

From: Secretary MOCCC <secretary.moccc@outlook.com>
Sent: 09 February 2022 13:50
To: Ann.Davie@eastdunbarton.gov.uk; Joe.Harkin@eastdunbarton.gov.uk; Jenny Reeve
Cc: Pews, Gary; Morag Campbell; Cllr Paul Ferretti; Stuart McDonald; Alex Buist; treasurer.moccc@outlook.com; Jim Crawford; mackenzie.andy@btinternet.com; Alan Gall; agnes_raybould@hotmail.com; Billy Hendry; Mohrag.Fischer@eastdunbarton.gov.uk
Subject: RE: Birdston Coup

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mrs Davie,

Yet again I am writing to you to attempt to get EDC employees to do their job and carry out their duty of care to the residents of East Dunbartonshire and in particular in this instance Birdston Village and Milton of Campsie. Basically the "Team Leader" is saying that even although environmental issues have been raised to a manger of the Environmental Health Department of EDC he is happy to ignore this and pass the buck onto SEPA. Are You happy with this level of performance from a Team Leader?

If SEPA is the governing Environmental Health Agency for all matters nasty why do we need an EDC Environmental Department, after all SEPA can deal with it. Perfect a huge saving in wages within EDC, make the Environmental Health department redundant as they are not needed and do nothing when asked anyway, SEPA can do it.

Yet again Mrs Davies we as the community council of Milton of Campsie and Birdston request that you ask your highly paid Environmental Health Department to get themselves out from behind their desks, get their testing equipment and go out to a highly obnoxious site and take sound level samples and smell the nauseous aroma emanating from the mess being created and hopefully they will have to take the smell home to their families stuck to the fabric of their clothes, perhaps then they might take notice of this abomination. At the very least you should be assisting SEPA not passing the buck to keep life warm and easy in the comfort of your offices.

I wonder what the reaction would be if a ton of this foul material was discovered at the front door of the council offices on Monday morning, I bet Environmental Health department would be contacting the police and wanting the person responsible for dumping it charged with any offence possible.

The ability of East Dunbartonshire Council Departments to find ways of doing nothing and being responsible for nothing beggars belief, is there an "Avoid Responsibility" training course new employees undertake when becoming an employee of EDC. The management of EDC should be embarrassed by they way they are treating this area.

Yours, exceptionally disappointed,

Brian J McFall
Secretary - MOCCC

-----Original Message-----

From: Joe.Harkin@eastdunbarton.gov.uk <Joe.Harkin@eastdunbarton.gov.uk>
Sent: Wednesday, February 9, 2022 12:46 PM
To: Jenny Reeve <birdinaband@hotmail.com>

Cc: Brian McFall <b.mcfall@sky.com>; Pews, Gary <gary.pews@eastdunbarton.gov.uk>; Morag Campbell <morag162@gmail.com>; Cllr Paul Ferretti <paul.ferretti@eastdunbarton.gov.uk>; Stuart McDonald <stuart.mcdonald.mp@parliament.uk>
Subject: Re: Birdston Coup

Dear Jenny

I refer to your email and note its contents.

Firstly I can confirm that a member of my team did accompany colleague's to the site and as discussed we are not the lead enforcement agency in this matter.

I did not communicate with you directly as it was felt it was important that communication with you was as a corporate body and as such correspondence was made with you on behalf of the Council as a whole.

In terms of the Environmental Protection Act 1990 I note that you have referred to the nuisance provisions contained in the act. As previously stated the part of the act with the predominance.

here is that governing the site license. Generally speaking SEPA will have conditions which the site operator should adhere to. There may also be planning conditions that may apply also.

Certainly visual amenity and right of access could not be considered in terms of nuisance and a certain level of noise and other issues will be expected in the operations you describe. As previously mentioned its likely there will be conditions on these by SEPA and / or the planning service

I trust this information is of assistance to you

Regards

Joe Harkin

Team Leader Environmental Health

Place and Community Planning

East Dunbartonshire Council

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(Embedded image moved to file: pic26777.jpg)

www.eastdunbarton.gov.uk

(Embedded image moved to file: pic15573.jpg) :

www.facebook.com/edunbartonshirecouncil

(Embedded image moved to file: pic05097.jpg) : @EDCouncil

(Embedded image moved to file: pic16512.jpg)

From: Jenny Reeve <birdinaband@hotmail.com>

To: "joe.harkin@eastdunbarton.gov.uk"
<joe.harkin@eastdunbarton.gov.uk>

Cc: Stuart McDonald <stuart.mcdonald.mp@parliament.uk>, Cllr Paul Ferretti <paul.ferretti@eastdunbarton.gov.uk>, "Pews, Gary" <gary.pews@eastdunbarton.gov.uk>, Brian McFall

<b.mcfall@sky.com>, Morag Campbell <morag162@gmail.com>
Date: 08/02/2022 22:07
Subject: Birdston Coup

Dear Joe,

I contacted you recently with regards to the activities currently being undertaken at the old Birdston Coup site by Practical Waste Solutions (A.K.A Birdston Management LTD). I am sure by now that you are familiar with the circumstances surrounding the site, and the myriad issues and concerns raised by the local community and elected members in relation to the on-going works.

When you last contacted me, it was to inform me that a member of your team had been deployed to assist investigations taking place at the site and that as far as you were aware, the activities there were predominantly the responsibility of SEPA. I never did hear back from you.

I am contacting you again to in relation to the activities of Practical Waste Solutions on the site at Birdston, in particular relation the noise and smell coming from the site, and the sheer mess that the site is in. I believe that the issues below fall under the Environmental Protection Act of 1990, and therefore directly under the jurisdiction of the department for which you work at East Dunbartonshire Council. If this is the responsibility of another officer, or department I would be grateful if you could please point me in their direction. If I am right however, and this does fall under the remit of the Environmental Health team then I expect action to be taken upon the information I provide below, namely:

'The physical state of a premises: to be in such a state as to be prejudicial to health or a nuisance'

The state of the site at Birdston is indescribable. At the entrance, the pavement is destroyed and slurry has been dragged from the site into the public path by the wheels of the lorries (averaging 40 a day) which come and go. This degradation of the footpath forces pedestrians out into the road at a blind corner (see attached photograph). Birdston Road is, as I'm sure you're aware, extremely heavily used and vehicles speed here well in excess of the 40mph speed limit. Beyond the footpath into the site itself, and visible from the lane which runs immediately adjacent along which residents such as myself live, huge piles of steaming matter are piled high into the air, forming what can only be described as a catastrophic eye-sore, a blight upon the landscape which was once so enjoyed by the public as they traversed the core path network (this has also been destroyed by the owner of the site).

'Noise: coming from premises, or from a vehicle, machinery or equipment in the street'

The noise coming from the site made by huge industrial vehicles and machinery is more than just a nuisance. It disturbs those of us in Birdston who must work from home, making it impossible to open windows to let in air because of the constant clatter of the diggers and the 'vehicle reversing' alarms made by the dumper trucks. In the past month, the site operator has begun to work underneath the pylons and powerlines, moving works as close as possible to the edge of the coup which means as close as possible to the residential properties which line the lane. For my neighbour who lives across the lane with three children, this means that dumper trucks and diggers are working right up to their back fence (see photograph) and the noise is deafening; nothing short of anti-social. From my office window just 50 metres across the lane where I am trying to work, I am constantly disturbed by the sound of these heavy vehicles clanking, clattering and reversing (see attached photograph). My partner is a recording engineer, making a living from working with clients from home. The noise from the site has made it impossible for him to be able to record from home and he has had to pay to use a premises off site, costing his client (and therefore his business) money and time. Works start as early as 8am and will often continue until unsociable hours, working under flood lights. As spring arrives and daylight hours lengthen, local residents are fearful that the operator will take advantage of the lengthening days and make noise on the site from dawn till dusk. For those of us working shifts, it is a living nightmare.

'Odour, dust, steam: from industrial, trade or business premises'

The smell emanating from the site, either from the existing contents of the coup which have been unearthed or from materials being brought on is unbearable. Local people report being able to smell it as far away as the old railway path which runs between Kirkintilloch and Milton of Campsie and in the village of Milton of Campsie itself. As residents, we are well used to the smell of agriculture and accept this as part of living in a rural area from time to time. However, the smell coming from the site is constant, and at best anti-social; at worst, it is a potential health hazard. As temperatures rise throughout spring and into summer, I'm sure you will understand my concern that the smell too will worsen and become completely impossible to live with. It is already too strong to be able to open windows to let fresh air into my home. How can those of us simply trying to live our lives be expected to enjoy our gardens, this otherwise beautiful rural environment, with the God-awful smell of who-knows-what engulfing us, with it only worsening as temperatures rise? It is not only a probable health hazard, but the indisputable cause of a decline in the quality of life of those living and working in Birdston. I for one know that it is having a profound effect upon my mental health, causing me anxiety and stress, to the point where I am having difficulty sleeping.

'Accumulations: any significant accumulation which could cause a nuisance or present a health risk for humans'

The accumulation of huge bunds of material-unsightly and stinking-all over the site and upon the core path network is more than a nuisance. It is a violation of the public's right to enjoy the local environment in which they live. I also fear that they contravene the parameters of what is allowed under the permissions granted to the site owner under the relevant planning permissions. To that end, I am currently waiting on clarification of the exact terms of planning for the site from your colleague, Heather Holland.

I trust that this is enough of an account of the current situation at Birdston in relation to the Environmental Protection Act 1990 for you to be able to take action, and to report back to me comprehensively. I heartily invite you to come to Birdston and breathe the air we breathe, hear what we hear and see what we see.

I look forward to your timely response,

Jenny Reeve

on behalf of Birdston Residents Group and in partnership with:

Milton of Campsie Community Council and Milton of Campsie Greenbelt Preservation Group ?[attachment "Dumping at neighbours fence.JPG" deleted by Joe Harkin/TechnicalServices/EDC] [attachment "pedestrian in road.JPG" deleted by Joe Harkin/TechnicalServices/EDC] [attachment "view from house digger creating bunds.jpg" deleted by Joe Harkin/TechnicalServices/EDC]

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