

A genda. Manning Cle
5th April 1982

9. MINERALS AND WASTE DISPOSAL - THE CURRENT SITUATION

RESOLUTION

That the report be received.

→ All. to be consulted re aftercare.

10. BROXBOURNE BOROUGH COUNCIL
CHURCH LANE GRAVEL PIT WORMLEY

CONTROL OF POLLUTION ACT 1974
C G EDWARD (GOFFS OAK) LIMITED
W J CROKE/COMMERCIAL ENTERPRISES LIMITED

RESOLUTION

That should the observance of the licence conditions not improve following the Court proceedings, the licence be revoked.

11. EAST HERTS DISTRICT AND BOROUGH OF BROXBOURNE

PROPOSED EXTRACTION OF SAND AND GRAVEL FROM LANE TO THE WEST OF THE RIVER LEA, STANSTEAD ABBOTTS REFERENCE 3/1459 AND 7/192-81

RESOLUTION

That planning permission be granted subject to conditions controlling the working, noise emission levels, screening, restoration and landscaping of the site to be determined by the County Planning Officer.

12. EAST HERTFORDSHIRE DISTRICT
PROPOSED EXTRACTION OF SAND AND GRAVEL FROM LAND AT TERBETS HILL, STANSTEAD ABBOTTS REFERENCE 3/66-82

RESOLUTION

That planning permission for a limited period be granted, subject to conditions controlling the working, noise emission levels, screening, restoration land shaping, landscaping and after-care of the site to be determined by the County Planning Officer.

13. ST ALBANS DISTRICT
PROPOSED RETENTION OF TEMPORARY REFUSE TRANSFER STATION AT HARPER LANE QUARRY COLNEY STREET ST ALBANS REFERENCE 5/1623-81

RESOLUTION

That planning permission be granted for the continued use of the site until 30 April 1983, subject to the imposition of conditions to be determined by the County Planning Officer.

14. BROXBOURNE BOROUGH
BROXBOURNEBURY PARK QUARRY, COCK LANE, HODDESDON
PROPOSED INFILLING WITH PUTRESCIBLE AND NON-PUTRESCIBLE MATERIAL REFERENCE 7/864-81

RESOLUTION

via Batchelor

That planning permission be granted subject to conditions to be determined by the County Planning Officer, covering method of operation, operating hours, aftercare, and landscaping.

7 years time limit. Applicant to be consulted re aftercare.

Agreed

*Agreed
& amends*

*Agreed
& amends*

Agreed

- X
15. THREE RIVERS DISTRICT
 DEPOSIT OF SURPLUS SPOIL - DISUSED RAILWAY CUTTING
 LAND NORTH OF CAPE UNIVERSAL CLADDINGS LTD
 TOLPITS LANE, WATFORD REFERENCE 8/702-81

RESOLUTION

Agreed

That the application be refused on conservation, landscape and general amenity grounds.

16. HERTSMERE BOROUGH
 ST ALBANS CITY AND DISTRICT
 THE WARREN FIELDS, RADLETT
 PROPOSED AGRICULTURAL RECLAMATION BY INFILLING OF FORMER SAND
 AND GRAVEL PITS TO ORIGINAL GROUND LEVELS - REFERENCE 0/720-81

RESOLUTION

Agreed

That planning permission be granted subject to appropriate conditions to be determined by the County Planning Officer. *for a limited period of 2 years.*

17. EAST HERTS DISTRICT
 APPLICATION FOR RETENTION OF READYMIX CONCRETE PLANT
 AT VICARAGE LANE, WATERFORD - REFERENCE 3/1503-81

RESOLUTION

That, subject to the applicants entering into an agreement under Section 52 of the Town and Country Planning Act 1971 and other appropriate powers requiring -

- (i) the provision of finance for the improvement of the Bulls Mill Lane route,
- (ii) the prohibition of lorries from Vicarage Lane and Sacombe Road, except those making deliveries to Bengoe, and
- (iii) the dismantling and removal of the older readymix plant,

planning permission for a limited period of three years be granted subject to conditions to be determined by the County Planning Officer.

18. EAST HERTFORDSHIRE DISTRICT
 RESIDENTIAL DEVELOPMENT, OLD SCHOOL, MOUNT PLEASANT,
 HERTFORD HEATH
- (1) CHANGE OF USE TO RESIDENTIAL UNITS, REFERENCE 3/1564-81CC
 - (2) RESIDENTIAL DEVELOPMENT (OUTLINE), REFERENCE 3/1566-81CC

RESOLUTIONS

- (1) For the purposes of Regulation 5(4) of the Town and Country Planning General Regulations 1976, change of use to residential units of Old School, Mount Pleasant, Hertford Heath be authorised subject to the approval of the District Planning Authority to the details of alterations and the retention of the lime tree on the frontage of the site.
- (2) For the purposes of Regulation 5(4) of the Town and Country Planning General Regulations 1976, residential development at

PLANNING COMMITTEE
5th APRIL 1982 AT 10.00A.M.

AGENDA ITEM NO:

10

BROXBOURNE BOROUGH COUNCIL
CHURCH LANE GRAVEL PIT
WORMLEY

CONTROL OF POLLUTION ACT 1974
C.G. EDWARD (GOFFS OAK) LIMITED
W.J. CROKE/COMMERCIAL ENTERPRISES LIMITED

1. Purpose of Report

- (1) To inform the Committee of complaints and breaches of Waste Disposal Licence conditions following a change of occupation at this site and of action taken in consequence.
- (2) To seek the Committee's instructions in relation to the possibility of revoking the Waste Disposal Licence.

2. Background - Planning Issues

On the 30th June 1949 the former Hoddesdon U.D.C. granted planning permission for the extraction of sand and gravel with a requirement that extraction, refilling, and restoration be completed within 30 years. In 1968 planning permission was granted for the use of part of the site for the preparation of horticultural soils and composts.

It became clear that restoration would not be completed by 30th June 1979 as required by the original planning permission and the matter was reported to the Planning Development Control & Urgency Sub-Committee in April and July 1979. An enforcement notice was served and this was the subject of an appeal to the Secretary of State who determined the appeal in March 1981. The notice was upheld so that the site must now be restored by 15th April 1983.

3. Recent Waste Disposal Operations

The site had had the benefit of Consents for waste disposal operations issued under the Hertfordshire County Council Acts 1935/1960 but there was little or no tipping of "controlled waste" during a period following the commencement of the Control of Pollution Act (June 1977). However, a Waste Disposal Licence was issued in accordance with the Control of Pollution Act in April 1979, and intermittent filling continued.

In October 1981 C.G. Edward (Goffs Oak) Limited asked for the Waste Disposal Licence to be transferred to Mr. W.J. Croke of Commercial Enterprises Limited. This was done, and following the change of occupier, refilling of the pit has taken place at a considerable rate. This has, of course, generated much extra traffic along Church Lane but this is unavoidable if the site is to be restored.

However, from November 1981 there have been many complaints about fires on the site (including cable burning and obnoxious fumes), mud on the highway, and the disposal of unauthorised materials including putrescible waste. Some of these incidents have been witnessed by staff of the Environmental Services Department and also Police and Fire Brigade Officers.

It quickly became apparent that attempts to deal with these problems by informal contact with the operator were not proving effective. In view of this and the degree of local concern a Notice under Section 9(4) of the Control of Pollution Act 1974 was served on W.J. Croke on 30th December 1981. The Notice required him to comply with conditions 10 and 15 of the Licence (public highway to be kept free of mud and no fires permitted on site) immediately, to comply with condition 2 (adequate access and site roads to be provided and properly maintained) by 6th January 1982, and to comply with condition 3 (provision of site identification board) by 13th January 1982.

In early January 1982 there appeared to be a slight improvement in the standard of operations. However, this was short lived. In late January there were further complaints from local residents and observations by Environmental Services Department staff of fires on the site and excessive mud on the public highway. At this stage the matter was referred to the County Secretary who has instituted legal proceedings for offences against Section 3 (1) of the Act (causing or permitting waste disposal operations other than in accordance with the conditions of the Disposal Licence). The hearing has been fixed for 31st March. An oral report on the outcome will be made at the Committee meeting.

There have been further complaints, and inspections during February and March have revealed a continuing unsatisfactory standard of operations, including the presence of animal remains on site.

Failure to comply with a Notice served under Section 9(4) is not in itself an offence. However, in addition to the power to proceed under Section 3 the authority may, if it thinks fit, revoke the Disposal Licence. Clearly revocation would be regarded as a last resort, particularly in a case such as this where the County Council is anxious to secure the early restoration of the site. Nevertheless this course may have to be considered if there is no improvement in the standard of operations.

4. Summary and Analysis

Since a change in occupation of this site last Autumn there has been a considerable increase in the rate of filling but this has been accompanied by many justified complaints, mainly about mud on the public highway and fires. Proceedings for breach of Section 3 have been commenced but in view of the failure to comply with the Section 9(4) Notice it may be necessary to consider revoking the Waste Disposal Licence.

It would seem sensible to await the outcome of the current legal proceedings while continuing to monitor the standard of operations. The scheme of delegations empowers the County Environmental Services Officer to revoke a Disposal Licence in an urgent case. However, in view of the degree of local concern and the possible conflict with the objective of early restoration, the Committee's views are sought.

5. RESOLUTION

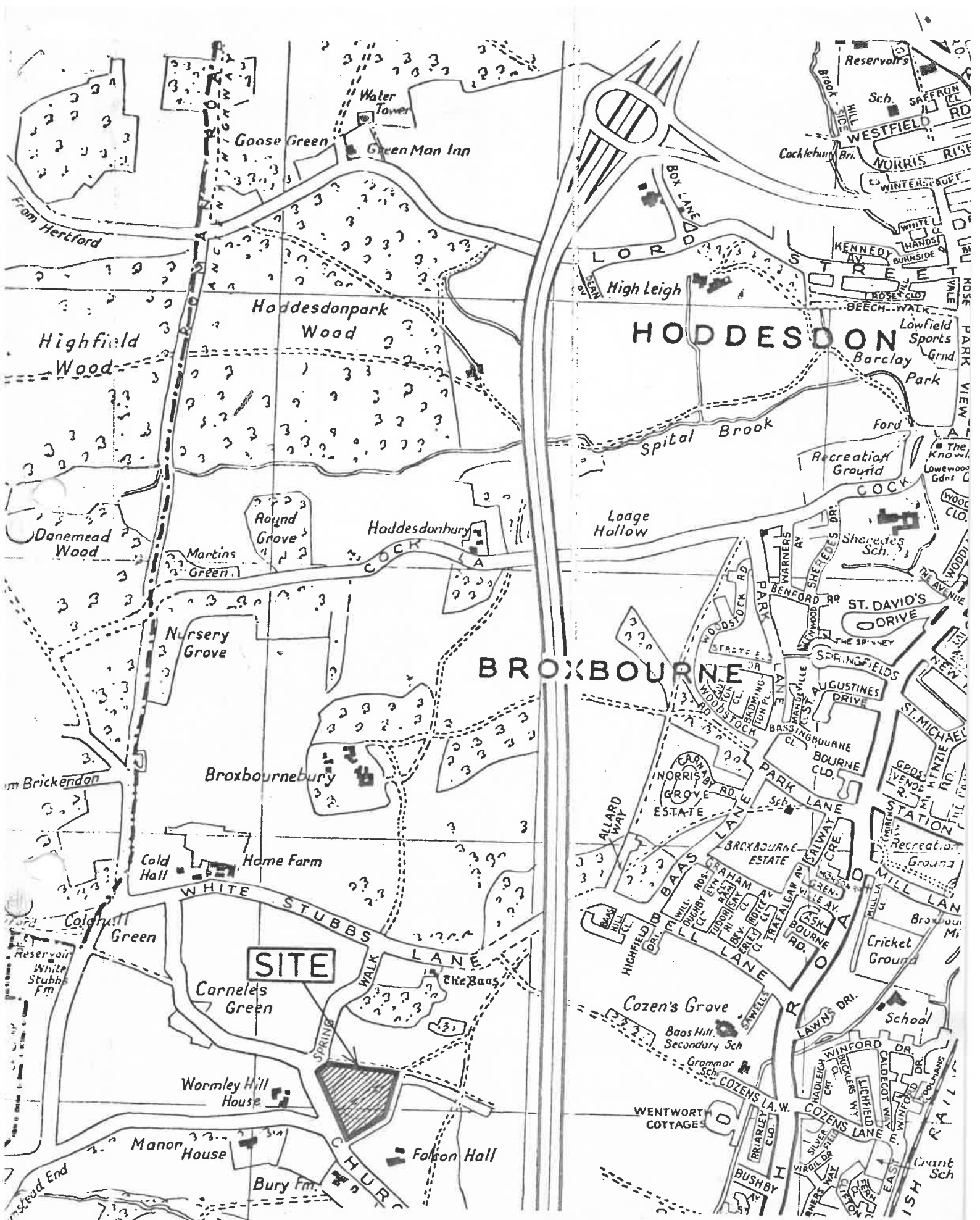
That should the observance of the licence conditions not improve following the Court proceedings, the licence be revoked.

Madsen Edwards & C
 Keep people making monkeys of you - no intention of falling in - unless you do something
 make monkeys of you for years and years. - allow in of less safe.
 nuisance to Ecologists & People ^{in/there} - Withdraw this licence

Dore Time limit - stronger
Haley Remove licence - and effort
Satfield agrees with Madsen

Greenfield Supports urgency.

licence be revoked - Part II

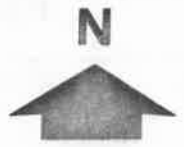


SITE

BOROUGH OF BROXBOURNE
GRAVEL PIT, CHURCH LANE,
WORMLEY.

Scale:- 4 1/2" = 1 mile (approx)

Map by courtesy of G. I. Barnett & Son Ltd.,



APRIL 1979

CONSIDERED BY

PLANNING

.....
*(ITEM 10) - transferred
to Item 2 Part II*

COMMITTEE ON

5. 4. 82