

Appendix C: Formal Enforcement Action (at November 2009)

Legend:

RforI = Requisition for Information

PCN = Planning Contravention Notice

BCN = Breach of Condition Notice

Site - Date - Details	RforI / PCN Initiated by Enf.Section	RforI / PCN Issued by Enf. Section	RforI / PCN returned	Enf.Notice Request to Legal	Notices issued	Action Report
<p>1) 4.1.05 Dudman Aggregates Ltd Minsted Sandpit Stedham Midhurst Breach of Conditions - Sand Extraction</p>	15.02.05	25.02.05	14.03.05		26.05.05 6 BCNs issued re PP's SJ/98/1472 & SJ/98/1472	<p>Two applications received in Jan'06. Inadequate information received by WSCC, Operator withdrew applications Aug'07. WSCC carried out own topographic/hydrographic surveys and slope stability assessments to assess the depth of issues on site. Archaeological Scheme approved by WSCC and works due to start Nov/Dec. '09. Geotechnical Assessment submitted to HSE & WSCC. New Quarry design/Development Plan to be submitted to HSE by end of Sept'09. Liaising closely with HSE to consider further action. Investigations ongoing.</p>
<p>2) A. Brown AB Mini Skips Buchan Park Kennels Crawley Unauthorised Development – Green Waste Composting.</p>	14.06.04	12.07.04			22.07.08 Enforcement Notice issued	<p>PINS - dismissed appeal and upheld original EN for operator to leave site by 9/10/07. Following checks by WSCC revealed that operation had been relocated to a different area on same site. Second EN issued and appealed. PINS upheld EN with time varied for compliance to clear site by 31/08/09. Notice complied with – case closed.</p>

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3) 21/11/08. Bognor Regis Community College, Bognor Regis. Breach of Conditions.						Complaints from local residents re. breaches of conditions during construction of new college. 3 breaches resolved – ongoing visits checking state of public highway to ensure compliance. Visits continuing during construction.
4) 24/10/08 Local Stone Company. Little Bognor Stone Quarry, Fittleworth. Breach of Conditions	28/10/08	28/10/08	19/11/08			Site visits revealed mud on highway from site. PCN served. Site meeting with operator/owners agent agreed new wheel cleaning regime. Regular site visits continue to ensure compliance.
5) 17/02/09 Cemex West Heath Sand Quarry Quarry, West Harting.						Traffic Commissioner's Applications and Decisions List show application from different operator (T J Transport) to quarry operator (Cemex) making application for HGV Operating Centre at site. Formal Objection made to TC from WSCC. Licence granted by TC with conditions and undertakings requested by WSCC. Ongoing.
6) Mr. Verbeeten Wakehams Green Farm, Cophorne Road, Pound Hill Unauthorised waste activities outside lawful areas.	26.08.08	26.08.08				Site visit revealed importation, storage and processing of waste materials outside permitted areas of Lawful Development Certificate issued by WSCC. PCN served. Notification from Agent of intention to submit application – no application submitted. Liaising with EA (Thames) and further joint visit planned. Ongoing.

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7) 02.07.07. Edburton Contractors Old Sewage Works Cuckfield Lane Hurstpierpoint, Mid Sussex Unauthorised inert waste sorting/recycling		04/02/09 & 06/03/09	25/02/09 & 19/03/09		03/04/09 Enforcement Notice issued	Application for importing, processing and land filling inert waste refused by WSCC on highway safety grounds Dec.'08. Appeal against refusal of pp. and EN lodged by operator to PINS May'09. Revised application submitted by Operator May'09 and refused by WSCC Sept.'09. PINS heard appeals at Public Inquiry on 10/11 th Nov.'09. Decision awaited.
8) 28/01/09 Balcombe Estate. Former oil exploration site, Lower Stumble Wood , Balcombe, Mid Sussex. Unauthorised inert waste sorting/recycling.	03/02/09	09/02/09	02/03/09			Enquiries revealed former oil site being used by Dorton Demolition of Burgess Hill, as waste transfer station for inert waste. PCN served on Estate. Negotiations commenced. Ongoing.
9) 03.04.09 Mr Ayling Moutheys Common, Moutheys Lane, Esat Ashling, Chichester. Number of breaches including importation of waste materials.						Breaches of planning control (Chi. DC matters) plus the importation of waste being dealt with by EA (Southern). EN issued by CDC and formal action taken by EA. Statement of evidence for EA prosecution provided by Enforcement Officer (WSCC). Court date awaited.