

# Mayfield and Easthouses Community (MAECC) Minutes of meeting 1 March 2023 7pm - Meeting held in Mayfield Church

## ATTENDEES

Robert Hogg (Chair), Judy Thomson, Stephen Liddell, Arthur Blackhurst, Peter Smaill, Stuart McKenzie, Cal Haston, Sharon Hill, Bryan Pottinger, Craig Gallier, Brian Martin

## Apologies

Tracylee Armit, Michael Hogg, Theresa Morrison, George Jackson.

### 1. Welcome and apologies

RH welcomed everyone to the meeting and noted apologies (documented above).

The minutes from the last meeting were approved by Craig Gallier and seconded by Judy Thomson.

Cal Haston was nominated by the Chair to join the Community Council and that was seconded by Judy Thomson. Cal, who is now 16 years of age and therefore qualifies to become a member of the Community Council, becomes the youngest member of a Community Council in Midlothian. The Chair remarked on the time Cal had spent attending meetings over the last year and the effort he had put into help with the website, etc. It is hoped Cal will be a good asset to the Community Council in the years ahead and he was welcomed by all in attendance.

Budget proposals – these are not clear currently. CC has big concern about proposed cut to CLLE. MAEDT stood up for both service users and employees.

### 2. Police Report

No Police Report or representation this evening.

The Chair noted it was disappointing there was no official apologies for non-attendance but that it was unusual so something must have happened last minute.

After attending the February meeting, Michele Lindsay had actioned gathering speeding data on Easthouses Road that same week which was welcomed by all. CC now awaits the results from Michelle at April meeting.

### 3. MTRaP report

The Chair gave update to meeting on latest MTRaP meeting; awaiting news on budget finances to see what roads & pathways will be getting re-laid in up & coming financial year. Also update on pothole machine recently bought by the council – full report next meeting.

### 4. Planning

Stephen gave a report about NWH retrospective planning application. Agreement across the meeting that we can see their view and Springfield's view and, while respecting the company for their employment and community engagement, it was decided to object to the application for the reasons given in the report (**Appendix i**)

Brian gave a presentation on Local Place Plans to members present on how important they were to the community and that he felt strongly that they should be led by community councils as a statutory body. CC has been given access to Parish Online/XMAP facility (free for 1 year) to assist with Community Place Planning.

Brian will also be attending the Federation community council planning day set for Saturday 25th March at Lasswade and will raise questions at this meeting regarding Local Place Plans and bring back info gathered from meeting to next meeting of the CC.

### 5. Councillor's Report

Cllr Pottinger gave an update from the planning meeting and commended the student that made the

deputation at the recent council meeting.

Cllr McKenzie –

Budget has been taking up a lot of time, see **Appendix ii** for latest on the budget proposals.

Speed surveys/Road Safety - This was due to come back in March but will now hold over to the next full council. Reason for this is that we are awaiting a key appendix of data from the engineers. I still expect this to gather support from all parties for this though. Still expecting to move to a 20mph zone in built up areas. Also be looking to trial some speed reduction methods in pilot areas to accompany speed reductions.

Police/Fire/Protective services – Police Scotland successfully caught a person who was suspected as a member of a of quad bike gang after a concerted traffic chase. Suspect has been taken to procurator fiscal and charged.

395 combustible items were removed during Waste Amnesty week.

Education - Easthouses school came to planning. Plans approved and funding already in place. Boundary consultation going ahead as education took the opportunity to tidy up the catchment areas a wee bit. I've picked up the MUGA pitch with Derek Oliver and still working on the rear path.

Mayfield joint campus has deteriorating buildings. Engineering carried out tests during school holiday and are writing up report. School is deemed safe (otherwise it would have been fully closed). Cllr Scott has been up on site to see her itself and is on the case.

#### 6. Treasurer's Report

The Treasurer reported no income or expenditure during the month of February, leaving a current balance of £7049.44.

#### 7. AOB

MAEDT update was given to meeting on ongoing events held at pavilion, including a visit from Humza Yousaf the next day.

RH thanked everyone for attending and the meeting was closed.

Head of Planning  
Midlothian Council  
Midlothian House  
Buccleuch Street  
Dalkeith EH22 1DN

2nd March 2023

Dear Sirs,

**22/00898/DPP Erection of plant and machinery (retrospective) Land at Yards 1 and 2 Mayfield Industrial Estate Dalkeith – Mayfield & Easthouses Community Council (MAECC) Response.**

This planning application was discussed at a meeting of MAECC held on Wednesday 1<sup>st</sup> March. The following comments are representative of the feedback received from our local communities of Mayfield and Easthouses. MAECC recognise that additional comments may have been sent directly to Midlothian Council by members of our local community.

The major areas of concern relating to this application can be summarised as Noise Pollution and HGV Traffic volumes.

Listed below are the main discussion points for which we would appreciate due consideration by the Planning Department:

**1. Economic Benefits to Midlothian**

The Community Council recognises Neil Williams Haulage as a major employer and a major contributor to the economy of Midlothian. Further we recognise the fact that prior to the expansion of the Recycling Plant NWH has been operating within the Mayfield Industrial Estate for many years with the benefit of Planning Consent and a SEPA Licence.

**2. Associated Planning Applications**

NWH has recently installed additional plant and equipment resulting in a four-fold increase in operational capacity. The procurement and installation has taken more than a year to complete and planning consent was not sought at any stage prior to the new equipment being installed in a yard for which there was no existing planning consent. The applicant claims that it was not possible to discuss their proposals with Planning Officers at any time during this long process.

When an application was eventually made it was split into two smaller applications for adjacent sites. This appears to be an attempt to avoid the requirement for a Screening Opinion and Environmental Impact Assessment.

The applicant was aware of the concurrent application by Springfield to build new housing adjacent to the Recycling Plant and that the increase in activity at the Recycling Plant could result in increased noise and dust pollution affecting the new residents as well as existing householders.

In considering this application we would request that the three applications (22/00719/DPP, 22/00898/DPP and 22/00027/PPP) are reviewed together.

### **3. Excessive Noise Levels**

In the period since the new equipment has become operational, numerous complaints have been received by SEPA and Midlothian Council from local residents regarding noise from the NWH operation. Recent noise assessments have been carried out by Bureau Veritas in June 2022 and SEPA in October 2022. The Council has also conducted its own noise survey. All three have confirmed that noise levels are in the region of 12-13dB above background levels. Anything over +10dB is considered to be a Significant Adverse Impact.

The SEPA licence permits a maximum of +5dB so current noise levels are also in breach of that licence.

From the evidence noted above it appears that noise levels have increased since the new equipment has been installed. We believe that a long-term noise assessment should be carried out and demonstrated to be compliant with the SEPA Licence limits prior to making a decision on this application.

### **4. Road Traffic Impact**

The current SEPA licence allows NWH to process up to 174,000 tonnes of waste per annum. With the new equipment installed, NWH claim to be able to process 650,000 tonnes per annum. All of this waste is transported by HGV's along Crawlees Road either from the Suttieslea end or the Stobhill end. We believe that such a major increase should be subject to a new road traffic impact assessment particularly when the current local plan shows Crawlees Road as being the main route through a 900+ new housing development at Lingerwood.

### **5. Agent of Change Principle**

When Springfield came forward with proposals for the Lingerwood housing development we urged the Planning Department to take all necessary steps to ensure that the noise mitigation measures proposed would be sufficient to protect the new residents from noise pollution. To be clear, we expect Springfield to reduce the level of noise suffered by residents to the SEPA limit of +5dB regardless of how near to NWH their homes may be (but starting from a maximum existing threshold of +5dB at a distance of 150m - "the legal limit"). This recognises that NWH have an existing use.

However, with the new equipment raising noise levels to +12dB (ie. 7dB above the legal limit) it would be totally unreasonable to expect Springfield to enhance their mitigation measures to solve an "illegal" noise problem caused by NWH installing new equipment which is not compliant with their SEPA licence. Therefore we would expect Midlothian Council to ensure noise compliance at the "legal" limit by NWH prior to granting any retrospective Planning Consent for the new equipment.

Although both SEPA and Midlothian Council claim to be working together with NWH to solve the "illegal" noise issue, there is little evidence from the recent noise assessments that there has been any improvement in the situation.

From observation there has been a significant amount of waste bund removed from the perimeter of the recycling yard and a thinning of the tree belt. This must surely be making the noise issue worse rather than better (see photos on pages 4 & 5 of Bureau Veritas Report attached to Springfield's objection).

## **6. Planning Policies**

We refer to Planning Policy ENV18 in particular. This policy states that the Council will seek to prevent noisy development from damaging residential amenity or disturbing noise sensitive uses. Where new developments with the potential to create significant noise are proposed, these may be refused or require to be modified so that no unacceptable impact at sensitive receptors is generated.

In this case we would like the applicant to provide evidence of the mitigation measures he intends to put in place to reduce noise levels to within the SEPA licence limit and given that the noise generating equipment has already been installed we would like to see evidence that the mitigation measures have been effective before granting planning consent.

## **7. Environmental Impact Assessment**

When both NWH applications are considered together we believe that under Schedule 2 of the Town & Country Planning (EIA) Scotland Regs 2017 this application constitutes a project requiring an EIA. The combined impact of increased HGV traffic and Noise & Dust pollution needs to be assessed; especially its impact on the new housing development.

## **8. Environmental Health**

We support the view of EHO (in their letter to Planning dated 21/12/22) that the application should be accompanied by a noise assessment, an air quality assessment and given the four-fold intensification of the operation, a Transport Assessment. Further we support their recommendation that noise levels arising from the waste operations permitted by this application shall not cause the rating level to exceed the background level by more than +5dB(A) at a distance of 150m from the noise source in order to protect the amenity of residential properties at South Mayfield in the adopted Midlothian Plan 2017.

## **9. Conclusion**

By installing the new equipment in an area of their site which has no planning consent and no SEPA licence, NWH are in clear breach on both counts. SEPA has no locus over the part of the site where the new equipment has been installed. We are therefore relying on Midlothian Council Planning Department to ensure that Noise, Dust and Traffic issues are fully assessed and fully resolved before considering granting planning consent.

We therefore object to the current application.

Robert Hogg  
Chairman  
Mayfield & Easthouses Community Council  
Cc: Councillors McKenzie, Pottinger and Smail

## Savings proposals for 2023/24

### The savings decisions

At the full Council meeting on Tuesday 21 February, councillors **approved** the following savings:

- Increase Civic Licencing Fees by 50% to cover actual costs - estimated income £50,000 in total from 2023/24.
- Fees and Charges – review and increase council wide fees and charges - estimated income £38,000 in 2023/24.
- Introduce discretionary charges for planning services currently free - estimated income £10,000 in total from 2023/24.
- Introduce fees for non-statutory Building Standards duties and continue virtual inspections - estimated income £6,000 in total from 2023/24
- Increase burials charges to the Scottish average - income estimated at £80,000 in total from 2023/24
- Charge commercial event organisers for Safety Advisory Group services - income estimated at £25,000 in total from 2023/24
- Charge developers for road construction consents - income estimated at £93,000 in 2023/24.
- Businesses to advertise in council locations and on council vehicles - income estimate at £25,000 in total by 2025/26.
- Reduce the net cost of administering benefits by 6% - saving of £70,000 in 2023/24 rising to £210,000 in total by 2025/26.
- Reduce shrub bed maintenance or grass over some shrub beds - saving £36,000 in total from 2023/24.
- Close 7 primary schools' community spaces (Lawfield, Gorebridge, Loanhead, Moorfoot, Tynewater, Stobhill and Strathesk) during school holidays - saving £40,000 in total from 2023/24.
- Stop the night security service at the Stobhill depot - saving £150,000 from 2023/24.
- Increase garden waste collection charges from £35 to £40 annually from 2024/25.
- Close all five stand-alone public toilets in Midlothian - saving £81,000 in total from 2023/4.
- Instead of cutting two trading standards officer posts, look at different ways to deliver this service such as collaborating with other councils and generating income - saving £90,000 in total from 2023/24.
- Cut five full-time equivalent property facilities posts (currently vacant) - saving £125,000 in total from 2023/24.

- Review Land Services - saving £75,000 from 2023/24. Instead of cutting two of the three rangers posts, there will be a wider review of Land Services to find the savings. Rangers sit within Land Services.
- Devolved School Management Budgets involving other staff groups and budgets – saving of £34,000 in total from 2023/24.
- Reduction in the Devolved School Management Scheme allocation to schools by 1% – saving of £400,000 in 2023/24 rising to £607,000 in total by 2025/26.
- Transformation of school week – £1.5 million in 2024/25 rising to £2 million in total by 2025/26.
- Potential reduction in the Integrated Joint Board budget of £1.33 million for health and social care.
- Continuous Improvement – non-recruitment to vacant post – saving of £28,000 in total from 2023/24.
- Internal Audit – reduce by 1 Full Time Equivalent post – saving of £55,000 in total from 2023/24.
- To review the Communities and Lifelong Learning Service - saving £250,000 in 2023/24
- To review the Communications Service - saving £50,000 in 2023/24
- To recover the full cost of all parking fines - saving £100,000 in 2023/24
- To replace roads maintenance costs with £2.5 million a year capital spending - saving £300,000 in 2023/24 (there will be additional loan charges of £37,000)

Councillors **rejected** the following savings proposals:

- Remove school crossing guides from controlled (traffic lights) and zebra crossings - saving £153,000 in 2023/24 rising to a total of £306,000 in 2025/26.
- Stop funding Christmas lights - saving of £60,000 in total from 2023/24.
- Stop supporting gala days and events - saving of £44,000 in total from 2023/24.
- Stop maintaining Dalkeith Bowling Green - saving £25,000 in total from 2023/24.
- Reduce how often grass areas are cut - saving £25,000 in total from 2023/24.
- Cut the budget to maintain council buildings (not housing) - saving £300,000 in total from 2023/24.
- Delay gritting footpaths (currently from 5.30am) until 7.30am - saving £73,000 in total from 2023/24.
- Close Penicuik recycling centre - saving £109,000 in total from 2023/24.
- Stop funding the Midlothian Community Action Team - saving £436,000 in 2023/24 rising to £582,000 in total from 2025/26.
- Reduce the Instrumental Music Service – saving of £444,000 in total from 2023/24.
- End P4 swimming programme – saving of £27,000 in total from 2023/24.

- Rationalisation of school estate – saving of £290,000 in total from 2024/25 (this saving proposal was to consult about closing St Matthew's. However, councillors agreed its vision was to explore a future joint campus with Rosewell Primary. The council has submitted a funding bid to the Scottish Government for the campus and we will be getting back in touch with St Matthew's parents and carers once we hear back from the government).
- Increase shared head teacher posts – saving of £17,000 in 2023/24 rising to £27,000 in total by 2025/26.
- Stop all sport and leisure staff overtime – saving of £472,000 in total from 2023/24,.
- Community Asset Transfer or closure of Leisure Centre – Newtongrange (total saving of £136,000 from 2023/24) or Gorebridge (total saving of £222,000 from 2023/24).  
Reduction of Welfare Rights Services – saving of £27,000 in total from 2023/24.

Councillors agreed these savings proposals would be **reviewed and brought back to be considered by the full Council not later than June 2023** as part of an updated Medium Term Financial Strategy:

- Redesigning of community and school libraries - saving £315,000 in 2023/24 rising to £1,029,000 in total by 2025/26.
- Adopt e-book service - saving a total of £144,000 from 2023/24.
- End grants for commercial bus services - saving £60,000 in 2023/24 rising to a total of £120,000 by 2025/26.
- Stop Community Transport funding - saving £157,000 in 2023/24 rising to a total of £314,000 by 2025/26.
- Transformation of grants funding - total saving of £520,000 in large grant funding from 2025/26 and £89,000 in small grants from 2023/24.
- Rationalising home to school transport including Additional Support Needs provision - annual saving of £30,000 from £2023/24.

A proposal to reduce the Devolved School Management Budgets involving teachers – saving of £1.969 million in 2023/24 rising to £6.207 million in total by 2025/26 was removed from the savings to be considered.