

9th June 2016

Lisa Bartlett
Divisional Director - Development
Bath and North East Somerset Council
Guildhall,
High Street,
Bath, BA1 5AW

Dear Lisa

I am writing with reference to your e mail to Cllr V. Pritchard dated 2nd June 2016.

In your second paragraph of 'General Update' describing the visit Richard Stott made to the Quarry with the EA there is reference to 'importation of some non-inert waste..'.

Please could you clarify what is meant by 'some' and please could you clarify the nature of the 'non inert waste'.

Please could you explain in more detail what was done within the three hour visit to reach the conclusion that 'the vast majority across the site was inert'.

The Abacus, EMT and McCarthy Marland are all 4 axle vehicles and we have no issue regarding the inert waste carried by these lorries but our concern is with the 6 axle totally enclosed (sealed) articulated lorries, travelling from Scotland, Tilbury, Ireland, Eastern Europe etc. Your e-mail says that the EA were satisfied with the record keeping at the Quarry, we therefore would like clarification as to what was being carried in the following lorries (all have been reported to Richard Stott and so we imagine he would have wanted these specifically followed up) at these times on these dates:

20.04.16 around 6am Registration: VX59 HGM Walker Transport; **5th May 2016** articulated lorry 6 to 7am Reg: BV12 PHY Clarke Transport; **16th May 2016** articulated lorry, around 6am in the morning reported (with photographs sent) to Richard Stott by e mail by Robert Drewett (e mail 16.05.16 08.21hrs), the significance of this lorry was the strong smell emanating from it **23rd May** 8.48am 6 axle Reg: RX06 BNE; 10.15am 6 axle RegP64 YGO (ADT); 1.44am 6 axle articulated lorry Reg 67 5AD; 13.34 6 axle articulated lorry from St Helen's an ADT;

The reason being that we have observed that any waste from these lorries has been instantly buried by three JCB's whereas the spoil delivered by the more local smaller lorries is often left in a pile. Please could you clarify whether Bathnes Council has a responsibility to inform Bristol Water that non inert waste has been deposited above water courses leading to Chew Valley Reservoir which provides drinking water to domestic users.

As I wrote to you last week, we have recorded lorries coming from very long distances, the police officer noted one from Eastern Europe during his visit; last week a driver of a lorry trying to turn in Hinton Blewett told a resident he had come straight from Tilbury. On many occasions we are identifying large, sealed, articulated lorries in large numbers. If these lorries contained inert material

they would surely be leaving their loads in holes as near their home base as possible to save money (fuel, driver time, cost in mileage to vehicles), so what does Banes Council and the EA think they contain that makes it worth travelling specifically to this isolated spot?

We know there is not enough inert material locally to fill the quarry or in any quantity and so feel very worried about what is actually being put in it.

We note that you state that the issuing of the Breach of Condition Notice will require operation of the site with previously laid down conditions, however these conditions have not been complied with since 2008 and at the meeting in December 2015 Richard Stott stated specifically that the installation of the washer, along with other conditions, were non-enforceable and he questioned why they had been part of the original planning conditions. We therefore ask for clarification which conditions will be enforceable?

At the meeting, arranged by Cllr Vic Pritchard on 25th May 2016, the EA representative Kevin Nicolls stated that despite any planning permission granted by the Local Authority, the quarry actually only has permission from the Environment Agency for recovery work on the bunds (North and West) and not for general infilling of the quarry. The nature of waste for the recovery work being Inert wastes only, under a Standards Rules Permit which will finish in October 2016. He was very clear about this and so we are a little confused as to why the work has been continuing. Please could you clarify.

We have reported to Banes' Council that articulated lorries are travelling up Sutton Hill Road to the Quarry when they should only access via the A37. Please could you confirm that Highways will be changing the road signs to make it clear to all drivers in order to prevent these lorries accessing the Quarry in future along this single track country lane (at present the signs give a weight limit and underneath say 'except for access').

To be clear, we want to see the Quarry filled-in and returned to agricultural use but only safely and with inert material.

The deposit of non-inert waste on the land is in contravention of Section 33 of the Environmental Protection Act 1990:

33.—(1) Subject to subsection (2) and (3) below and, in relation to Scotland, to section 54 below, a person shall not—

(a) deposit controlled waste, or knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence;

(b) treat, keep or dispose of controlled waste, or knowingly cause or knowingly permit controlled waste to be treated, kept or disposed of—

(i) in or on any land, or

(ii) by means of any mobile plant, except under and in accordance with a waste management licence;

(c) treat, keep or dispose of controlled waste in a manner likely to cause pollution of the environment or harm to human health.

The burying of non-inert waste in this location could contaminate the regional water supply, this was one of the reasons that the Planning Inspector refused the appeal to permit the deposit Stable Non- Reactive Hazardous Waste on the site. We want to be confident that the burying of waste on this site will not adversely affect the regional water supply now and in the future.

For information, we understand that whilst Mr Mark Foley remains the sole Director of the Company owning the Quarry, a Mr P Mouncer very recently became the only other significant shareholder. It seems surprising to us that anyone would purchase a share in a company where a site is nearly full.

Yours sincerely

Sally Monkhouse

Chairperson Stowey Sutton Action Group

Cc Cllr Tim Warren; Cllr V. Pritchard; Keith Betton Chair Parish Council