

## Whitecleave Liaison Group Meeting

20<sup>th</sup> May 2015

**Attendees:** Stuart Barker (SB) Devon County Council  
Mike Deaton (MD) Devon County Council  
Charlie Dennis (CD) Teignbridge District Council / Ashburton Town Council  
John Nutley (JN) Teignbridge District Council / Ashburton Town Council  
Graham Smith (GS) Teignbridge District Council – Environmental Health  
Janet Jones (JJ) Buckfastleigh Town Council  
Simon Rines (SR) Buckfastleigh Town Council  
Kathryn Hughes (KH) Buckfastleigh Community Forum  
Georgina Gilpin (GG) Gilpin Demolition Ltd  
Chelsea Gilpin (CG) Gilpin Demolition Ltd

**Agenda:** Item 1 - Welcome and introductions  
Item 2 - Minutes of last meeting  
Item 3 - Review terms of reference for benefit of new members  
Item 4 - Site Operations  
Item 5 - Complaints Received  
Item 6 - Update on noise monitoring  
Item 7 - Any other business  
Item 8 - Date and time of next meeting

### **Item 1 - Welcome and introduction & site visit**

All current and new members to the Liaison Group were introduced before member's detailed area of specific interest to cover during site visit. This included general plans for the site, identified storage blocks and the generation of noise on site through various activities.

During the walk about site visit GG identified to all attendees linear demarcation of the bat route, previous clearance works (for both previous tenant & current), the wedge failure rock fall to the face of the quarry, identified storage areas, ecological mitigation in place, SSSI overlay with the site (as far as practicable) and areas of proposed works. Attendees had the benefit of plans and maps and took their own photographs at will.

### **Item 2 – Minutes of last meeting**

KH noted that in the meeting minutes from 18<sup>th</sup> December 2012 there was an inaccurate point recorded. Therein stated that no waste would be imported to site in contradiction to previous document point 7.1 regarding waste material having been imported. SR wanted to note that minutes were sometimes used as a point of reference and needed to be correct.

*Revised addition post LLC meeting 09 07 2015 to agree minutes.*

*KH requested that Section 171A of the Town and Country Planning Act which sets out expressions used in connection with enforcement and asked for this to be included in the minutes. Section 171A says:*

**171A Expressions used in connection with enforcement.**

*(1) For the purposes of this Act—*

*(a) carrying out development without the required planning permission; or*

*(b) failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control.*

SB stated that whilst the information recorded in the minutes was correct in respect of what had been said in the meeting it does not evidence the facts, which was not raised in April 2013 later meeting. With this in mind it was agreed by attendees that meetings are to be on a regular basis with greater consistency of members and for meeting minutes to be circulated between members prior to next meeting and to be made available to the public domain once agreed.

**Item 3 – Terms of reference**

It was noted that the LLC meeting had now been made available to representation from Buckfastleigh Community Forum.

KH requested time to review terms of reference and propose possible amendments in the next meeting.

It was agreed that consistency should be maintained by nominated members attending meetings. All members should nominate alternative persons to attend if they are unable to.

Mike Deaton informed that the Teignbridge District Council and Environment Agency will no longer be attending LLC meeting nor be represented. Meeting minutes will still be made available.

**Item 4 – Site Operations**

GG updated the attendees on recent operations site. Works on Block D have ceased temporarily for ecological constraints. Crushing continues in the void space and works to clear the shelf above Block D will happen shortly. Simon Rines asked whether possible to submit a schedule to the Town Clarke to advise community of proposed works on Block D and possible noise impacts. GG agreed.

**Item 5 – Complaints Received**

MD informed group of various complaints of which there were two prominent activities causing issue.

Firstly, noise impact from the use of hydraulic hammering during extraction on Block D. It has been agreed with DCC and the operator that further extraction will be undertaken with an agreement for monitoring the sound to remain below the permitted noise level.

GS stated that he had undertaken various noise recordings in the past and the operator had not exceeded the limits on an average of 53/54 db.

Secondly complaints regarding parking vehicles and or plant items on the drive of the site. It was determined that the mentioned incident of parking a boat for repair on the site was not change of using with regards to the planning permission in place.

KH recalled storage at the workshop / western haul road 21<sup>st</sup> august 2014 against consent. Again on the 27<sup>th</sup> January 2015 items of heavy plant parked on site in non designated area.

GG agreed the items were stationary and subsequently moved to storage area as per consent. It is the most efficient use of the site and equipment.

KH continued with the complaint put in to Devon County Council reference the issue stating the parking of vehicles and or plant was in breach of consent with regards to point 1.7.1 part A – a development within out planning and part B failure to comply with limitations granted. Planning permission 2014 states that all demolition machines to be stored in designated area. KH felt that the complaint had not been fully answered.

MD in response to the above stated it was not determined a breach of palnning by Devon County Council as it is a matter of storage or parking. Stating that scale and degree must be applied to determine the matter of a breach of planning permission.

12:30 Janet Jones left the meeting

KH asked for details of the complaints process expressing that if an individual does not feel a complaint has been heard or dealt with appropriately this could leave a ongoing negative impact.

SB explained that there is a complaints procedure that must be followed and all complaints are referred to a specified complaints department where the appropriate action can be taken to rectify the issue. Admittedly there has been some confusion whether various complaints are statutory nuisance or breach of planning permission and therefore the correct authority to contact. Ie TDC or DCC It was determined that noise levels are set by the planning permission and therefore noise issues should be referred to Devon County Council complaints department.

Concern was raised for the number of non-viable complaint made and their burden on various authorities and individuals.

MD informed of a current trial and further work on a Public Complaints Log in a digital and/or hardcopy format detailing outstanding complaints and previous complaints with how they have been rectified. This is to be issued to the Town Council, Devon County Council, Operator, Buckfastleigh Community Forum and LLC member for further distribution to the community.

## **Item 6 – Update on noise monitoring**

GS stated with reference to the latest complaint of noise impact with regards to the Block D extraction, if there is no line of sight there is dramatically less complaint on works on site. Block D is however visible from the town and increased complaints were noted from this. The same method of extraction has been use in other area of the site with no breach of noise.

Simon Rines queries whether the extraction of Block D will resultantly make future works have a greater impact through removing Block D as a sound Barrier.

GS concluded that there are vast variables with regards to noise and impact, Block D does not necessarily act as a sound barrier. The noise impact from working on Block D is a reflection of sound not sound bouncing back between the quarry void walls the wall of Block D within the void.

GG added that there will need to be testing for work to commence on Block D. The alternative and easiest method would be to blast the area which would reduce duration of ongoing work on Block D but previous complaints has meant this method would need extensive monitoring and expense would outweigh this method.

12:50 Kathryn Hughes and Simon Rines left meeting

#### **Item 7 – Any other business**

GG commented that the ROMP review for the site is in 2017. Communication with the wider community could be via the local news sheet as well as the Council offices and websites.

#### **Item 8 – Date and time of next meeting**

Next meeting was proposed for Thursday 9<sup>th</sup> July 2015 at 10:00am to be held at Whitecleave Quarry. All remaining attendees agreed this date.