

AT A MEETING of the Regulatory Committee of HAMPSHIRE COUNTY  
COUNCIL held in Ashburton Hall, Winchester on Wednesday, 18th October,  
2017

Chairman:

\* Councillor Peter Latham

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|---------------------------------|----------------------------------|
| * Councillor Judith Grajewski   | * Councillor Alexis McEvoy       |
| * Councillor Christopher Carter | * Councillor Russell Oppenheimer |
| * Councillor Charles Choudhary  | * Councillor Stephen Philpott    |
| * Councillor Mark Cooper        | * Councillor Roger Price         |
| * Councillor Roland Dibbs       | * Councillor Lance Quantrill     |
| Councillor Jane Frankum         | * Councillor David Simpson       |
| * Councillor Marge Harvey       | Councillor Roger Huxstep         |
| * Councillor Keith House        | Councillor Wayne Irish           |
| * Councillor Gary Hughes        | Councillor Michael Westbrook     |

\*Present

**14. APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Jane Frankum.

**15. DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

**16. MINUTES OF PREVIOUS MEETING**

The minutes of the last meeting were reviewed and agreed

**17. DEPUTATIONS**

The deputation procedure was explained. Five deputations had been received for the meeting, and it was confirmed that each deputation would have a maximum of 10 minutes to speak.

18. **CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's announcements.

19. **BASINGSTOKE ANAEROBIC DIGESTION (AD) FACILITY DUMMER**

Committee considered a report from the Head of Strategic Planning (Item 6 in the Minute Book) regarding a change of condition to increase vehicle movements at the Basingstoke AD Plant in Dummer, Basingstoke. An update report had been circulated to Members of the Committee, which included additional information submitted by the applicant with regards to the Traffic Management Plan.

Members were given a brief introduction to the site and it was highlighted that the purpose of the application was only for the change in Condition regarding vehicle movements. The officer summarised the history of the site and confirmed that a temporary permission had been granted in 2016 allowing an increase from 22 to 38 HGV movements and for the site to be monitored with CCTV to ensure that conditions were being met regarding the number of movements and the time of day they occurred. Committee was shown the location of the site and the routes used by the HGVs. It was confirmed that one automatic number plate recognition (ANPR) camera had initially been installed, but that a second was later added to ensure more reliable and accurate information. Breaches of condition had been identified and were included in the Members reports, along with a summary of complaints received.

The Committee received five deputations on this item. Local resident Sam Weller was concerned that the HGVs travelled along such a busy road with major crossing points for children at the nearby school. It was felt that the HGVs regularly went against the conditions set for timings and there were some discrepancies with what had been recorded. Bill Holt, another local resident, had concerns over the CCTV data provided and also the speed of vehicles travelling along the main road. He had provided the Committee with additional information including photographs. Councillor Terri Reid from Basingstoke and Deane Borough Council told Committee that local residents had worked hard with the application to get an agreement sorted through the liaison panel. The focus was on the safety of local residents, with lots of children regularly crossing the road and there also being many pick-up and drop-off points of buses taking children to and from school. Councillor Reid proposed that the permission should be made temporary again and that no HGV movements should be allowed before 9:00am.

Richard Brooke addressed Committee on behalf of the applicant and spoke of the importance of the site, which collected waste otherwise destined for landfill. Whilst up to 38 HGV movements had been requested, this was a maximum that accounted for busy periods, with the average being much lower. Neither the Highway Authority or the local school had objected to the application. The applicant had worked well with local residents in the liaison panel and was dedicated to being a responsible operator.

Finally, County Councillor Stephen Reid spoke and agreed that the liaison panel had worked well with the applicant whilst the temporary permission had been in

place, and it was suggested that the ANPR cameras, which could be paid for by the applicant via a S106 Agreement,, be retained permanently so that there was a permanent incentive to abide by the set conditions.

During questions of the deputations, the following points were clarified:

- The cameras could be made permanent at the expense of the applicant if it was felt that this was necessary by Committee.
- It was estimated that there were approximately 12 crossing points along the road including dropped kerbs.
- If no HGV movements were permitted before 9:00, it would have a negative effect on business.
- The breaches averaged at around one a day, and these were largely down to individual driver error. Whilst the applicant did take action on breaches, the HGV's are mainly customers and contactors and not under the direct control of the applicant.
- Disciplinary action would start as a four week ban, which had the potential to increase to eight weeks and could escalate to 12 months, although this had not yet been necessary.
- The site had capacity to process up to 40,000 tonnes per annum.
- If there were not cameras installed, the applicant would rely on local residents to tell them of any problems regarding the HGV's breaching conditions.
- It was anticipated that the number of objections had been low due to local residents relying on the CCTV to pick-up any problems.
- Speeding has been reported to the police before but little has been done.

During questions of the officer, the following was clarified:

- The CCTV summary data recorded in the report was accurate, – the depute appeared to have used other methodology or assumptions to interpret the data differently. The number of breaches was a worst case scenario as it includes suspected breaches that were not confirmed.
- Should the CCTV be made permanent, HCC could monitor and maintain them. The liaison panel would also be able to log the data captured once analysed by HCC. It was felt though, that retention of the cameras could not be justified on planning grounds as there had been no reported accidents and no objection from the Highway Authority.
- It was felt that the current level of compliance was acceptable at over 90%. It was highlighted that the applicant had no direct control over the vehicle movements, but did work to minimise the breaches recorded, including banning a driver responsible for some of the breaches recorded early on.
- It was noted that recognised holidays should include public and alternative bank holidays.
- Whilst another temporary permission could be granted, this was not recommended and it was felt that this wouldn't result in too different a position in one or two year's time.
- It was confirmed that the cameras were £7,000-£10,000 per quarter to lease and £15,000 to purchase.

Before debate, the chairman summarised the questions and discussions so far. Committee agreed that it was difficult to monitor the HGV's without the cameras. The liaison panel works well and could continue going forward if needed. Members agreed that a temporary permission to monitor further would be useful to maintain pressure on the operator to effectively manage the HGV movements and keep breaches to a minimum.

It was proposed and seconded that permission be granted for a further period of one year in order to carry out further monitoring.

Members voted on the amendment.

**RESOLVED:**

a) That temporary planning permission shall be GRANTED for ONE YEAR subject to the conditions listed in integral Appendix B and the amended conditions referred to in the update report as follows:

- Condition 5 - The Traffic Management Plan (TMP 2017 rev V21.6, dated 6 October 2017), and any future revisions to the Plan approved in writing by the Waste Planning Authority, shall be implemented as approved and retained in place thereafter.

Reason: In the interests of local amenity and highway safety in accordance with Policies 10 (Protecting public health, safety and amenity) and 12 (Managing Traffic) of the Hampshire Minerals and Waste Plan (2013).

- Conditions 3 and 4 - (timings of HGVs entering & leaving the site) are updated to reference the latest version of the Traffic Management Plan

**Voting:**

Favour: 8

Against: 6

Abstentions: 1

**20. STATEMENT OF COMMUNITY INVOLVEMENT**

*(Councillor Carter left the meeting, taking the voting total down to 14)*

Committee received the Statement of Community Involvement (Item 7 in the Minute Book) from the Head of Strategic Planning, which updated Members on changes that will be considered at the County Council meeting on the 2 November 2017. The changes ensure that it is compliant with recent changes to legislation and Government guidance and ensure that it includes improved procedures for public consultation on planning matters.

The contents of the report were noted by Committee

21. **MONITORING AND ENFORCEMENT UPDATE**

Committee received an update report from the Head of Strategic Planning (Item 8 in the Minute Book) regarding monitoring and enforcement work undertaken during the period July – September 2017.

Members welcomed the update and thanked the officers for their work.

The contents of the report were noted by Committee

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Chairman,