

Marsh, Michael

From: Tim Ferguson [REDACTED]
Sent: 01 March 2014 17:00
To: localplan
Cc: Connolly, Trish
Subject: Scottish Borders Proposed LDP - Former Station Yard, Dolphinton
Attachments: 010314-FP-JWP-Dolphinton-Proposed LDP Rep.docx; 010314-FP-JWP-Dolphinton-Site Plan.pdf; W.Merrilees_Attachment 1.pdf

To whom it may concern

Please find enclosed a representation to the proposed LDP on behalf of our client John Wilson Property. The submission relates to a proposed allocation for five dwellings on the former station yard in Dolphinton.

I would be grateful if you can confirm receipt of this submission and should you have any related queries then please do not hesitate to contact me.

Regards

Tim

Tim Ferguson
Director

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1 March 2014
Delivered by Email

Forward Planning Team
Planning Department
Scottish Borders Council
Council Headquarters
Newtown St Boswells
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Our Ref. JWP1

Dear Sir/Madam

**REPRESENTATION TO THE SCOTTISH BORDERS LOCAL DEVELOPMENT PLAN,
PROPOSED PLAN**

STATION YARD & ASSOCIATED GROUNDS, DOLPHINTON, WEST LINTON

We write on behalf of our client John Wilson Property in response to the Scottish Borders Local Development Plan Proposed Plan (Proposed Plan) and in respect of their site, the former Station Yard and associated grounds, Dolphinton.

Outlined below is the background to the site and representations to the relevant parts of the Proposed Plan with our proposed changes, which we respectfully request be taken into consideration in advance of Examination of the Proposed Local Development Plan (LDP).

The Site

John Wilson Property's site comprises 1.2 acres of land situated on the northwest boundary of Dolphinton Road (A702). The site is irregular in shape and bound by a group of four dwellings to the west, agricultural land to the north and the A702 to the south.

The site is currently vacant and comprises the redundant station yard at Dolphinton. It is understood that there has been up to four residential dwellings on the site previously.

Site History

The site previously formed the Dolphinton Railway Station. The Station was operational from July 1864 until April 1933 until its closure in April 1933.

Since then, the site has been in long standing residential use. Following its closure, the Station building was later bought and converted by William Merilees, (one of Scotland's most decorated policemen-see attachment). Merilees converted the house into a holiday home for elderly and crippled children, renaming the property 'The Nick'. More recently, two cottages existed on the site and were demolished by the previous owner. In addition, a wooden dwelling still exists on site and was occupied for many years.

Planning History

Outline planning permission (01/01491/OUT) was granted in December 2001 for a dwelling on the area of the site occupied by the former garages.

The wider site has since been the subject of planning applications for 12 dwellings (04/01122/FUL) and more recently 14 "low cost amenity" dwellings (07/01379/FUL). These applications were both unsuccessful due to the number of dwellings proposed.

John Wilson Property's Proposal

Acknowledging the previous decisions, John Wilson Property propose a more modest, low-density development of up to five dwellings. Such a development would respect the adjacent development of larger detached dwellings situated in large areas of private gardens. It is proposed that the development be aimed at young families to provide a more affordable option for housing. Therefore, addressing an identified need in the Scottish Borders Northern Housing Market Area (HMA).

The area of the site together with an indication of how the five dwellings would site within the site is indicated at **Attachment 1**. This represents a much smaller site area than proposed in the previous applications. It is considered that the proposed site represents a natural extension to the Dolphinton Development Boundary and will enable infilling of the land between the A702 and the existing dwellings.

Given the recent applications for the site and the objections that these applications attracted from neighbours, John Wilson Property has undertaken initial steps to informally consult neighbours regarding their proposals. Our client has informed us that neighbours are currently in favour of the lower density proposals, as they do not wish the site to either be used commercially or return again to a state of disrepair.

John Wilson Property has also taken steps to engage with utility companies. Electricity and water supply are already available on the site and the upgrading of these services has been discussed with the relevant suppliers. It is important to bear in mind that this site is brownfield in nature with residential dwellings previously developed upon it.

Housing Opportunity

Scottish Planning Policy (February 2010)

We recognise the importance that Scottish Planning Policy (SPP) places on the redevelopment of brownfield sites. Paragraph 48 of SPP requires planning authorities to promote and support opportunities for regeneration and the development of brownfield sites in order to attract investment into an area, it states:

"Planning authorities should therefore ensure that new development safeguards and enhances an area's environmental quality and, where relevant, should promote and support opportunities for environmental enhancement and regeneration. Previously developed land (also referred to as brownfield land) is a potential source of sites for new development and planning authorities should support and promote proposals to bring vacant or derelict land back into productive use for development or to create more attractive environments."
(paragraph 48)

The redevelopment of brownfield sites is further supported at paragraph 80, which identifies the redevelopment of brownfield sites as a preference to the development of greenfield sites.

Moreover, the redevelopment of brownfield land such as our client's site should be considered before greenfield sites. Paragraph 80 of SPP states:

“Redevelopment of urban and rural brownfield sites is preferred to development on greenfield sites. When identifying locations for housing, planning authorities and developers should consider the reuse of previously developed land before development on greenfield sites”.
(paragraph 80)

Strategic Development Plan (June 2013)

The scale of housing required for the Scottish Borders area has been set out by the SESPlan Strategic Development Plan (June 2013). SESPlan identifies Dolphinton in the Northern Housing Market Area outside of the Strategic Development Areas (SDAs).

Table 31 within the SESPlan Housing Technical Note (November 2011) sets out the Housing Land Requirements both within and outside The Scottish Borders SDAs. Table 31 identifies the following:

- no committed development outside of the SDAs for the Scottish Borders;
- no housing land requirement during the period 2009 – 2019 outside of the SDAs; and
- a housing requirement of 50 units during 2019 – 2024 outside of the SDAs.

This allocation of 50 units represents a markedly small requirement when compared to the housing allocation for the areas outwith SDA's in Fife, which is a total of 800 units. Table 31 also outlines:

- no committed development outside of the SDAs for the Fife;
- a housing land requirement of 600 units during the period 2009 – 2019 outside of the SDAs in Fife; and
- a housing requirement of 200 units during 2019 – 2024 outside of the Fife SDAs.

In our opinion the allocation of 50 units outwith the SDAs in the Borders and starting in 2019 is an underestimation of the likely housing needs to 2024. We therefore consider there is a need for a review of this allocation in accordance with SESPlan Policy 6 Housing Land Flexibility.

SESPlan Supplementary Guidance - Housing Land Consultation Draft (November 2013)

The SESPLAN draft Supplementary Planning Guidance (SPG) provides further information and direction for Local Development Plans (LDPs) as to how much of the overall housing land requirement should be met.

Paragraph 3.7 indicates that the total supply of housing land across the SESPlan area to 2024 is 83,207 units. This figure includes an allowance or constrained sites and windfall sites to come forward. To meet the total requirement of 107,545 units, it is expected that LDPs will need to identify land to accommodate at least an additional 24,338 units.

The draft SPG notes that additional sites must be allocated outwith the SDAs and that the most appropriate locations for these are in the City of Edinburgh, Fife and the Scottish Borders (paragraph 3.10). Based on the figures outlined above, Table 3.2 within the draft SPG sets out the additional requirements for the areas outwith SDAs, these are as follows:

- City of Edinburgh – 2,500 additional units;
- Fife – 1,950 additional units; and
- Scottish Borders – 80 additional units.

On this basis, we consider that the number of units required in the Scottish Borders (outwith the SDAs) has been considerably underestimated.

Scottish Borders Local Development Plan (2013) 'Proposed Plan'

Housing Land Supply

The Proposed Plan identifies 17 settlements within The Scottish Borders that are located outwith the SDAs as defined in the SESPlan. The Proposed Plan allocates a total of 378 units to these settlements outwith the SDAs, with the majority being allocated to Coldstream, Eddleston and West Linton. **Table 1** below outlines these allocated sites.

Table 1: Allocated sites outwith the SDAs

Site Reference	Site Name	Site Size (ha)	Indicative Site Capacity
Birgham - ABIRG003	Land at East Birgham	0.8	6
Coldstream - BCS3A	Guards Road	0.3	7
Coldstream - BCS5B	West Paddock	4.5	60
Coldstream - ACOLD004	South of West Paddock	1.5	20
Eccles - BEC4B	Cherryburn	0.6	7
Eccles - AECCL001	Main Street	0.2	5
Eddleston - TE6B	Burnside	1.9	30
Eddleston - AEDDL002	North of Bellfield	4.1	35
Fountainhall - AFOUN 005	South Fountainhall	1.1	6
Leitholm - BLE2B	Main Street	1.4	25
Oxton - AOXT001	Station Yard	0.5	10
Stow - ASTOW022	Craigend Road	1.0	10
Stow - MSTOW001	Royal Hotel (mixed use)	0.2	11
Swinton - BSW2B	Well Field	1.4	25
West Linton - TWL 8B	Robinsland	2.3	46
West Linton - TWL 15B	School Brae	0.4	10
West Linton - AW EST009	Robinsland Steading	2.2	40
Yetholm - RY1B	Deanfield Court	0.6	7
Yetholm - RY4B	Morebattle Road	1.2	18
Total		26.2	378
Potential Longer Term Housing (subject to review & outside of Development Boundary)			
Coldstream - SCOLD001	Hillview North 1	12.4	TBC
Coldstream - SCOLD002	Hillview North 2	3.8	TBC

While land for housing development is allocated outside the SDAs at nearby West Linton, these allocations for West Linton have simply been carried forward from the consolidated Scottish Borders Local Plan (approved 2010). We have learned recently that the largest allocation within West Linton by Springfield Homes has been put on hold until further notice. This leads to uncertainty in terms of housing delivery in the local area.

The Scottish Borders Council Finalised Housing Land Audit 2012 (March 2013) provides the most up to date position on housing land supply. Paragraph 4.2 of the Audit indicates that 80% of the Scottish Borders established land supply is on large greenfield sites and only 20% is on brownfield land. Given this high level of greenfield allocations, it is important that appropriate flexibility is applied in identifying suitable brownfield sites in alternative locations. Brownfield sites such as John Wilson Property's site at Dolphinton should be considered superior to greenfield sites as supported by SPP.

Larger greenfield housing sites also require huge financial commitment, infrastructure and service provision and can therefore be subject to long lead-in times. As such, it is important that greater flexibility is applied to enable smaller sites, such as our client's site, to come forward in the short-term. The site at Dolphinton can be brought forward to assist the Council in meeting housing requirements and in maintaining the necessary continuous, minimum five-year supply of effective housing land.

Deliverability

In addition to this we have concern in relation to the housing requirements ever being met. Given the current build out rate, as shown within Appendix 2-Table 4, is some 503 dwellings per year. If taken over the identified ten-year period between 2009-2019 this equates to some 5,030 dwellings. This is 928 dwellings below the required target of 5,958.

There is therefore a need for flexibility in the system or a greater need to allocate sites that stand a better chance in coming forward in the set time period. This position is further confirmed when Appendix 2 - Table 3 shows that of the housing completed in the Scottish Borders over the last 5 years 41-54% have been windfall sites.

Housing Affordability

Appendix 3 of the Scottish Borders Council Finalised Housing Land Audit 2012 identifies there have been 19 affordable units completed in the Northern Housing Market Area (HMA). This is considered to be a low number when compared to number of affordable units delivered within the Berwickshire and Central Borders HMAs:

- Berwickshire – 39 affordable units; and
- Central Borders – 75 affordable units.

The majority of the affordable units constructed in the Northern HMA were provided at Innerleithen (13 units). The remaining 6 units were completed at West Linton as part of Eildon Housing Association's development at Robinsland (planning application ref: 06/01537/FUL).

The Housing Land Audit clearly demonstrates the Northern HMA to be delivering significantly less affordable housing units than other areas. Given this, it is important that flexibility is applied in identifying suitable sites in alternative locations, such as Dolphinton, that will provide a more affordable option for families.

Proposed Plan - Site Assessment Report (2013)

John Wilson Property's site was included in Council's Site Assessment (December 2013) for the Proposed Plan (Site Ref ADOLP003). This assessment assesses the merits of the site in a number of categories. Each of these categories are summarised below.

- **Initial assessment:**
No flooding constraints; and a minor designation constraint given that the site is adjacent to a Site of Special Scientific Interest.
- **Accessibility and sustainability assessment**
Limited access to public transport, employment and services; and minor wider biodiversity impacts.
- **Local impact and integration assessment**

Low impact on open space; archaeology; and listed buildings.

- **Landscape assessment**

Minor landscape restrictions being adjacent to an Area of Great Landscape Value; good general amenity; and minor height constraint.

- **Planning and infrastructure assessment**

The site is near a trunk road in terms of access; on/adjacent to contaminated land; water supply; no sewerage provision; average education provision with capacity at both the primary and secondary school.

In terms of physical access/road capacity, the following comments were provided:

*“This land is somewhat remote from the main body of the settlement of Dolphinton, which is already excessively stretched along the A702 Trunk Route. That said, this is a fairly modest ‘brown field’ site, having been the former station yard, and so **I am inclined to support this allocation.**”*

It is our view that each section of the assessment considers the site favourably, clearly demonstrating there are no major constraints to the redevelopment of the land and that the allocation of the site is supported. However, the Overall Assessment concludes that the site is ‘doubtful’ for redevelopment. We believe this conclusion entirely contradicts and undermines the assessment and as such, respectfully request that Council reconsider the Overall Assessment for the site.

We do however, acknowledge Council’s comments in respect of the lack of nearby services, this being the only identified restriction to development. In response, John Wilson Property proposes a low-density development in this location. The development of only a small number of houses will therefore negate the requirement for additional services to be provided and address this issue.

Consolidation of the Settlement Boundary

John Wilson Property’s site is located on a brownfield site abutting the Dolphinton Development Boundary as identified in the Proposed Plan. The settlement of Dolphinton currently comprises two separate parcels of land on either side of the A702. John Wilson Property’s site forms the area of land between these two parcels. It is considered that the site represents a natural extension to the Dolphinton Development Boundary and will enable infilling of the land (for up to five dwellings) between the A702 and the existing dwellings.

Housing development in this area of the Scottish Borders has been focussed on West Linton over recent years, much of which has been on greenfield land. It is proposed that a low-density development of up to 5 houses in this central area of Dolphinton would help to round-off development on this northern edge of Dolphinton creating a clearly defensible boundary.

Moreover, with regard to the design and layout of the settlement, the inclusion of this site within the Development Boundary is considered acceptable, as it will:

- provide for development that respects the size of the existing settlement of Dolphinton;
- reflect the underlying pattern and style of development in Dolphinton;
- reinforce the accepted interpretation of the ‘building group’ and ‘developable area’ of Dolphinton;
- negate the requirement for a higher level of services or facilities to be provided within Dolphinton;
- provide sufficient space to accommodate a landscape buffer to the A702; and
- ensure no significant increase in vehicular traffic.

Recommendation:

We recognise Council’s requirement to identify sufficient land for housing development. However, we disagree with the strategy of allocating only greenfield sites at other settlements. We propose that a more sustainable option should be pursued at Dolphinton.

The Dolphinton Settlement Profile and associated Settlement Plan currently do not allocate any development or safeguarding proposals for Dolphinton. We request that the Development Boundary be updated to include John Wilson Property’s site and the site to be allocated for up to five dwellings. This should also be reflected in the Settlement Profile’s preliminary text and a table should be inserted to reflect the allocation.

Proposed Modification:

Section 10.23 Dolphinton Settlement Profile

Include the following housing table within the Dolphinton Settlement Profile as follows:

Housing

Site Reference	Site Name	Site Size (ha)	Indicative Site Capacity
	Station Yard	0.5	5

This allocation should also be reflected in the Settlement Profile’s preliminary text.

Section 10.23 Dolphinton Settlement Map

Update the Development Boundary in the Settlement Map to include John Wilson Property’s site (as indicated at **Attachment 1**) and allocate the site for low-density housing.

Conclusions

The allocation of this brownfield site for low-density residential and inclusion within the Dolphinton Development Boundary is supported by SPP and is considered acceptable, as it will:

- redevelop a site which has previously had residential dwellings on it;
- assist the Council in meeting housing targets set by the SESPlan which we consider to be overly reliant on a high level of constrained sites;
- reduce the need to rely on the release of alternative Greenfield sites to meet housing land demand.
- enable the redevelopment of a long-term brownfield site and which can avail of local utilities; and
- increase the range of housing options available and address an identified housing need in this area by providing housing of a more affordable nature in an area where there is an identified shortfall.

We trust that these comments will be duly considered by the Council as part of the Local Development Plan process. Should you require any further information, or wish to discuss any aspect of this representation in greater detail then please do not hesitate to contact Tim Ferguson on 01835 822 716.

FERGUSON PLANNING

Enc. Attachment 1 - Site Location Plan





A portrait of William Merrilees personally autographed for Winifred Smith of New Zealand. The tartan he is wearing is similar to the Merrilees tartan but is actually a MacDonald Dress Tartan from his mother's side of the family.

'Wee Willie' Merrilees Scotland's Most Famous Policeman!

The remarkable life of our kinsman, William Merrilees, provides an inspiration for all who become acquainted with his exploits as a lawman in Edinburgh during the 1940s and 50s, and his humanitarian regard for those less fortunate.

In his long and hectic career as a policeman, Chief Constable 'Wee Willie' Merrilees was shot at, stabbed at and slashed at, but nothing stopped him from pursuing his fight against crime.

Although four inches under the minimum regulation height he was allowed into the force by special concession and soon became renowned as Scotland's most famous and toughest law enforcement officer.

He had a soft side however and his life is best summed up in the published accounts reprinted on the following pages.



**Chief Constable
William Merrilees OBE
(1898 - 1984)**

***Story compiled by Gary Merrylees
for the Merrilees Family Association***

Wee Willie Merrilees “Successor to Sherlock Holmes”

On March 10, 1959, Queen Elizabeth II entered the grand ball room of Buckingham Palace. Then, one by one, men and women who were to be invested with titles and honors for services to their country stood before their sovereign.

In the line was Chief Constable William Merrilees, of Scotland, a short man with a chest as broad as the Firth of Forth. The Queen presented him with the glittering Order of the British Empire for his services as a policeman and a humanitarian. She smiled at two little Scots lassies standing behind him, brave in new clothes and round eyed at the sight of the Queen pinning a medal on their granddad.

Two hours later, as the Merrilees were packing to go back to Scotland, the phone rang in their hotel room.

“This is Superintendent Perkins, Willie, calling from Buckingham Palace. “The Queen wants to know if the little girls enjoyed the show.”

“Aye,” answered Willie Merrilees. “But no more than I did.”

Willie Merrilees was born in 1898 in Leith, a scone’s throw from Edinburgh. His boyhood was spent in abject poverty. The 11 members of the Merrilees family lived in two rooms, and when both parents were working the total family income was still under \$10 per week.

When Willie was 13 he had to leave school to help support the family. His first job was in ropeworks, where he worked 12 hours a day for \$1.20 a week. The next year, in a shop accident, Willie lost four fingers from his left hand. When his hand healed, Willie got a job as a driller in a shipyard. The work required him to use his maimed hand but he managed to do it. He exercised the stumps of his fingers constantly; they became so agile in time that he learned to typewrite with skill and speed.

While working at the shipyards Willie became renowned as a rescuer of drowning persons. Time after time he spotted somebody thrashing

This article, by James Stewart Gordon, first appeared in the December 1960 issue of Reader’s Digest and this edited version was printed in the first issue of Merrilees Family Association News, September 1995. The original text contains many more exploits and arrests made by this extraordinary kinsman.

around in the waters below. Never bothering to take off his clothes, he was after the person like a cormorant. After his tenth rescue, Willie stood before the Lord Provost to get another medal and another Carnegie Scroll.

“I seem to see a lot of you,” the Provost remarked.

“People keep falling in, your lordship,” Willie replied.

“Well, can’t anyone else save them?” asked the Provost.

“I just seem to get there first,” Willie answered.

Always possessed of a demoniac vitality, Merrilees became a tremendous athlete. One day in 1918 he just plain outdid himself. A freighter hit by a torpedo came into the yards, for a rush repair. Willie worked round the clock, putting in close to 26 hours. Then at quitting time he rushed to a nearby swimming pool and won the district open freestyle championship.

Next he caught a trolley for the football grounds, where he played in a game to decide the Eastern Championship of Scotland. After having helped win the cup he caught another trolley to a nearby gym, where he won the Eastern Scottish lightweight boxing title at ten that night.

Willie continued his rescue work and finally reached the amazing total of 21, more than any other individual not in the life saving service.

The Lord Provost said: “Willie, I’d like to help you in some way. What would you like to do?”

“I would like to join the police force,” Willie told him.

The Lord Provost looked at Willie. He was as strong as an ox, but almost 5 inches under the minimum height. He lacked four fingers on one hand, and his education was not up to standard. But, the Lord Provost also knew that Willie was fearless and resourceful.

He said, "I'll take the matter up with the Secretary of State."

On the way home, Willie noticed a man running from the police for the banks of Leith Water. Automatically he sailed in after him.

"Let me alone!" the man yelled. "They'll never take me alive!"

With one mighty smash of his fist Willie knocked the man out. He hauled him to shore, turned him over to the police.

Willie was appointed to the force one week later. Because of his lack of height, Willie was not slated to put on a uniform and go on patrol. He was supposed to tend the switchboard. However, on his second day he was handed the photograph of a man wanted for safecracking and told to tour the pubs and ask if anyone had seen him.

Through the long day, non-drinking Willie visited the pubs, showing the picture and receiving "no" for an answer. Discouraged, he started home for dinner. Passing a doorway he noticed a man whose face seemed familiar. Then it came to him – here was the man in the picture! He took him in. Score one for Willie.

Two days later a jewel theft was reported from Waverley Station. A salesman had had his sample case with several thousand pounds worth of diamonds lifted. Willie was told to go down to the station to have a look around. On his way he was accosted by a local character who asked him in a whisper if he wanted to buy some hot goods. When Willie began to push him off, the character said "Listen, this is the real stuff – sparklers!"

The Merrilees arm snaked out and grabbed the seller. At the police station the bulk of the loot was found on his person. Score two for Willie.

After these successes Willie found his niche. A gang of safecrackers had been holding mysterious meetings in various parts of Scotland, seemingly getting ready for a big job. In order to find out what was

going on without alerting the gang, it was decided to put a tail on the supposed ringleaders. Willie was chosen for the job.

Most of the gang came from the tough district in which he had been raised, and anyone spotting him would immediately assume that he was being used to tail them. So Willie went to a theatrical costumer and got several different outfits. In two solid months of tailing across Scotland not one member of the gang ever knew that the old man or the old woman or the drunken sailor was Merrilees. When the time came the gang was caught while knocking over a post office safe.

After five years of successes Willie was made Sergeant. This was his greatest day. He knew that if he could win promotion to sergeant, in spite of his disabilities, he could go higher. He arrested six pickpockets that evening, beating the local record by two. (He himself can pick a pocket like a magician.)

While Willie was making his mark in the police he was also giving free swimming lessons two nights a week to the poor children of Leith, and running one class for adults. In addition, remembering his own poverty as a boy, he frequently visited children in orphan asylums to cheer them up with a story and song. He still does. And every year before Christmas he collects damaged toys, has them repaired and delivers them to the children.

Several years ago when Willie was carting a crook off to jail the man began to sob convulsively. "What's the matter?" asked Willie.

"It's my kids," the crook told him. "I don't mind going to quod [prison] myself, but it's almost Christmas and those kids won't get a thing."

"I'll take care of it," said Willie, and this began the Merrilees Christmas list for kids who happened to be underprivileged because their fathers were doing time. The list is by now enormous, and Willie makes sure that every family of every man he has sent away is provided with a good Christmas dinner and presents for the children.

In November, 1959 Willie Merrilees was lured from Edinburgh to London on the pretext that he attend the silver wedding anniversary

of his friend Superintendent Perkins, the Queen's special detective. Actually he was to be the subject of BBC's television program 'This is Your Life.'

As men and women from Willie's past – safecrackers, social workers, men and women he had rescued from drowning paraded in front of the cameras, Willie registered every emotion from astonishment to joy. The climax came when the announcer told the story of how, some years before, Willie had introduced Dale Evans and Roy Rogers to a small child in an orphanage.

They had just lost a child of their own, and when the little girl, Marion Fleming, had sung 'Won't You Buy My Pretty Flowers?' Dale asked Willie if it would be possible to take the child back to America to live on their ranch. Willie arranged it. The little girl was now grown up, married to an American Marine and living in Hawaii.

Did Willie remember her? Willie nodded and waited for a recording of her voice. Instead, the curtains parted and Marion Fleming, holding her own little child by the hand, came on the stage. The two of them sang Marion's old tune, 'Won't You Buy My Pretty Flowers?' Willie dissolved.

Willie Merrilees, Chief Constable of Peebles and the Lothians, a 1,046 square mile area in Scotland which includes Edinburgh, is Britain's most famous detective and the world's closest living approach to Sherlock Holmes with dramatic overtones of Superman.

In his 36 years on the police force he has solved everything from murders to epidemics of purse snatching. He has been consulted by Kings and foreign governments – and by small children who have lost a penny on the way to the store. He has been shot at, slashed at, stabbed at. He has disguised himself as an old woman to break up a gang of safecrackers and unbelievably, as a six month old baby to put the collar on a molester of women.

– *Abridged from Reader's Digest, December 1960.*



Willie Merrilees died on 21st August, 1984, aged 85 years. His funeral service was held in South Leith Parish Church and the old square-built Kirk was crowded with the famous and the anonymous, ex-colleagues and auld acquaintances, all gathered to pay their respects to a remarkable character. By some quirk of fate it was a dreich, dank day with a cold grey haar rolling in from the Forth, a day set aside and isolated from a long spell of gloriously hot sunny weather. It was as if sunny Leith had clad herself in mourning for one of her illustrious sons.

[The obituary of Willie Merrilees, on the following pages, was provided by David Merrilees of London and printed in the December 1996 MFA Newsletter]

William Merrilees O.B.E.

Willie was a Leither, proudly and aggressively like all other natives of the Ancient Port who have scant regard for the Act of 1922 which finally robbed her of her identity and individuality and made her however reluctantly, part and parcel of Greater Edinburgh.

He was an ordinary son of ordinary parents, there was no indication of future greatness and no-one would have guessed that he was to become one of the most colourful figures in the annals of law enforcement and crime detection.

As a youngster he worked in the local rope works and in the course of his employment suffered serious hand injuries in an horrific industrial accident. He was, however, a powerful athlete and shrugging off the loss of several of his fingers, he pursued his boxing, footballing and swimming activities with renewed vigour and determination.

It was his prowess as a swimmer which was to lead indirectly to his career in the police. On a number of occasions he was on hand to rescue people who had fallen into Leith Docks and in consequence received several Royal Humane Society Awards.

In 1924, while being presented with a Certificate, he confided in the then Lord Provost, Sir Thomas Hutchinson, a long standing ambition to be a policeman. Sir Thomas, impressed by his courage and determination made representation to the Secretary of State, who waived the minimum height regulation and in the same year Willie Merrilees became, at 5ft 6in Scotland's shortest ever lawman.

His career in the Service is legendary and needs little recounting here. Too small for uniformed patrol work he was immediately attached to the C.I.D. and figured in a number of prominent cases and investigations.

A master of disguise, in which his shorter stature was undoubtedly an advantage, he successfully adopted a number of roles. Dressed as a woman, he apprehended a bag snatcher and as a baby in a pram he lay in wait for a man who had been molesting nannies in the streets

and parks of the City. Probably his most daring and dangerous exploit was in September, 1940, when dressed as a railway porter he wandered casually into a railway carriage at Waverley Station and arrested the German spy Kurt Walther. Walther was carrying a pistol but with his arms pinned to his sides in Willie's crushing bearhug he was overpowered before he could draw it.

In May 1950, Willie was appointed first Chief Constable of the newly-formed Lothians and Peebles Constabulary, which post he held until retiring on his 70th birthday. The special dispensation for a further five years past normal retirement age was another 'first' for him.

In the course of his 44 years in the Service he received many honours including the O.B.E. and the King's Police Medal. Often controversial and always in the public eye his fame spread far beyond his Force area and he was made subject of a 'This is your Life' television programme and of a biographical article in the Reader's Digest.

While his reputation as a police officer grew, he was equally well known for his charitable work, particularly among old folk and deprived and handicapped children. His New Year's Day concerts for senior citizens were held in the Old



State Cinema in Leith, when every pensioner received a gift of money and shortbread. The Christmas parties for kids were held in the Children's Homes and Willie this time disguised in red cloak and white beard, would personally present each child with a Christmas gift.

Nor were other unfortunates forgotten. Each November a memorandum would be circulated to the Divisions, asking for details of children whose fathers would be in prison over Christmas. Santa was good to them too!

Such treats were by no means confined to the festive season. It was not unknown for him to roll up at a Children's Home unannounced, his driver carrying a large container of freshly made icecream, and wherever he went he invariably had a pocketful of sweets, sometimes toffees but more often pan-drops – which he called C.I.D. chocolates – for distribution to anybody and everybody.

He even went to the length of buying the disused railway station at Dolphinton and having it converted into a holiday home for old folks and youngsters. The postal address, with a touch of Merrilees humour, was 999 The Nick, Dolphinton.

As a man, Willie was a colourful and extroverted character and if his lack of inches troubled him he either ignored it or treated it with a wry humour – his autobiography was entitled *The Short Arm Of The Law. The Memoirs of William Merrilees OBE* (Published by John Long, London c1996).

He loved company and there were always visitors in his office at Headquarters. Sometimes aristocracy or civic dignitaries, sometimes an old pal from his schooldays in Leith.

Edinburgh Festival was a special joy to him and the office became a sort of League of Nations for overseas visitors. At such times an impish sense of humour was never far from the surface. One wall held a large scale Ordnance Survey map of the Lothian and Peebles area with the four divisions picked out in different colours.

Out of the motley throng in the room an unmistakable Texan accent drawled "Say Chief, is that all your area?"

Willie marched up to the map and drawing himself up to his full height, stabbed an emphatic finger into a small uncoloured area at the top. "This" he said very deliberately "Is a small independent Force, nothing to do with me. All the rest is mine".

There was a respectful silence then the voice drawled "Say Chief you sure do have some responsibility." He couldn't possibly have known that the small independent force was Edinburgh City Police!

Willie's friends came from all walks of life and levels of society. The late Walt Disney was a close acquaintance as were Roy Rogers and Dale Evans. Roy and Dale were particularly moved by Willie's tale of a wee girl in care in Dunforth Children's Chief Home and with typical generosity invited her to the States to stay with them.

She stayed and was eventually adopted by them and is now a happily married U.S. citizen. One of Willie's visits to the States coincided with the filming of Walt Disney's *Greyfriars Bobby*. When it was finished, there was some dubiety over the future of the Cairn terrier who played the title role.

No problem! Willie adopted him and presented him to the kids at Dunforth Home. When he became too old for juvenile frolics he was looked after by one of Willie's senior officers and his family.

As a Chief Constable Willie was a hard taskmaster. He knew exactly what he wanted and insisted on implicit loyalty and obedience. He did not suffer fools gladly and could express himself with vigour and vehemence when the occasion arose. But by the same token, he was never afraid to lead from the front.

On one occasion when CID officers went to arrest an individual strongly suspected of murder by firearm and reasonably suspected of being still armed they were joined on the doorstep by the Chief who pushed himself firmly to the front. "You lot have families to think about" said he. "I'll go in first." And he did.

Willie Merrilees was not all things to all men and would never have wanted to be. Any working police officer acquires his quota of enemies and he was no exception. He was no respecter of persons and

personalities and had little patience with pomp and pretension. Nothing gave him more satisfaction than to prick the bubble of self esteem or deflate a swollen ego usually to the consternation of the individual on the receiving end.

He has gone the way of all flesh, and the community is the poorer for his passing. The sympathy of all is extended to his second wife, Roberta, and to his son, grandchildren and great grandchildren of his first marriage [MFA Tree #1].

The loss is shared by all who knew him as a friend, colleague, or simply as an acquaintance. Certainly no-one whose life he touched in whatever way for whatever reason and however briefly can ever forget him.

Comic Book Hero

The cartoon (right) depicting a true-life incident in the career of Chief Constable William Merrilees is from a comic book called Valiant produced weekly from 1991 to 1994.

It graphically tells how Wee Willie tackled the problem of gang violence in Edinburgh head on, when he and his men confronted a mob of youths intent on smashing up a dance hall in the village of Wallyford.

Taking the initiative, the policemen charged and with four mighty blows, former boxing champion Willie knocked out four of the toughs. The rest fled but Willie chased after them and one by one caught and apprehended them. Virtually single-handed Willie ended the gang terrorism in his area.

Mike Merrilees reproduced this in the first issue of Merrilees Family Association News in September 1995 and the MFA would welcome any information about this publication and where it originated.

