade the playground at Newtongrange Primary School for the Petitions Committee's consideration.

The Petitions Committee is recommended to:

- Consider the content of the petition and the information presented to the Petitions Committee in support of the petition from the Lead Petitioner.
- Determine what action should be taken from the following options:
 - No action; or
 - Pass the petition to the relevant Director or other Council Committee to look into, with or without any specific recommendation.

The Petitioners, members of the Newtongrange Primary Parent Council were in attendance to deliver a presentation to the Petitions Committee.

The Chair invited the Petitioners to address the Committee.

The Petitioners noted that Newtongrange Primary will shortly celebrate its 100th birthday. Newtongrange Primary was described as a great school with great teachers, but sadly the playground facilities are no longer up to standard. The following issues were identified:

- The playground is a hard tarmac surface, which gives parents concerns about the safety and comfort to children as it can lead to injuries.
- There is no play equipment, access to nature or stimulating activities. This is a stark contrast as Newtongrange Primary is the only school in Midlothian which does not have access to these facilities.
- Railings are rusty and in need of a coat of paint as they make the school look tired as well as posing a hazard.
- The School Premises (Scotland) Regulations 1967 provides guidelines on the size and proximity to playing fields relative to the number of pupils, and notes that schools should have access to properly surfaced play areas. The Petitioners stated that these guidelines are not met by Newtongrange Primary School playground.
- Midlothian Council Learning State Strategy 2022 has conducted condition surveys on all schools, and Newtongrange Primary scored "poor" in terms of external social facilities/environmental conditions and has been earmarked for an upgrade as part of the Capital Plan.
- P6 and P7 children have access to the adjoining park but this is not open to the younger children.

The Parent Council launched a petition on Change.org which collected 463 signatures from others who support the school playground being modernised.

The Petitioners noted that Councillor Drummond has provided some of their environmental funds to be used towards some play equipment and the Parent Council has also fundraised. The Petitioners noted the playground was recently resurfaced and they see it as a blank canvas. To that end, they shared some pictures from play areas from other schools in Midlothian that show what parents and children would like to see in Newtongrange Primary.

The Petitioners stated that the children in Newtongrange Primary deserve access to these facilities as much as the children in other Midlothian schools and added that the investment would be good value for money as the facilities are also used by the After School Clubs. Petitioners also shared the findings of the Learning through Landscapes collective position statement on school grounds, which describes school grounds as a unifying feature for all children, and notes that schools have the potential to significantly enhance children's health and mental wellbeing.

The Petitioners acknowledged the spatial constraints but suggested that this could be solved by providing secure access to Newtongrange Welfare Park and creating a multi-use space. Use of this area would be limited to Newtongrange Primary School during school hours, but the community would use it out with those times. The cost has been estimated as between £10,000- £20,000, and the proposal has already been raised with Councillor Scott and the Newtongrange Development Trust.

The Chair thanked the Petitioners for the presentation and opened it up for questioning.

Elected Members asked the Executive Director Place if there is provision for this upgrade in the Capital Plan. The Executive Director Place indicated that upgrading the school estate is an ongoing programme, and there are plans to upgrade all the schools that are rated "C" or worse. There are work packages that will be approved after May 2025, and will be aimed at schools in grade "C" such as Newtongrange Primary, and this includes external work. The Place Directorate is also investigating the use of other funding to upgrade the playground and whether Developer Contributions could be applied for upgrades. Petitioners noted that there are many houses built in the area and wondered whether these would be available. The Executive Director Place explained that Developer Contributions could be used for both education and community facilities depending on criteria and eligibility of the Developer Contributions received.

Elected Members welcomed the petition and noted that other Midlothian schools have been given environmental funds so the children could exercise while supervised by a teacher, which was shown to improve concentration of the children in the afternoon. It was also suggested that a parking area further away from the school would encourage walking to school. Petitioners stated this is beyond the scope of this petition but could be considered as a separate project to improve Newtongrange town centre.

The Executive Director Place added that the Council would need to contact Fields-in-Trust to enquire about what conditions would need to be met in terms of adopting the park and whether compensation would need to be considered for the space that is lost. This is a separate process, and the Elected Members and

Parent Council would be briefed on the progress of this, however the Executive Director Place warned this may be a protracted process. The Petitioners clarified that they are not suggesting incorporating the park for the sole use of the school but installing a double fence to close it off during school hours but then allowing it for use of the community after the school day finishes. It was recognised that part disposal, rather than full disposal, may be more acceptable to Fields-in-Trust.

The Chair noted that the process is not as straightforward as if the Council owned the park, but it would not be out with the realms of possibility.

Councillor McManus motioned to uphold the petition to extend the play area and explore funding routes to improve areas for play and referred to the Place and Education Directorate. The motion was seconded by Councillor Smail.

The Legal and Governance Manager/Monitoring Officer confirmed that the Petitions Committee has the capacity to pass the petition to other Directorates.

The Chair congratulated the Petitioners and noted the importance of children having access to adequate play space. The Petitioners thanked the Committee and asked whether painting the railings on the school fence would be included in the petition. The Chair confirmed that if funding was not available through the Place Directorate any Elected Member could use their environmental funds to pay for this.

Decision

The Petitions Committee upheld the petition to extend the playground at Newtongrange Primary and improve the playground equipment and referred it to the Place and Education Directorates.

Action

Place Directorate / Education Directorate.

6. Private Reports

No private reports were presented for discussion.

7. Date of Next Meeting

The date of next meeting is yet to be confirmed.

The meeting concluded at 11.32.

Petitions Committee – Terms of Reference and Nomination of Chair

Report by Saty Kaur, Chief Officer Corporate Solutions

Report for Decision

1 Recommendations

The Petitions Committee is recommended to:

- i. Consider the appointment of a Chair; and
- ii. Note its Membership and Terms of Reference

2 Purpose of Report/Executive Summary

This report sets out the Membership and Terms of Reference of the Petitions Committee and invites the Committee to appoint a Chair.

Date Wednesday 19 March 2025

Report Contact:

Saty Kaur, Chief Officer Corporate Solutions

Saty.Kaur@midlothian.gov.uk

3 Background/Main Body of Report

Membership

3.1 Following the Local Government elections in May 2022, at its meeting on 24 May 2022, Council agreed the Petitions Committee membership to be 5 members as stated in the Scheme of Administration. Furthermore, at its meeting on 25 February 2025, a change to the membership was agreed. Therefore, the 5 elected members appointed to the Petitions Committee are:

- Councillor Stephen Curran
- Councillor Debbi McCall
- Councillor Connor McManus
- Councillor Margot Russell
- Councillor Pauline Winchester

3.2 Members are required to nominate a Chair from the above membership for the Petitions Committee.

Terms of Reference

3.3 The Scheme of Administration sets out the Terms of Reference of the Petitions Committee. The Petitions Committee will be responsible for hearing petitions raised by members of the public (with the exception of Elected Members). Petitions are dealt with in line with the Procedure for Dealing with Petitions.

3.4 Valid petitions will be heard by the Committee who can take one of the following actions for each petition:

- No action;
- Pass the petition to the relevant Director or other Council Committee to look into, with or without any specific recommendation; or
- If the petition relates to another public organisation, the Petitions Committee can refer it to that organisation with or without any specific recommendation.

3.5 The Petitions Committee cannot change Council decisions, although the Petitions Committee can request a review of a policy or procedure, as long as in so doing it does not contravene the provisions contained in Standing Order 7.14.

3.6 The quorum for meetings of the Petitions Committee will be 3 Councillors.

3.7 The Minutes of the Petitions Committee will be recorded by the Officer clerking the meeting and submitted to the next ordinary meeting of the Committee for approval. They will also be submitted to the Council both for information and to allow the Council to consider any recommendations contained in them. Meetings of the Petitions Committee will also be audiocast subject to the exemptions contained within the Local Government (Scotland) Act 1973.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

No implications

4.2 Digital

No implications

4.3 Risk

In accordance with the Scheme of Administration the Council is required to appoint Members to the various Committees, etc. Failure to do so could impede the discharge of business.

4.4 Ensuring Equalities (if required a separate IIA must be completed)

An equalities impact assessment is not required.

4.4 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A – Additional Report Implications

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

Not applicable

A.5 Involving Communities and Other Stakeholders

Not applicable

A.6 Impact on Performance and Outcomes

Not applicable

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting Sustainable Development

Not applicable

Newtongrange Primary School Playground Upgrade (Ref: 2025/001)

Report by Saty Kaur, Chief Officer Corporate Solutions

Report for Decision

1 Recommendations

The Petitions Committee is recommended to:

- Consider the content of the petition and the information presented to the Petitions Committee in support of the petition from the Lead Petitioner
- Determine what action should be taken from the following options:
 - No action; or
 - Pass the petition to the relevant Director or other Council Committee to look into, with or without any specific recommendation.

2 Purpose of Report/Executive Summary

To present the petition from Newtongrange Primary School Parent Council in respect of a request to upgrade the playground at Newtongrange Primary School for the Petitions Committee's consideration.

Date Wednesday 19 March 2025

Report Contact:

Saty Kaur, Chief Officer Corporate Solutions

Saty.Kaur@midlothian.gov.uk

3 Background/Main Body of Report

- 3.1 Newtongrange Primary School Parent Council submitted a petition (Appendix B) to Midlothian Council on 6 February 2025. The petition has been deemed valid by the Council's Monitoring Officer as per the Petitions Procedure and is therefore presented to Petitions Committee for consideration.
- 3.2 The petition states *'Newtongrange Primary School Parent Council calls for equality with other Midlothian schools. Our playground urgently needs an upgrade'*. The petition is supported by 463 signatures (as of the time of writing this report) via the online petition platform 'change.org'. The link to the online petition is [Petition · Upgrade the Newtongrange Primary School playground - United Kingdom · Change.org](#)
- 3.3 The petition seeks the following actions (as lifted from the petition):
- We ask for the school railings to be repaired and repainted.
 - We ask for some colourful or creative stencil decoration/ designs on the existing tarmac surface to allow the children to play imaginative games.
 - We would like to see an astro-turf or softer rubber type surface installed in a small section to avoid injuries when the children are playing football on tarmac.
 - We would like to see some larger engaging and inclusive play equipment installed, such as a Trim Trail, surface domes, playhouse, climbing wall, balance obstacles or similar. (A Trim Trail is a children's obstacle course consisting of different pieces of equipment that form a series of active and fun challenges.)
 - We would like to see an outside classroom area created for outdoor learning opportunities.

Considerations for the Petitions Committee

- 3.4 In terms of the Petitions Procedure, the Lead Petitioner is invited to make a statement (that lasts no longer than 10 minutes) to support their petition. The Procedure allows for one supporter to speak on behalf of the Lead Petitioner. The Lead Petitioner and/or their supporter should be prepared to answer questions from the Petitions Committee.
- 3.5 As per the Council's Scheme of Administration, the Petitions Committee can:
- Take no action; or
 - Pass the petition to the relevant Director or other Council Committee to look into, with or without any specific recommendation.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

To implement the actions requested in the petition would require financial resource at a figure to be determined.

4.2 Digital

No implications

4.3 Risk

Failure to make a decision on the petition puts the Council at risk of not discharging its requirements within its Standing Orders and governance procedures.

4.4 Ensuring Equalities (if required a separate IIA must be completed)

Implementation of actions may require an Integrated Impact Assessment.

4.4 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A – Additional Report Implications

Appendix B – Petition - Newtongrange Primary School Playground (Ref: 2025/001) – Redacted

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

Not applicable

A.5 Involving Communities and Other Stakeholders

The petition has been submitted by members of the community.

A.6 Impact on Performance and Outcomes

Not applicable

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting Sustainable Development

Not applicable

MIDLOTHIAN COUNCIL – FORM TO BE USED TO LODGE A PETITION

Before completing this form you should read Midlothian Council’s “Procedures for Dealing with Petitions” which can be found on the Council’s website. Copies can also be obtained by telephoning Democratic Services on 0131 270 7500.

The completed form should be delivered:-

- by email to petitions@midlothian.gov.uk; or
- by mail or by hand to Democratic Services, Resources Directorate, Midlothian Council, Midlothian House, Buccleuch Street, Dalkeith, EH22 1DN.

If you require any further information or advice, please contact Democratic Services by telephoning 0131 270 7500.

Details of Principal Petitioner	
Please enter the name of person raising the petition. Please include a contact address to which correspondence may be sent and a contact telephone number. Only the principal petitioner’s name and no other details will be made public.	
Name:	Newtongrange Primary School Parent Council
Address:	% Ben Miller
	[REDACTED]
	[REDACTED]
Tel No:	[REDACTED]
e-mail:	[REDACTED]
Petition Statement	
Please state clearly in the box below the purpose of your petition and what action you wish Midlothian Council to take.	
(Important – Please note that petitions will be <u>rejected</u> and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box below differs from that on any accompanying petition signature sheets.)	

This petition was launched on Change.org in late 2023 and gathered over 450 signatures from the community during the school year 2023/2024. The full petition with photos is available at: <https://www.change.org/p/upgrade-the-newtongrange-primary-school-playground>

Newtongrange Primary School Parent Council calls for equality with other Midlothian schools.

Our playground urgently needs an upgrade.

Our school is a great community with wonderful teachers and support staff, however, the facilities available do not match the staff's passion and dedication. ***Our children deserve a better place to play and learn in.***

In 2025 Newtongrange Primary School will be 100 years old and in that time the playground has deteriorated and no longer meets the standards and needs of a modern school.

The playground is essentially a hard tarmac surface and is not stimulating, engaging, fun or inclusive for the approximately 450 children and staff who use the playground every school day, and our popular After School Club who use it all year round.

The playground railings create a hazard for our children with rusty fragments and flaking paint. There is a large disparity between the Newtongrange playground and many other Midlothian Primary School playgrounds. While ours lacks basic facilities like shelter or play equipment many others feature engaging spaces and accessible play zones to enhance learning experiences. ***Newtongrange Primary School is the ONLY playground in a Midlothian school without any formal play structures.*** We believe all Midlothian school children should have equality in education facility provision and are asking for this to be rectified.

Overall, despite the best efforts of the school staff, the site looks very tired and neglected. Whilst Midlothian Council has recognised the need to refurbish the school as a whole, it makes no mention of the playground and no timescale has yet been offered for this.

The Parent Council would love to see some of the following improvements to bring our school up to the same standards as other local schools;

- We ask for the school railings to be repaired and repainted.
- We ask for some colourful or creative stencil decoration/ designs on the existing tarmac surface to allow the children to play imaginative games.
- We would like to see an astro-turf or softer rubber type surface installed in a small section to avoid injuries when the children are playing football on tarmac.
- We would like to see some larger engaging and inclusive play equipment installed, such as a Trim Trail, surface domes, play house, climbing wall, balance obstacles or similar. (A Trim Trail is a children's obstacle course consisting of different pieces of equipment that form a series of active and fun challenges.)
- We would like to see an outside classroom area created for outdoor learning opportunities.

Newtongrange Parent Council is calling for an urgent plan to transform the playground facilities and to improve safety, accessibility, outdoor learning and play opportunities.

Action taken to resolve issues of concern before submitting the Petition

Before a petition is submitted, you may have already raised the issue in question with the relevant Council department or other agency and it would be helpful if you could briefly outline what measures if any you have taken. This could include, for example, details of any individuals or organisations approached. Please limit any information to no more than 4 sides of A4 paper.

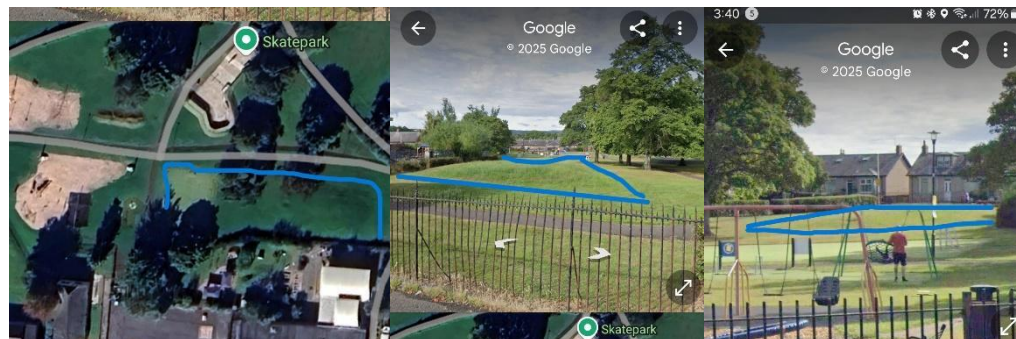
The Parent Council has successfully launched a Crowdfunding page which has raised over £700 towards improvements to our playground but more significant investment by Midlothian Council is needed to make a real difference.

We thank Cllr Kelly Drummond for contributing some of her own Environment Funds in 2023 towards some new play items and benches, which have made an immediate positive improvement.

We also thank the Council for the recent work to resurface the tarmac and provide some ground stencils. However, serious investment in the provisions and surroundings by the Council is needed.

We have also engaged with Cllr Ellen Scott to discuss our concerns and a possible solution of bringing more of the park into use as part of the playground.

The suggestion mooted was to install a new small fence/barrier/railing at the park side of the playground. The fence would create a new border to encapsulate a small section of grass that is currently underutilised in the children's park near the entrance to the Newtongrange Primary School nursery. By adding this accessible section of the park, it would provide direct access from the playground to a softer grass surface for children to play on. It would also be an ideal area to install a trim track as there would be no concrete. Key to this solution is that by having a 'double fence' the area would remain accessible to the general public outwith the children's playtimes while still maintaining security for the school.



We have spoken to a representative of the Newtongrange Community Council and had a meeting to walk around the area. The meeting was positive and NCC stated they would have no objections to us exploring this as an option.

The School Premises Regulations provides the statutory requirements and best practice standards for councils to provide a variety of surfaces in the design of new and existing playgrounds. Design guidance highlights that external pupil space ratios should ideally include a mixture of hard, soft and covered / sheltered

areas. In addition to the type of surfaces we note that children should also have a minimum amount of space (m squared) per 100 pupils. We question whether Newtongrange Primary School meets these guidelines. We would ask the council to look at their responsibilities in terms of type of surface provision and space per pupil. We put forward that having safe and managed access to the park may help resolve both of these issues.

In conclusion, Newtongrange Primary School Parent Council submits this petition to upgrade the provisions in the playground at Newtongrange Primary School, along with a proposal for suggested solutions. We look forward to a response from Midlothian Council in due course.

Presenting your Petition

As the principal petitioner you will be invited to appear before the Council's Petitions Committee to speak in support of the petition and also to answer any questions which members of the Committee may wish to put to you and assist them in reaching their decision.

You may be accompanied by one supporter who may speak on your behalf.

Signature of Principal Petitioner

When satisfied that the petition meets all the criteria outlined in the Procedures for Dealing with Petitions, the Principal Petitioner should sign and date the form in the box below.

All other signatures gathered should be appended to the form.

(Important – Please remember that petitions will be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box above differs from that on any accompanying petition signature sheets.)

Signature Ben Miller Date 6th Feb 2025	
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(Please type your name if sending by e-mail)

Name in block capitals

BEN MILLER

(Please type your name if sending by e-mail)

Appended Information

Please ensure that the following items are appended to this form:-

- Other signatories to the petition (if any)
- Copies of relevant correspondence
- Any additional information for consideration

Submission

Please submit this form and attachments, by mail or in person, to:-

Democratic Services
Resources Directorate
Midlothian Council
Midlothian House
Buccleuch Street
Dalkeith
EH22 1DN

or by email to petitions@midlothian.gov.uk

