

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE MARLBROOK TIP WORKING PARTY

21ST SEPTEMBER 2017, AT 5.30 P.M.

PRESENT: Councillors B. T. Cooper and R. J. Deeming (Chairman)

Mr C. Bateman, Mrs J. Harvey, Mr P. Harvey, Mrs S. Hughes, Mr R. Hughes, Mr P. Batchelor.

EA Representatives: Tony Deakin, Fiona Upchurch, Laurence Hutchins and Martin Quine.

Officers: Ms. R. Bamford, Ms T. Lovejoy, Ms R. Cole.

9/17 **APOLOGIES AND INTRODUCTIONS**

Apologies for absence were received from Mrs A. Doyle, Mr M. Brooks, Councillor L. Mallett, Councillor C. B. Taylor and Mr K. Dicks.

10/17 **NOTES FROM THE MEETING HELD ON 10TH JULY 2017**

The notes from the Meeting held on 10th July 2017 were approved.

11/17 **UPDATE FROM THE ENVIRONMENT AGENCY**

Tony Deakin from the Environment Agency provided an update on the action which had been taken since the previous meeting. Three out of the ten measures required under the Reservoir Safety Enforcement Notice were outstanding and the deadline of 31st August had now expired.

The Environment Agency Officers had written to the owners confirming that the three measures were still outstanding and that the Environment Agency would be undertaking the outstanding works. The Environment Agency were now looking at options and obtaining necessary information to find a way forward. It was difficult to give a timescale for the works at present as it was early in this process and there was a significant amount of work to be done in advance.

The costs of the work would be re-charged to the owners with a Land Charge being placed on the land if necessary. It was queried whether the monies previously charged for tipping could be recovered or whether charges could be imposed for tipping and funds raised in that way. Tony

Deakin responded that all work including costs of Environment Agency time would be charged back to the owners and it was necessary that when the work to bring the soil to the site was undertaken there was certainty about what was being brought in.

Only works which were strictly necessary under the notice could be undertaken and charged back to the owners so there needed to be careful consideration and evidence to support the works required.

The site would need to be surveyed and notice would need to be served to enable this to be undertaken. The owners still had full control over the site, the Environment Agency could not take it over.

12/17

PLANNING UPDATE

Ruth Bamford confirmed that the situation had not changed in that the view taken was that Planning Permission was required and the owners felt it was not. Therefore no application had been submitted.

Now that the Environment Agency was looking to carry out the works the view of the Local Planning Authority remained the same and therefore it was expected that an application for planning permission would be submitted. They could do this even though they were not the owners of the site provided the necessary certificates of ownership accompanied the application.

The planning application process would then commence and would be based solely on the planning merits of the case.

13/17

UPDATE FROM WORCESTERSHIRE REGULATORY SERVICES

In the absence of the officers Tracy Lovejoy provided an update on behalf of Worcestershire Regulatory Services.

In relation to WRS' previous concerns regarding Gas Monitoring, it was confirmed that WRS did not currently have any concerns and considered that the landowner was in compliance with the planning conditions relating to gas management.

The recent EXEA monitoring report "Gas Monitoring Data (June 2017) and Interpretative Report" had been supplied to the Planning Section.

In summary the landowner had employed EXEA Associates Limited to undertake his gas monitoring, interpretation and management in compliance with the existing planning consent. WRS and Bromsgrove District Council had experience of the expertise, knowledge and approach employed by this Company and were satisfied that the information provided to date was accurate with appropriate recommendations. As a result there were no current outstanding issues of concern relating to the routine monitoring of gas at the site.

14/17

ANY OTHER QUESTIONS FROM THE AUDIENCE NOT COVERED IN THE MAIN BODY OF THE MEETING

There were a number of further questions from the Group and from the public which officers responded to, including the following areas:

- The timescale for determining a planning application including public consultation - 13 weeks with typically 3 week consultation period. Officers would work within the deadlines to ensure consultation was as effective as possible;
- Conditions which could be included in any planning permission e.g. types of vehicles and sizes of lorries to be used to deliver material;
- Equipment and vehicles currently stored on the site;
- Calculations of volumes to be deposited on the site, origins of the soil etc.
- How can the expenditure be reclaimed.

15/17

DATES FOR FUTURE MEETINGS

The Chairman confirmed that a further meeting of the Group would be arranged when there was any update on the situation.

The meeting closed at 6.05 p.m.

Chairman