

Division Affected – Chalgrove & Watlington

PLANNING AND REGULATION COMMITTEE

Date 31st March 2025

**Application for a Certificate of Lawfulness of Existing Use or Development
for retention of a Waste Transfer Station**

Report by Planning Development Manager

Contact Officer: Enya Dale **Tel:** 07548 103526

Location: Rumbolds Pit, Eyres Lane, Ewelme Wallingford,
Oxfordshire, OX10 6HF

Applicant: Hazell and Jefferies Ltd

Application No: MW.0171/23 **District Reference:** P23/S4255/CM

Application received date: 5th December 2023

Consultation Period: 15th December 2023 – 7th January 2024
13th February 2025 – 7th March 2025

District Council Area: South Oxfordshire

Introduction and Background

1. This application seeks to gain a Certificate of Lawfulness of Existing Use or Development (CLEUD) under Section 191 of the Town & Country Planning Act 1990 (“the 1990 Act”) as amended. The applicant claims that the land has been in use for over 10 years as a waste transfer station at the date of the application (5th December 2023).
2. The application was originally reported to the meeting of Planning and Regulation committee on 25th November 2024 where the consideration of the application was deferred to allow for further evidence to be submitted.
3. This report should be read in conjunction with the initial report and report addenda provided to Planning and Regulation Committee on 25th November 2024.
4. The committee report, report addenda and minutes from 25th November 2024 Planning and Regulation Committee can be found on

the County Council's website: [Agenda for Planning & Regulation Committee on Monday, 25 November 2024, 2.00 pm | Oxfordshire County Council](#)

Submitted Additional Evidence

5. On 24th January 2025 the applicant submitted two additional statutory declarations to support the claimed uses and operational development to be covered in the certificate and to address limitations proposed by officers. Both statutory declarations can be viewed in Appendices E and F of this report. Details of the claimed uses and operational development and the proposed limitations can be found in paragraphs 13 and 47 of the previous committee report.

The additional submitted evidence, along with all initial evidence submitted for the application (other than Appendix G which contains personal information), are available to view on the County Council's applications website: [Planning Register | Oxfordshire County Council](#) .

6. The County Councillor for Benson and Cholsey, County Councillor for Chalgrove and Watlington, District Council, Benson Parish Council, Ewelme Parish Council and the Environment Agency were consulted on the additional evidence and invited to submit any additional evidence that they held to demonstrate on the balance of probabilities whether the use(s) claimed had or had not been ongoing for a period of ten years. A summary of the responses are as follows:
7. County Councillor for Benson and Cholsey – No response received
8. County Councillor for Chalgrove and Watlington – Objection

The applicant has only been able to produce statutory declarations from its employees. No evidence in the form of photo, invoices, bills, letters, etc. have been provided.

I do not believe the additional statutory declarations should be considered sufficient evidence without supporting data; they cannot be corroborated.

Given this decision should only be taken on the basis of the evidence and no other planning considerations, the officers original recommendation set out in Schedule 1 and 2 with the limitations laid out should be accepted by the Planning and Regulation Committee when it next convenes on this application.

If the applicant wishes to change the use of the land and its operating hours a new planning application should be made on this basis, rather than as a certificate of existing and lawful use.

I note the comments of South Oxfordshire District Council, which restates its position that 'it would seem on the balance of probabilities test it is not met at this stage'.

9. South Oxfordshire District Council – Comments dated 24th January 2024 remain.
10. Benson Parish Council - Objection

Benson Parish Council is very concerned about the increasing number of Skip and Planing HGV's passing through Benson (using Watlington Road, Castle Square, Oxford Road and Church Road) on their way to and from Hazell & Jefferies' Rumbolds Pit site on Eyres Lane. We concur fully with the comments made by Ewelme Parish Council in their responses to the CLEUD and, on Friday 7th March 2025, we ran our own full day vehicle count exercise to establish whether the levels of H&J HGV traffic passing through Benson were commensurate with those experienced by Ewelme. Given that H&J has a duty to share the traffic evenly between the two parishes, it came as no surprise to us to find that we recorded almost identical results to Ewelme's - 80 trips in total. Based on a single day count, it is clear:

- The combined daily total of trips across Benson and Ewelme is likely to be around 160 - over 3 times the 50 daily trips allowed under the CLEUD
- The Planings traffic is much more significant than the Skips traffic (as everyone along the route has always contended) - in our single day exercise, Planings HGV's accounted for over 75% of the total traffic
- The failure by the contractor to provide any data on Planings traffic seems evasive and is simply not acceptable.

The growth of the business has reached a point where all parties need to review honestly and pragmatically whether it has outgrown this particular site. In our view, the appropriate way to address this question is not in a review to extend an existing and outdated CLEUD certificate, but via a planning application, including a public hearing if needs be.

11. Ewelme Parish Council – Objection

The main concern of Ewelme Parish Council (EPC) throughout this process has been the number of HGVs entering and leaving the site, and the disturbance and danger they represent upon the narrow roads through Ewelme. The new statements offered by Mr Miles and Mr Daniel do not include any further information on the history of overall vehicle numbers. Our earlier objections and observations, and our support for the conditions limiting vehicle numbers which were proposed by OCC and were tabled at the meeting on November 25 last, should remain on record. We have

provided a brief summary note on the EPC observations on the level of HGV traffic; we would be grateful if this could be given consideration.

With respect to staff being accommodated on the site, we are concerned that this represents a change in the nature of the operation. The only specific mention within the statements is of numbers of staff accommodated on site in 2009, well before the ten-year period of reference for the CLEUD currently under consideration. This seems to be a rather thin evidence base for including staff accommodation within the list of activities allowed by the CLEUD. EPC can offer no specific information on staff accommodation on site.

Similarly, the evidence offered for the level of night-time operation seems to be notably non-specific. Some recent night-time vehicle movements (February 2025) have caused significant disturbance to residents along the route used. We would be very concerned if the schedule of operations recognised under the CLEUD were to include frequent night operation of trucks to and from the site, without very specific information on the extent to which this had in fact taken place in the reference period of ten years ending on December 5 2023.

12. Environment Agency – No comment

Third Party Responses

13. No third-party responses were received during the consultation of the additional evidence.

The Approach to the Consideration of this Application

14. As set out in paragraph 23 in the initial committee report (dated 25/11/2024), the application rests upon the examination of evidence and not matters of planning judgement, planning merit or planning policy.
15. The applicant must demonstrate on the balance of probabilities that a material change of use (including any ancillary operational development) of the planning unit has taken place over a continuous period of ten years preceding the date of the application.

Analysis - Comments of the Planning Development Manager

16. Further to the Committee's decision on the 25th November 2024 to defer for the applicant to submit further evidence, the additional evidence submitted has covered matters concerning hours of operation, overnight operations and residential use. I will address each matter in turn.

Hours of Operation:

17. Statutory declarations provided by Mr Miles and Mr Daniel state the typical daily hours which the site has operated within in the last ten years. On the

basis of this additional evidence, officers recommend that the hours of operation are finalised to:

Gates open for the receipt and export of waste and recycled materials and for site operations:

Between 0600 hours and 1900 hours Mondays to Fridays; and

Between 0600 hours and 1500 hours Saturdays.

Gates closed other than for staff access and the site operates solely for maintenance functions:

Between 1500 hours and 2100 hours Saturdays; and

Between 0900 hours and 1300 hours Sundays and Bank Holidays

18. The First Schedule limitations have been revised to reflect these hours.
19. Mr Miles' Statutory declaration sets out the types of activities which are undertaken when the gates are closed. These have been set out in the First Schedule limitations.

Over Night Operations:

20. Statutory declarations by Mr Miles and Mr Daniel provide some detail on the overnight operations which take place occasionally at the waste transfer station. There is a lack of sufficient and precise evidence to show that the site has been operating overnight continuously for the relevant ten years period. Therefore, overnight operations are not recommended to be included within the scope of the certificate. Operating hours at The Land will be restricted to those set out above.

Residential use:

21. Statutory declarations provided by Mr Miles and Mr Daniel along with the council's own internal evidence is now considered to demonstrate that on the balance of probabilities there has been the 'stationing of mobile trailer type living accommodation units for operatives based at the waste transfer station and recycling centre'. This supports the applicants claim (f) and therefore has been scoped into the First Schedule.
22. Limitations regarding the living accommodation have been set out in the First Schedule. Only staff members who work at the waste transfer station reside in this accommodation and a maximum of 4 members of staff have consistently done so. A maximum of two 'mobile trailer accommodation units' are stationed within the Land at any one time. A map has been provided in Appendix C to demonstrate where the mobile trailers are located (and have been located for the last ten years).
23. Statutory declarations provided by Mr Miles and Mr Daniel along with the council's own internal evidence can establish that, on the balance of

probabilities, there has been a permanent building onsite. The building is associated with the residential use - being a single storey concrete block structure providing two WCs, two shower cubicles, a mess room and a laundry room fitted with a washing machine and dryer.

24. Limitations regarding the permanent structure have been set out within the First Schedule. A map has been provided within Appendix B to demonstrate where the permanent building is located.

Conclusion

25. The additional evidence provided for the application has altered the recommendation which was previously put forward to committee on 25th November 2024. Whilst the principles of the Officer's recommendation remain as was put forward to committee on 25th November 2024, the claimed uses set out in the First Schedule have been amended to include residential use and development on the Land as there is sufficient evidence that the claimed use and development has been present on the Land for the past 10 years.
26. The additional evidence provided to the application has identified additional limitations necessary for the inclusion in the First Schedule of the Certificate. Additional limitations include those relating to the residential use and development on the Land. Alterations have been made to the limitation specifying the hours of operation.

Financial Implications

27. Not applicable as the financial interests of the County Council are not relevant to the determination of planning applications.

Legal Implications

28. Legal comments and advice have been incorporated into the report.

Equality & Inclusion Implications

29. In accordance with Section 149 of the Equality Act 2010, in considering this proposal, due regard has been had to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

30. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

RECOMMENDATION

31. **It is RECOMMENDED that a Certificate of Lawful Existing Use or Development is GRANTED for the MW.0171/23 application site (as shown edged red on the Location Plan within Appendix 1 and described in the Certificate as “the Land”), for the uses indicatively set out in the First Schedule below. Final wording of the Certificate to be delegated to the Planning Development Manager in consultation with the Director of Law and Governance.**
32. **The claimed uses, as set out in Schedule 1, are considered lawful within the meaning of Section 191(2) of the 1990 Act. Oxfordshire County Council considers that there is, on the balance of probabilities, sufficient evidence that the claimed use has been carried out on the Land for the past 10 years. The issue of a Certificate of Lawful Existing Use and Development on the terms set out below is accordingly justified.**

First Schedule

The uses hereby certified as lawful are:

- (a) The receipt of waste via HGV skip lorries, tipper lorries, agriculture tractors and trailers and light goods vehicles (including vans and pickup trucks only) with or without trailers.
- (b) Sorting and segregating waste material by various mechanical methods and processes (as set out in description c) for either transfer off site as waste to other processors or landfill, or for recycling on site by crushing, grading and washing to produce usable secondary aggregates for the building, construction and civil engineering industries.
- (c) Stationing of both static and mobile plant and machinery at the land for use in receiving, unloading, handling, moving, stockpiling, sorting, segregating, grading, crushing and loading waste and recycled materials at the land. Such plant and machinery only includes conveyor belt apparatus, crusher, loading shovel, rubber duck, 3 way screener, generator and tractor.
- (d) Parking and maintenance of HGV tipper lorries and skip lorries used in connection with the waste transfer station.
- (e) Stationing of mobile Portacabin type offices for use in connection with the management and operation of the waste transfer station.
- (f) Stationing of 2 x mobile trailer type living accommodation units for

operatives working on The Land.

Throughout this Certificate the uses set out above are referred to collectively as a “waste transfer station.”

Subject to the following identified limitations

General limitations:

- The amount of waste received on the Land does not exceed 16,406 tonnes per annum.
- No materials stored on the Land are stored at a height exceeding the height of the surrounding bunds.
- The gates to the Land are open for the receipt and export of waste and recycled materials and for site operations:
Between 0600 hours and 1900 hours Mondays to Fridays; and
Between 0600 hours and 1500 hours Saturdays.
- The gates to the Land are closed other than for staff access and the Land operates solely for maintenance functions:
Between 1500 hours and 2100 hours Saturdays; and
Between 0900 hours and 1300 hours Sundays and Bank Holidays
- Maintenance functions are limited to, clearing drains, cleaning the weighbridge pit, repair & maintenance of concrete hardstanding, toilet and messroom cleaning, repainting and reorganising unprocessed waste, processing equipment repair and vehicle repairs.
- There are no more than 50 movements per day (25 in 25 out) of operational vehicles into and out of the Land.
- There are no more than 14 movements per day (7 in 7 out) of vehicles relating to staff movements into and out of the Land.
- There are no more than 19 employees at the site.
- All materials stored on the land are not processed by mechanical means other than by using plant and machinery stored on the Land.
- The static and mobile plant stationed on the Land are only used in connection with the Waste Transfer Station.
- One conveyor belt apparatus is stored at the site and operated on the Land. The conveyor belt apparatus is only used in connection with the Waste Transfer Station.
- One Tractor is stored at the site and operated on the Land. The Tractor is only used in connection with the Waste Transfer Station.
- One 360-degree excavator is operated on the Land. This 360-degree excavator is only be used in connection with the Waste Transfer Station.
- One screening plant is stored at the site and is operated on the Land. This screening plant is only used in connection with the Waste Transfer Station.
- One crusher is stored at the site and is operated on the Land. This crusher is only used in connection with the Waste Transfer Station.
- One loading shovel is stored at the site and operated on the Land. This loading shovel is only used in connection with the Waste Transfer Station.
- One generator is stored at the site and operated on the Land. This generator is only used in connection with the Waste Transfer Station.
- Only seven 18 tonne skip HGVs are parked and maintained at the site and

- operated from the Land.
- Only two 7.5 tonne Canter HGVs are parked and maintained at the site and operated from the Land.
- Only one 32 tonne HGV tipper is parked and maintained at the site and operated from the Land.
- Two Portacabins, used only for office use, are located on the site. One on the western boundary and one to the east of the Land.
- Two mobile trailers, used only for residential purposes, are located on the site. The trailers are in the location as shown in Appendix C of this report. A maximum of four members of staff who work at the Land reside in this accommodation at any one time.
- The permanent structure, as shown in Appendix B of this report, is only used as an ancillary use to the residential accommodation on the Land. The structure is a single storey concrete block which provides two WCs, two shower cubicles, a mess room and a laundry room fitted with a washing machine and dryer.

Limitations relating specifically to waste materials:

- Waste materials are transferred onto The Land broadly in the following proportions:

Mixed construction and demolition (70%)
 Soils and stones (minor non-hazardous) (16%)
 Wood (3%)
 Mixed metals (1%)
 Gypsum based construction material (4%)
 Mixed municipal waste (6%)

Reasons:

The details provided by the applicant, third parties, site visits, aerial photographs and the Council's files demonstrate on the balance of probabilities that the uses and associated operational development described in the First Schedule to this certificate have been continued on the Land for a period of 10 years preceding the application date of the 5th December 2023.

Second Schedule

The uses hereby certified as not lawful are:

- Plant and machinery including a 'grab or magnet type machine' and 'trommel' stored and operated on the Land.
- Parking and maintenance of a road sweeper used in connection with the Waste Transfer Station on the Land.

Reasons:

The uses set out in the Second Schedule have not been demonstrated on the balance of probabilities to be lawful uses within the meaning of section 191(2) of the 1990 Act as there is insufficient evidence that they have been carried out on the Land with sufficient continuity over a ten year period to preclude enforcement action for the breach of planning control.

For the avoidance of doubt this Certificate relates to the area shown on the plan submitted with the application, included within Appendix A of this report, but does not control either of the following areas within the planning unit shown in blue on the plan within Appendix D:

- i) the use of the land to the south which is the subject of planning permission no. P17/S4066/CM (MW.0098/17) for *“change of use for the storage of recycled material on land to the south of the primary working area. In addition to storage of recycled materials it is proposed to store empty waste skips in the ancillary area;”* or
- ii) the use of the land to the north which is the subject of planning permission no. P17/S4069/CM (MW.0099/17) for *“change of use of a small part of the application site to allow motor vehicles to park on land to the north of the primary working areas.”*

Appendix A – Location Plan



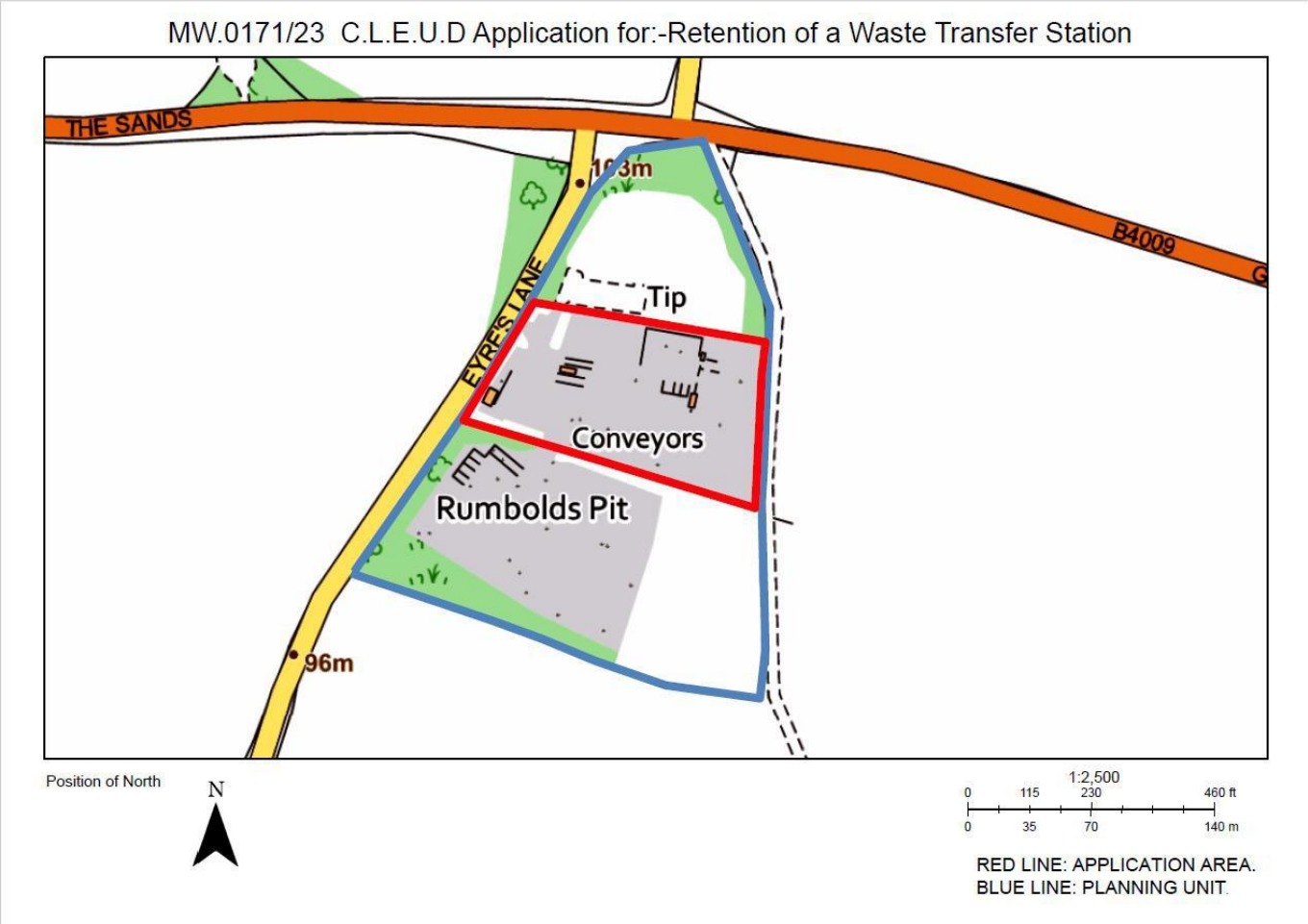
Appendix B – Permanent Structure Location



Appendix C – Mobile Trailer Locations



Appendix D – Planning Unit



Appendix E – Mr Miles Statutory Declaration

I, Kenneth Charles Miles of [REDACTED] do

SOLEMNLY AND SINCERELY DECLARE as follows:

- 1 I am employed by Hazell and Jefferies Ltd (hereinafter referred to as 'the Applicant') whose registered office is situated at Mount Pleasant Farm, Coombe End, Whitchurch Hill, Pangbourne, Reading, RG8 7TB. The Applicant is engaged in public works and civil engineering construction as well as the operation of a waste transfer station situated at Rumbolds Pit, Eyres Lane, Ewelme, Oxfordshire, OX10 6HF
- 2 I make this statutory declaration in support of an application for a Certificate of Lawfulness of Existing Use or Development in respect of the existing use of the waste transfer station at Rumbolds Pit, Ewelme (hereinafter referred to as 'the application site'). The application was made to Oxfordshire County Council (OCC) in its capacity as waste and minerals planning authority. The application was given the reference number MW.0171/23 by OCC.
- 3 The application was made for the continued use of land as a waste transfer station and recycling centre, full details of which were provided with the application. I am familiar with the application details and believe that the application details represent a fair and accurate description of the activities which have taken place on the application site for a period of almost 20 years.
- 4 I have been employed by the Applicant for about 40 years. For about the past 20 years I have been based full time at the application site. My position is that of Senior Supervisor.
- 5 I first inspected the application site at about the end of 2003 when the applicant was in the process of purchasing the site. I worked with [REDACTED]

██████████ to devise the working plan for the application site. At that time the application site was owned and operated by ██████████. Under ██████████ ownership the application site was operated in a haphazard and inefficient manner. It was also visually intrusive; in fact, it was a complete eyesore. ██████████ then sold the site to the Applicant. I do not recall the exact date of the sale but it was in or about the end of 2003. I was then responsible for the implementation of the working plan immediately the application site had been purchased by the Applicant.

Application Site Workers' Temporary Living Accommodation

- 6 Recruiting labour to operate equipment and generally to work within the application site was initially quite difficult. From 1st May 2005 the applicant began recruiting foreign labour, mainly from Eastern Europe. In order to attract such foreign workers, it was necessary to provide caravan type temporary accommodation on the application site.
- 7 From 2005 to date foreign workers have used temporary site accommodation. There are usually between 4 and 6 workers living on the application site at any time. Workers have been accommodated on site continuously since 2005.
- 8 To ensure a high standard of living arrangements, a single storey, concrete block structure which existed on the application site at the time the application site was purchased and used as a WC and welfare room, was renovated in 2005. The renovations consisted of the provision of 2 No WCs, 2 No shower cubicles, a mess room and a laundry room fitted with a washing machine and dryer.
- 9 Some workers have gone on from use of the temporary site accommodation to rent property locally and remain employed at the application site, others have returned home or moved elsewhere.

- 10 In general, I would say the temporary site accommodation has been used as a 'stepping stone' for foreign workers. The accommodation has been a valuable recruitment aid.
- 11 It has always been made clear to foreign workers that the on-site accommodation was a temporary arrangement for each worker to allow them to find more permanent accommodation locally. I believe that this arrangement has helped many good and reliable foreign workers settle in the UK. The Applicant has secured the services of some excellent workers because of the arrangement.
- 12 Waste transfer stations in general are a target for thefts and vandalism. Whilst workers have been living on site this problem has been minimized. I recall that [REDACTED] had a theft and security problem which he also resolved by having people live on the application site. It is a condition of employment that the workers living on the application site provide security duties.

Application site working hours

- 13 It is generally the case that I am first to arrive at the application site each morning. I usually arrive at 5.45 am and I ensure that the application site entrance gates are open just before 6.00 am each day from and including Monday to Saturday.
- 14 The normal operating hours for the receipt of waste for processing is normally 6.00 am until 7.00 pm Monday to Friday. On Saturday waste is received from 6.00 am until 3.00 pm. The waste is received via the Applicant's own skip lorries. The Applicant's own tipper trucks and third party vehicles.
- 15 Maintenance of plant, equipment, and vehicles generally takes place each Saturday afternoon. In the summer months the maintenance can

go on until 9.00 pm or so, but it is usual to try to finish Saturday maintenance by 7.00 pm

- 16 Each Sunday infrastructure repair and maintenance takes place. This involves cleaning drains, cleaning the weighbridge pit, repair, and maintenance of concrete hardstandings, toilet and messroom cleaning and repainting, and reorganizing unprocessed waste to ensure internal routes are clear. Any major processing equipment repairs are also undertaken on Sundays as well as the larger repairs to vehicles.
- 17 Whilst maintenance and repairs are ongoing on Saturday afternoons and each Sunday the roadside gates are kept closed.

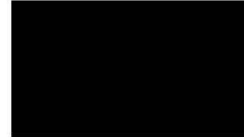
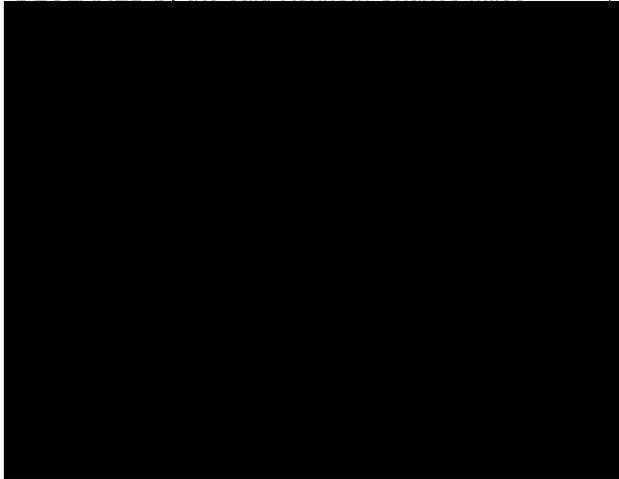
Night shift working

- 18 An exception to the above hours is when night shifts are worked.
- 19 It is very often the case that motorway and trunk road maintenance occurs overnight. The Applicant is very often engaged in these works, e.g. on M4, M40, A404, A34, and is charged with, among other public works tasks, of removing road planings overnight by tipper lorry from motorway and trunk road maintenance sites.
- 20 These removal works are generally undertaken from about 8.00 pm until about 6.00 am and can occur on any night of the week. The planings are considered by the EA to be a waste. Consequentially, the road planings are tipped at the application site. The material is brought to the application site overnight for processing on the next working day.
- 21 There is no regular pattern to night shift planings deliveries. The work is sporadic. It could occur as a single night in any particular week, or several consecutive nights in a week. I would estimate that night shift waste planings deliveries to the application site take place on about 80

nights per year as a maximum. Some years it is less but I cannot be more accurate as the work is very sporadic.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835

DECLARED by the said Kenneth Charles Miles)



FIELD SEYMOURPARKES LLP
1 LONDON STREET
READING
RG14PN

Appendix F – Mr Daniel Statutory Declaration

I, Miroslav Daniel of [REDACTED]

[REDACTED] do SOLEMNLY AND SINCERELY

DECLARE as follows:

- 1 I am employed by Hazell and Jefferies Ltd (hereinafter referred to as 'the Applicant') whose registered office is situated at Mount Pleasant Farm, Coombe End, Whitchurch Hill, Pangbourne, Reading, RG8 7TB. The Applicant is engaged in public works and civil engineering construction as well as the operation of a waste transfer station situated at Rumbolds Pit, Eyres Lane, Ewelme, Oxfordshire, OX10 6HF
- 2 I make this statutory declaration in support of an application for a Certificate of Lawfulness of Existing Use or Development in respect of the existing use of the waste transfer station at Rumbolds Pit, Ewelme (hereinafter referred to as 'the application site'). The application was made to Oxfordshire County Council (OCC) in its capacity as waste and minerals planning authority. The application was given the reference number MW.0171/23 by OCC.
- 3 The application was made for the continued use of land as a waste transfer station and recycling centre. I understand that full details of the existing use were provided with the application. I am familiar with the application site and all the commercial activities which take place there.
- 4 I have been employed by the Applicant since May 2004. I have been based full time at the application site, without interruption, from the time I started to work for the Applicant. My position is that of Site Foreman.

- 5 When I first came to the UK from the [REDACTED] to work at the application site my living accommodation for the first 7 or 8 months was a room in [REDACTED] house in [REDACTED]. A space then came up in the living accommodation on the application site and I took it. I lived on the application site in a living unit from about January 2005 until sometime in about 2008. I was then offered a caravan at [REDACTED] and have lived there ever since.
- 6 Whilst I lived on the application site there were three other workers from the [REDACTED] living there. These were [REDACTED]
- 7 Workers using the onsite living accommodation have changed over the years. For the period from January 2005 to date the onsite living units have been occupied by people working at the application site. Usually there have been variously 4, 5 or 6 people in occupation. Some have been agency staff who have used the accommodation for short periods, others have been long term staff like myself who have used the accommodation for several years.
- 8 The temporary accommodation is in the form of purpose made construction site living units. These units are built as trailers and can be moved by a towing vehicle.
- 9 I now turn to the application site working hours. For the entire period I have worked at the application site the morning starting time has always been 6.00 am. Usually, we aim to finish by 7.00 pm each evening. On Saturdays we aim to close the gates to traffic by about 3.00 pm but often people are working in the application site after this time, although the gates are normally closed at about 3.00pm
- 10 Most Sundays maintenance work is carried out but the gates are closed and deliveries usually not accepted. The exception to this is when road plannings are coming in to the application site from major

road maintenance contracts. These contracts usually take place overnight. When these contracts are running the application site must take the road plannings whatever time they come in. The normal pattern is for road planning to start arriving at about 8.00 pm and the deliveries go on until the early hours of the morning or often through until 6 or even 7 am.

- 11 The road plannings deliveries are erratic. Some months it is possible that none will arrive and in other months deliveries could occur on 10 or 12 nights.
- 12 The recycling plant does not work at night, but when road plannings are being delivered the yard lights are on for safety and one or two wheeled loading shovels may be employed stockpiling the road plannings

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835

DECLARED by the said Miroslav Daniel)



FIELD SEYMOUR PARKES LLr
1 LONDON STREET
READING
RG1 4PN