

CITY DEVELOPMENT  
TRANSPORT

**To:** Steve Feist  
Support and Co-ordination

**MEMORANDUM**

**From:** Sandy Wallace  
Support and Co-ordination Manager

**Our Ref:** NS/RCC/ED/98/0026/PW

**Date:** 28 August 2002

**Your Ref:**

**Corr No:** IN 128972

**ADDITION TO PUBLIC ROADS**

Please find enclosed:

a) Certificate of Adoption for *TROTTER HAUGH (off Mortonhall Road)*

b) A4 Plan showing extent of adoption

The above was added to The List of Public Roads on 31 July 2002.

If you have any queries please contact Peter Williams on 529 3406.

*Sandy Wallace*

**Sandy Wallace**  
Support and Co-ordination Manager



Edinburgh: World Heritage City

**ANDREW M HOLMES**  
DIRECTOR

Memo.doc

# • EDINBURGH •

THE CITY OF EDINBURGH COUNCIL

CITY DEVELOPMENT  
TRANSPORT

## ROADS (SCOTLAND) ACT 1984

### LIST OF PUBLIC ROADS

## TROTTER HAUGH (off Mortonhall Road)

In accordance with the provisions of Section 1 of the Roads (Scotland) Act 1984 as delegated to me by

**The City of Edinburgh Council on 30 January 1996**

I hereby authorise the addition of the road(s) as listed and described hereunder to the list of public roads.

Signed:  .....

 **Director of City Development**

Date: 31 July 2002

Copies to (with A4 coloured plan)

- 1) Steve Feist, Support and Co-ordination
- 2) Euan Kennedy, Roads Services Manager
- 3) Director of Environmental and Consumer Services
- 4) Bill Arnott, Special Operations Manager
- 5) John C Gill, Network Manager (South)
- 6) Developer – Stewart Milne Homes
- 7) Police HQ, Fettes Avenue
- 8) Council Solicitor

Development  
TROTTER HAUGH (off  
Mortonhall Road)

Description  
See attached

RCC No  
ED/98/0026



Edinburgh: World Heritage City

ANDREW M HOLMES  
DIRECTOR

*Trotter Haugh (off Mortonhall Road)*

DESCRIPTION

Due south from Mortonhall Road for 44.5 metres or thereby, turning due east for 47 metres or thereby and also due west for 48 metres or thereby, 5.5m to 6.5m wide asphalt carriageway with rumble strips, total length 140 metres or thereby.

Including 2.0m wide footway to south side of Mortonhall Road for 101m or thereby.

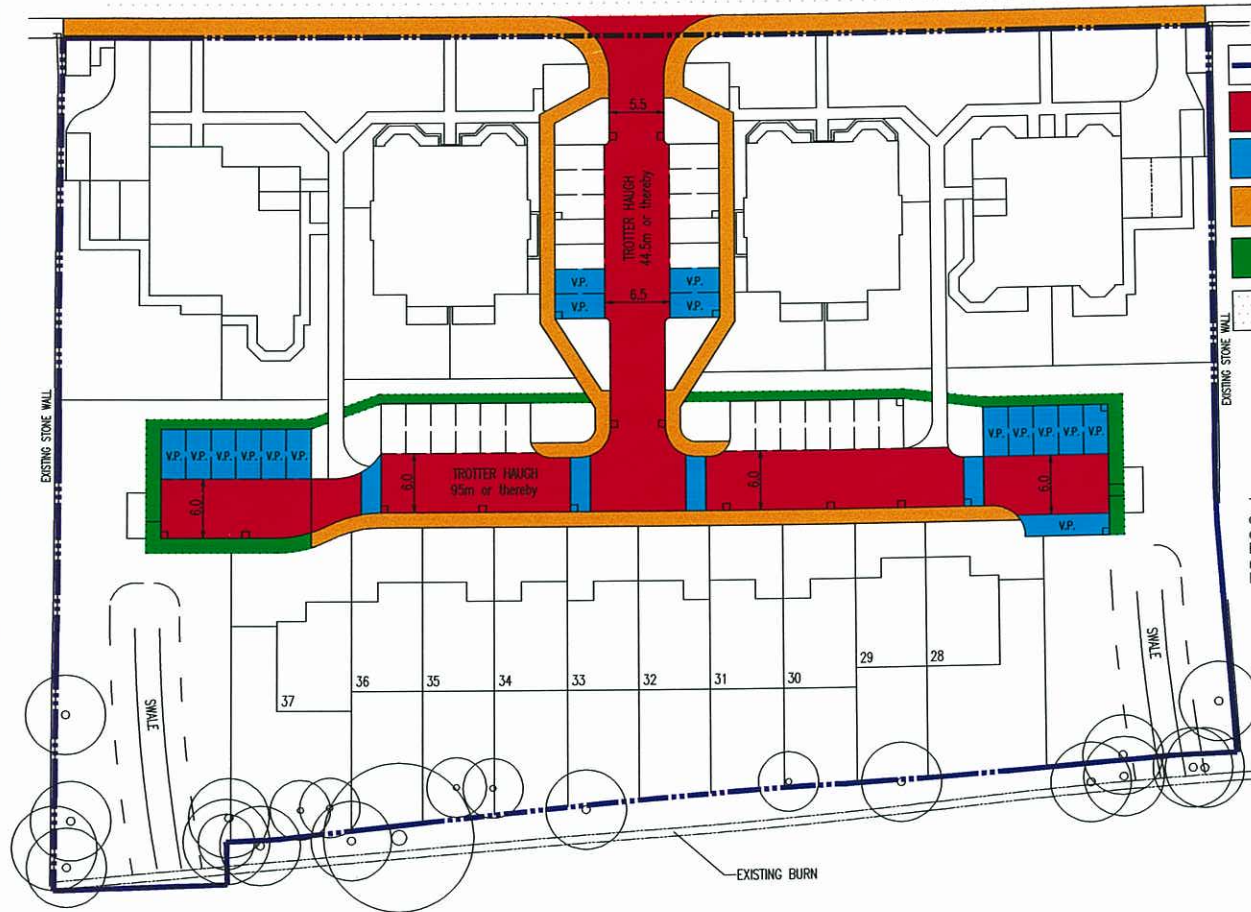
Including 49m or thereby long by 1.5m or thereby wide footpaths on east and west sides of Trotter Haugh, total length 98 metres or thereby in total.

Including 71 metres long or thereby footway 1.5m wide to south side of Trotter Haugh.

Including 128m or thereby grassed service strips generally east to west. Including 17No road gullies and 8No street lights and 16No visitors parking spaces throughout.

*Revised 139.5 m*

MORTONHALL ROAD



- Denotes site boundary
- Denotes Prospectively Adoptable Carriageways (asphalt finish)  
(To be adopted by The City of Edinburgh Council).
- Denotes 16 No Prospectively Adoptable Parking Bays & Rumble Strips  
(block finish)(To be adopted by The City of Edinburgh Council).
- Denotes Prospectively Adoptable Footpaths  
(To be adopted by The City of Edinburgh Council).
- Denotes Prospectively Adoptable Service Strip  
(To be adopted by The City of Edinburgh Council).
- Denotes existing adopted carrageway/footway  
by The City of Edinburgh Council.
- Denotes Road Gully  
(17No. to be adopted by The City of Edinburgh Council).

This is the plan referred to in the application for the addition of roads and footpaths to The City of Edinburgh Council's list of public roads dated 12 December 2001. RCC No. ED/98/0026.



Rev A - Areas re-coloured to suit CEC Roads Dep't.....Jan 02

**STEWART**  
**Milne**  
HOMES

Stewart Milne Homes Limited  
Kestrel House  
3 Kilmartin Place  
Uddingston G71 5PH  
telephone 01698 814 814  
facsimile 01698 804 801

drawing location :	drawn by :
date : Dec 01	scale : NTS
project : MORTONHALL ROAD EDINBURGH	
drawing title : ROAD ADOPTION PLAN	
project code 4780	drawing number ADOP-PLAN
	revision A





THE CITY OF EDINBURGH COUNCIL

CITY DEVELOPMENT

TRANSPORT

## ROADS (SCOTLAND) ACT 1984

### LIST OF PUBLIC ROADS

# TROTTER HAUGH (SWALES)

In accordance with the provisions of Section 1 of the Roads (Scotland) Act 1984 as delegated to me by

**The City of Edinburgh Council on 30 January 1996**

I hereby authorise the addition of the road(s) as listed and described hereunder to the list of public roads.

Signed: 

**Director of City Development**

Date: 9 November 2006

Copies to (with A3 coloured plan)

- 1) Steven Feist, Support and Co-ordination
- 2) Euan Kennedy, Acting Head of Roads
- 3) Ian Hunter, Waste Management
- 4) John McFarlane, Street Lighting and Workshop Manager
- 5) Stewart Farquhar, Network Manager (West and Pentlands)
- 6) Developer – Stewart Milne Homes
- 7) Police HQ, Fettes Avenue, Edinburgh
- 8) Council Solicitor

ROAD  
TROTTER HAUGH (SWALES)

DESCRIPTION  
See attached

RCC No:  
ED/98/0026

**RCC/Adoptions/Adopted Cert**

ANDREW M HOLMES  
DIRECTOR

PO Box 12471 1 Cockburn Street Edinburgh EH1 1ZG  
Tel 0131 529 3595 Fax 0131 529 3737



INVESTOR IN PEOPLE

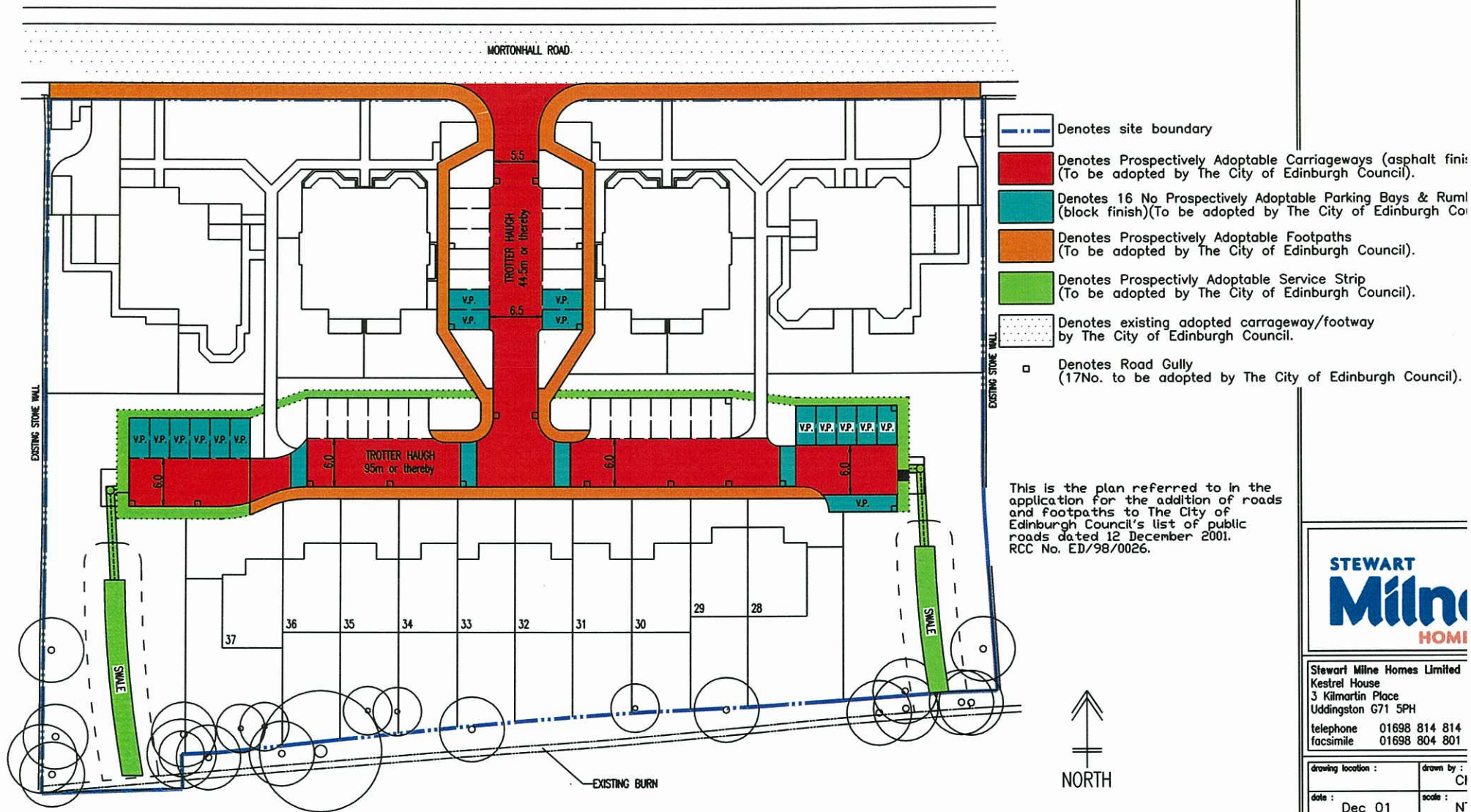


Edinburgh: World Heritage City

## **TROTTER HAUGH (SWALES)**

### **DESCRIPTION:**

2 metre wide Swales at the west and east ends of the hammerhead extending southwards for a distance of 30 metres or thereby.



Rev A - Areas re-coloured to suit CEC Roads Dep't.....Jan 02  
 Rev B - Swales revised to service strips as per CEC Roads .....Oct 06  
 Departments comments.

**STEWART Milne HOMES**

Stewart Milne Homes Limited  
 Kestrel House  
 3 Kilmartin Place  
 Uddingston G71 5PH  
 telephone 01698 814 814  
 facsimile 01698 804 801

drawing location : drawn by :  
 CI

date : Dec 01 scale : N

project : MORTONHALL ROAD  
 EDINBURGH

drawing title : ROAD ADOPTIC

project code 4780 drawing number ADOP-

*bel*

**Department of Corporate Services  
Legal Services Division**

<b>From</b>	<b>Council Solicitor</b>	<b>MEMORANDUM</b>	
<b>To</b>	A J Wallace Support & Co-ordination Manager Network Services City Development	<b>Our Ref</b>	PT/RB/RS
		<b>Your Ref</b>	NS/S&C/RCC/CB
<b>Date</b>	7 February, 2002		

**ROAD BOND  
HOUSING DEVELOPMENT AT MORTONHALL ROAD, EDINBURGH  
RCC NO.: ED/98/0026**

I refer to your memo dated 23 January 2002.

I attach a copy of my letter to Stewart Milne Homes reducing the Road Bond to 10% of its original value in terms of the amended Regulations as the Council is not entitled to retain 20% at this stage as requested by you.

*MS*

for Council Solicitor

Enc

Council Solicitor ~ Mr Edward Bain  
**If telephoning please contact ~ Roger Strachan**  
City Chambers, High Street, Edinburgh EH1 1YJ LP 1 - Edinburgh 8  
**Tel: 0131 529 3661** Fax: 0131 529 3660  
E-mail: [roger.strachan@edinburgh.gov.uk](mailto:roger.strachan@edinburgh.gov.uk)



**Department of Corporate Services  
Legal Services Division**

D Smith, Esq.  
Development Engineer  
Stewart Milne Homes  
Kestrel House, Tannochside Business Park  
UDDINGSTON  
G71 5PH

**Date** 8 February, 2002  
**Our Ref** PT/RB/RS  
**Your Ref** DS:AC

Dear Sir

**ROAD BOND  
HOUSING DEVELOPMENT AT MORTONHALL ROAD, EDINBURGH  
RCC NO.: ED/98/0026**

I have now received instructions from Network Services, City Development to reduce the security provided by this Road Bond to 10% of its original value.

Accordingly, on behalf of the Council as Roads Authority, I write to confirm that with effect from the date of this letter the amount of security specified in the Road Bond No. 02089/98 issued by NHBC will be regarded as amounting to £10,376 (10% of its original value of £103,760) but that otherwise the terms and conditions of the said Road Bond will remain in full force and effect.

Yours faithfully



for Council Solicitor

Enc

cc: A J Wallace, Support & Co-ordination Manager , City Development

Council Solicitor ~ Mr Edward Bain  
**If telephoning please contact ~ Roger Strachan**  
City Chambers, High Street, Edinburgh EH1 1YJ LP 1 - Edinburgh 8  
**Tel: 0131 529 3661** Fax: 0131 529 3660  
E-mail: [roger.strachan@edinburgh.gov.uk](mailto:roger.strachan@edinburgh.gov.uk)

CITY DEVELOPMENT  
TRANSPORT

**To:** Council Solicitor

**MEMORANDUM**

**From:** Tom Clark  
Network Services Manager

**Our Ref:** NS/S&C/RCC/CB

**Date:** 23 January 2002

**Your Ref:**

FAO R Strachan

**PART RELEASE OF ROAD BOND  
MORTONHALL ROAD – ED/98/26**

*PT3084  
Leaving Holmes*

I would be obliged if, with immediate effect, the bond currently held by this Council is reduced as follows:

Bond Value	£103,760.00
Reduction 80%	£83,000.00
Retention 20%	£20,752.00

Should you wish to discuss the matter further please contact Charles Brown on 529 3406.

*Sandy Wallace*

pp **Tom Clark**  
**Network Services Manager**



Edinburgh: World Heritage City

**ANDREW M HOLMES**  
DIRECTOR

**Department of Corporate Services  
Legal Services Division**

**From** Council Solicitor

**MEMORANDUM**

**To** Network Manager  
For attention of Richard Bourne

**Our Ref** LA/RB/RS

**Your Ref** LA/SE/RCC/ED/98/  
0026

**Date** 15 September 1998

ROAD BOND  
HOUSING DEVELOPMENT AT MORTONHALL ROAD, EDINBURGH  
ROAD CONSTRUCTION CONSENT NO ED/98/0026  
LAING HOMES LIMITED

I refer to your memorandum dated 18 June 1998 enclosing the Road Bond for the above listed development. I note that you acknowledged receipt of this document to the Developer at the time.

I now enclose a copy of my letter to the Developer belatedly confirming that the Road Bond satisfies the requirements of the Security for Private Road Works (Scotland) Regulations 1985 in regard to the provision of security.



for Council Solicitor

Enc

**Department of Corporate Services  
Legal Services Division**

D Smith Esq  
Development Engineer  
Stewart Milne Homes  
Claremont House  
20 North Claremont Street  
GLASGOW  
G3 7LE

**Date** 15 September 1998  
**Our Ref** LA/RB/RS  
**Your Ref** DS:AC

Dear Sir

ROAD BOND  
HOUSING DEVELOPMENT AT MORTONHALL ROAD, EDINBURGH  
ROAD CONSTRUCTION CONSENT NO ED/98/0026

I refer to your letter dated 15 June 1998 to City Development Department enclosing the Road Bond for the above listed development.

I note that the document was acknowledged by the said Department at the time but that I have not confirmed to you that the Road Bond is in order. I apologise for the omission.

I now write, however, to confirm that the content of the Road Bond is in order and that it satisfies the requirements of The Security for Private Road Works (Scotland) Regulations 1985 in regard to the provision of security.

Yours faithfully



for Council Solicitor



N. 18/6/98

70057402

Stewart Milne



HOMES



The City of Edinburgh Council  
Local Area Services South East  
P O Box 12471  
1 Cockburn Street  
EDINBURGH  
EH1 1ZG

For the attention of Mr Richard Bourne

DS:AC

15 June 1998

Dear Sirs

**MORTONHALL ROAD, EDINBURGH**  
**CONSTRUCTION CONSENT ED/98/0026**

Further to our telephone conversation on 15 June 1998, we hereby enclose signed bond for the roads at the above development by NHBC, and copy of fax from NHBC confirming change to correct Construction Consent No.

We trust this meets with your requirements, however, please do not hesitate to contact the writer if there are any queries.

Yours faithfully

**D Smith**  
**Development Engineer**

enc

CC S Buick, Macdonalds

**STEWART MILNE HOMES**  
Claremont House, 20 North Claremont Street  
Glasgow G3 7LE  
Tel: 0141 331 1377 Fax: 0141 332 6738

Also at: Orchard Brae House, 30 Queensferry Road  
Edinburgh EH4 2HS  
Tel: 0131 477 4100 Fax: 0131 477 6100

A Division of Stewart Milne Group Ltd  
Registered in Scotland 57709

Registered Office: Peregrine House, Mosscroft Avenue,  
Westhill Business Park, Westhill, Aberdeen AB32 6TQ

CAUTIONARY OBLIGATION

BY

THE NATIONAL HOUSE BUILDING COUNCIL

IN FAVOUR OF

THE CITY OF EDINBURGH COUNCIL

1998

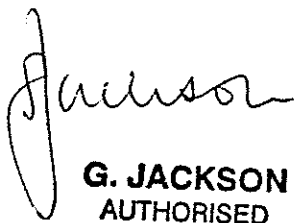
RE: CONSTRUCTION CONSENT NO ED/98/0026

BUILDING WORKS

AT

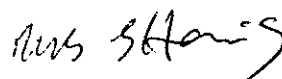
MORTONHALL ROAD, EDINBURGH

WE, NATIONAL HOUSE BUILDING COUNCIL of Chiltern Avenue, Amersham, Buckinghamshire, HP6 5AP, CONSIDERING THAT STEWART MILNE HOMES (S0576) of Claremont House, Twenty North Claremont Street, Glasgow has been granted Construction Consent ref ED/98/0026 dated 21/5/98, by The City of Edinburgh Council as local Roads Authority in terms of Section 21 of The Roads (Scotland) Act, 1984 for the construction of a Private Road(s) or part thereof in connection with a proposed scheme of development at Mortonhall Road, Edinburgh all as is more fully detailed in the said Construction Consent and the plans and schedule relative thereto, CONSIDERING FURTHER that the estimated cost of constructing the said private road(s) or part thereof in accordance with the said Construction Consent and others is One Hundred and Three Thousand, Seven Hundred and Sixty Pounds (Sterling) (£103,760) and that the said Stewart Milne Homes has requested us to grant security for such sum to the said Council by means of a bond in terms of the Security for Private Roads Works (Scotland) regulations 1985, DO HEREBY as cautioners and sureties bind and oblige ourselves and our successors to pay to the said Council and its successors or assignees, on receiving from the said Council a demand in writing, such sum not exceeding One Hundred and Three Thousand, Seven Hundred and Sixty Pounds (Sterling) (£103,760) which the said Council states in the said demand to be the costs incurred by it in construction, or rectifying defects, in the said private road(s) or part thereof in accordance with the Regulation 13 of the said 1985 Regulations; And we consent to the registration hereof for preservation and execution: **IN WITNESS WHEREOF** these presents are subscribed for us and on our behalf at Amersham on TWELFTH day of JUNE Nineteen hundred and Ninety Eight.

  
**G. JACKSON**  
AUTHORISED  
SIGNATORY

Witnesses





### DIRECTION FOR SIGNING DEEDS

Before signing, please read carefully

Every Party to deed must sign on the (insert page) ..... including the inventory and plan, if any, with his or her usual signature where his or her initials are marked in pencil.

Each Witness to the execution of the deed requires to sign on the (insert page) ..... at the pencil mark X, adding after his or her signature the word "Witness". Two witnesses are required to the signature of each party, but provided parties at the same time, the same persons may witness all the signatures and only require to sign once.

The witnesses must be above fourteen years of age. They should know the parties whose signatures they are witnessing personally or at least have credible information as to their identity. No person interested in the deed should act as a witness, and one spouse should not be a witness to signature of the other.

The parties must not insert any blanks in the Deed.

When the Deed is signed the subjoined Schedule should be filled up in BLOCK LETTERS and returned along with the Deed. The schedule may be filled up by anyone. A female witness should state in the Schedule whether she should be styled Mrs, Ms, or Miss.

Schedule to be filled up and returned.

Name of Party Signing	Place where Signed	Date of Signing	Full Name (including middle Names, if any), Occupation, and Address of First Witness	Full Name (including middle Names, if any), Occupation, and Address of Second Witness
KENNETH JOHN GLYNN JACKSON	AMERSHAM BUCKS	12.6.98	PLEASE USE BLOCK LETTERS	
			DIANA OALVIE	JACQUELINE HARRIS
			BLINDMARK HOUSE	
			CHILTERN AVENUE	
			AMERSHAM	
			BUCKS	
			INSURANCE CLERK	







NHBC  
Buildmark House,  
Chiltern Avenue,  
Amersham, Bucks HP6 5AP  
Telephone: (01494) 434477  
Fax: (01494) 728521  
DX: 50712 Amersham

## F A X C O V E R S H E E T

DATE: 15 JUNE '98 TIME:  
TO: DEREK SMITH PHONE:  
STEWART MILNE HOMES FAX: 01491 332 5754  
FROM: MRS OGILVIE PHONE:  
NHBC FAX: 01494 735814  
RE: CONSTRUCTION CONSENT No. ED/98/0026.

Number of pages including cover sheet: 2

### Message



NHBC  
Buildmark House,  
Chiltern Avenue,  
Amersham, Bucks HP6 5AP  
Telephone: (01494) 434477  
Fax: (01494) 728521  
DX: 50712 Amersham

Stewart Milne Homes  
Claremont House  
20 North Claremont Street  
Glasgow G3 7LE

Our Ref: DO/JH/

15th June 1998

By Facsimile: 0141 332 5754

Dear Mr Smith

Construction Consent No. ED/98/0026

Thank you for your facsimile dated 15th June. Mrs Ogilvie has been authorised to approve the above by facsimile subject to the approval by the Local Authority.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Ogilvie'.

D Ogilvie (Mrs)  
ROAD & SEWER BONDS  
COMMERCIAL DEPARTMENT

# ♦ EDINBURGH ♦

THE CITY OF EDINBURGH COUNCIL

## CITY DEVELOPMENT LOCAL AREA SERVICES

Will Rudd Associates  
34b Haddington Place  
EDINBURGH  
EH7 4AG

Date: 21/5/98

Your Ref: WJB/FB/2347

Our Ref: LA/SE/RCC/ED/98/0026

Corr No: 70057105

Dear Sirs

ROADS (SCOTLAND) ACT 1984: APPLICATION No 97/1/0054  
ROAD CONSTRUCTION CONSENT No ED/98/0026  
FOR DEVELOPMENT AT MORTONHALL ROAD EDINBURGH  
ON BEHALF OF STEWART MILNE GROUP

I refer to the Road Construction Consent No ED/98/0026 enclosed with this letter authorising the construction of road(s) at Mortonhall Road, Edinburgh.

Regulation 4 of the Security for Private Road Works (Scotland) Regulations 1984 provides that no works in respect of the provision of housing accommodation ex adverso roads covered by a Roads Construction Consent are to be commenced until security has been provided in accordance with the Regulations. Indeed, the Regulations provide that it is a criminal offence, punishable by a fine of up to £2,000 on summary conviction, for any person to commence such works not previously having provided appropriate security.

In these circumstances, you are obliged to provide security in the amount of £103,760.00 in respect of the road(s) covered by the construction consent issued to you. This amount is in line with the Regulations, based on the cost of the works which it is considered would be required to bring up the road(s) to the standard required for addition to the list of public roads. This cost includes elements associated with the provision of lighting and appropriate traffic signs and road markings. The security arrangements are required to subsist until the date of the addition of the road(s) to the List of Public Roads.

The Regulations provide two methods by which the security may be provided. You may elect to provide a Bond issued by either a recognised bank or insurance company, the terms of this Bond to be approved by the Council. Alternatively, you may choose to deposit with the Council the sum of money specified above. In this event, the regulations require the Council to place the deposit in a bank or building society account earning interest at current rates. You are entitled to the interest on the sum of money so deposited and arrangements for the remittance of interest to you at agreed intervals can be made.

The choice as to whether a Bond is furnished or there is physical deposit of the required sum is entirely at your discretion. I therefore, look forward to hearing from you either by your sending me a Bond for approval or by you letting me have a cheque in the amount required.

Your attention is drawn to the additional Condition of Consent that is detailed on p16 of the Consent.

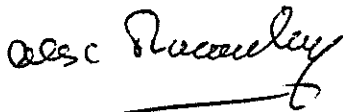
DR GEORGE McL HAZEL  
DIRECTOR



Your attention is drawn to the requirement to give notice, of at least two working days, prior to commencement of works on site.

As this matter is being handled by Local Area Services any query concerning this consent should be directed to Richard Bourne on 0131 529 3724.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'A Macaulay', with a horizontal line drawn underneath it.

A MACAULAY  
HEAD OF LOCAL AREA SERVICE