



Havant
BOROUGH COUNCIL

Civic Offices
Havant
Hampshire
PO9 2AX

**Dr. David Grant,
Dig-Geotech Ltd.
South View, 2 Easthams Road
Crewkerne
Somerset**

TA18 7AQ

T. 023 9247 4174

F. 023 9248 0263

DX 50005 Havant

www.havant.gov.uk

Our Ref: DCS/EH/JPD/121005001

Your Ref: 429 R01 Rev1

Direct Line: 02392 446677

Ask For: Mr Jonathan Driver

Date: 05/10/2012

Dear Dr. Grant,

Re: Yachthaven, Copse Lane, Hayling Island; Report on Witnessing Waste Removal (429 R01 Rev1)

Thank you for submitting the report on waste removal at the Yachthaven site off Copse Lane, Hayling Island. I have reviewed the report, and while it is entirely adequate to demonstrate that cessation of waste transfer & disposal activities on the site, and the site clearance, I would like to make some comments which may be relevant to the extant planning application relating to this site, which I understand that Dig-Geotech Ltd. are also dealing with.

It is noted that the previous investigations have proven a local geology of stiff Lambeth Clay, occasionally outcropping, but predominantly overlain by a thin layer of granular made ground. It is consequently assumed that the site conditions will be similar to those at the Hayling Yacht Company site, with high leaching potential of surface soils, and fairly rapid lateral transit of surface contamination toward the harbour as both direct & indirect (sub-surface) runoff.

It is also noted that section 3.1 [background] states that either the site owner, or developer / applicant has used the site to dump some soil intended to be used for levelling the site, and in addition there has been some localised fly tipping.

By implication, this chapter is suggesting that the issue with the site is that the owner / applicant has come to the attention of HCC / EA / HBC for failing to secure a U1 exemption under the EPR for the use of waste (including soils) in construction. This is considered to mis-represent the activities undertaken at the site, and the enforcement actions that were considered by the EA & HCC.

Notes from a site visit undertaken by myself, and subsequently confirmed by Environment Agency staff; characterise the waste activities at the site as comprising the disposal of demolition / household waste by burning.

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The location of materials observed in late July / Early August matches location covered by your report (Figure 2), which is noted to be;

- Sufficiently proximal to the empty skips to be assumed to be associated
- close to the southern extremity of the site, some distance from the (typically gated & secured) site entrance, and consequently less likely to fall under the description of localised fly tipping activity.

It should also be noted that burning of significant quantities of waste on the site had been documented as taking place regularly over approximately a 5 week period, likely longer.

I note from section 3.2, relating to a site visit on the 30th August, that only soil / spoil / rubble was noted to be present on site, with Appendix A photograph annotation & Appendix B conveyance / transfer notes confirming that some site clearance had occurred prior to your visit.

I do not dispute the accuracy of the site condition description on the 30th August, nor the stated provenance of the observed material described in section 3.3. However, I do consider that either;

- a) The stated provenance relates only to the observed material, and not to materials removed from site previously, or that;
- b) The 'excavations' description is inaccurate, and wastes were actually derived from demolition & excavations at the stated sites.

It is similarly noted from the transfer notes that all waste descriptions provided relate to either "spoil", "inert spoil", "rubble" or "concrete". Transfer notes presented make no mention of the plumbing fixtures, insulation, scrap metal (liquid product cans, household appliances & appliance components, window coverings), electrical fixtures, plastics, wood and other related clearance / demolition type waste, or indeed the ash associated with the documented & witnessed [frequent] burning at the site. If this material were present within waste consignments, it is assumed that the waste would carry a description of 'demolition waste'.

Working on the reasonable assumption that the transfer notes presented are an accurate record of materials removed from the site, it would appear that either transfer notes relating to the removal of demolition / household waste have not been provided, or alternatively, that this material was otherwise removed between the 15th August & 25th August 2015 (between the latest EA site visit on record, where the tipped waste materials were still present, and the first Grab-it-All waste transfer note).

This being the case, it is of note that neither the provenance nor destination of the materials are known.

These are predominantly matters for Hampshire County Council & the Environment Agency team to address during the course of their investigations (although I understand that the Environment Agency has recently closed it's case following the clearance of the site, and are not looking to pursue formal enforcement action). As stated previously, the I consider that the Dig-Geotech report serves to demonstrate that the site clearance has been adequately undertaken.

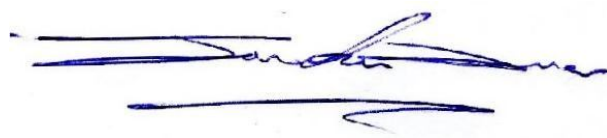
The above assessment is however relevant to the development control application relating to this site.

In that regard, I would be cautious of over-generalising the location of fly-tipping / burning to just within the northern part of the site in the vicinity of the abandoned structures). I consider that an investigation into land used for the un-consented waste activities (fly-tipping, and imported spoil) will be necessary, albeit required by condition associated with any development control consents granted in respect of this site.

I am confident that these issues will be adequately addressed in due course, as part of routine investigation / mitigation works connected to the development of the site.

If either you, or your client would like to discuss any of the above comments, please don't hesitate to contact me.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Jonathan Driver', with a horizontal line underneath it.

Jonathan Driver
Environmental Control Officer