



Cllr Mike Goodman
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The Rt Hon Theresa Villiers MP
Secretary of State for Environment, Food & Rural Affairs
Department for Environment, Food and Rural Affairs
Nobel House
17 Smith Square
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Wednesday 2 October 2019

Dear Theresa,

Waste Crime and Enforcement in Surrey

I hope this letter finds you well. I have recently visited a number of unauthorised waste sites with Surrey County Council's Planning Enforcement Team. Having seen the number and the scale of some of these sites for myself, I am extremely concerned that, whilst Planning Enforcement Officers are extremely diligent in locating and addressing the planning implications, the law does not appear to be appropriately dealing with the environmental issues generated by such development.

It is my personal mission as Environment Portfolio Holder for the County Council to ensure that we leave the environment in a better position than when we found it, and in respect of unlawful waste activity in Surrey, this is currently not the case.

Surrey County Council gained a successful prosecution for non-compliance with an enforcement notice at a site near Guildford in November 2018. There are no waste exemptions or environmental permits in place for any of the long-standing waste management activities undertaken on the site.

The site abuts the sensitive Thames Basin Heaths Special Protection Area to the south which also includes the Thursley, Ash, Pirbright and Chobham Special Area of Conservation; and the Ash to Brookwood Heaths Site of Special Scientific Interest. The site is also located on a minor aquifer designated for its vulnerability and sits adjacent to a network of watercourses which feed into the Basingstoke Canal some 860m to the north.

Despite the County Council's successful prosecution, the site continues to be used to dispose of and stockpile a range of waste material including commercial and industrial waste and possibly hazardous waste, including asbestos. Moreover, there have been one or more fuel companies operating on the site for several years without apparent regulation. Regular and consistent burning of waste materials also takes place on the site to which the Surrey Fire and Rescue Service has attended on several occasions. The site has also been used to repair (and possibly break) vehicles. Several people continue to live in caravans on the site.

Environment Agency officers supported the County Council prosecution and one of the vehicles involved in tipping activities was recently impounded, however there has been no action to prosecute any of the individuals involved for waste activities and I fear, that unless and until this happens, activity at this site will not cease.

A long-standing unauthorised waste site in the Green Belt near Cobham was recently issued with a waste permit, despite the Environment Agency knowing that there is no planning permission in place and that the County Council is intending to take planning enforcement action. Unfortunately, since the permit was granted the operator has accelerated operations on the site causing significant amenity impacts on local residents.

When residents have complained to the Environment Agency, particularly in respect of the noise and vibration from HGVs accessing the site on the highway, they have been told that is not a permitting matter. This is unhelpful especially as the grant of the permit is the cause of these increased impacts. Whilst I appreciate that planning and waste permitting are separate regimes, they should surely be complimentary, and the issuing of permits on unauthorised sites really does undermine the efforts of the planning authority and diminish residents' quality of life.

It is clear that the Environment Agency does not have the resources to tackle this epidemic and it is left to local authorities to pick up the pieces, where we can. The planning system is largely impotent to rectify matters where those who decide to ignore the rules seem to be able to carry on with impunity. The Environment Agency's scarce resources mean that they have to prioritise. Unfortunately, their priorities do not include sites that are currently causing problems in Surrey. The impact on the environment, the countryside, the Green Belt and on local residents is unacceptable and intolerable.

The 25 year environment plan is the most important environmental document in a generation. However, the issue of unauthorised waste sites will continue to stop councils throughout the UK delivering the ambitious targets set out in this document unless changes can be agreed.

In my view urgent Government action is needed to ensure that all regulatory bodies work with one another in a complimentary manner and are given adequate resources to deal with these matters. Specifically, it is Surrey County Council's view that waste permits should only be issued when express planning permission or a Certificate of Lawful Use exists. Additionally, I would argue it is imperative that Environment Agency capacity and resources be directed to assisting councils in addressing problem sites or that alternatively councils are emboldened through the devolution of prosecution powers to undertake local prevention and enforcement.

We at the County Council are determined to work with the Environment Agency, Government and other public bodies in the spirit of partnership in order to reverse the damaging effects that this is having on the environment and our communities.

If you wish to discuss this issue in more detail or indeed see first-hand some of the damaging impacts I have outlined above, I am more than happy to show you some of the sites in the county. I am copying this letter to all constituency MPs in the county for their information. I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mike Goodman', with a stylized flourish at the end.

Mike Goodman
Cabinet Member for Environment and Waste