

**From:** Mike Taylor [<mailto:mike.truck@btconnect.com>]

**Sent:** 22 March 2014 17:08

**To:** 'Lindsay Pearson'; 'Steve.Humphrey@tmbc.gov.uk'; 'Kirstie.Atkins@tmbc.gov.uk'; 'Carlo.Castello@urs.com'; 'Adrian.Stanfield@tmbc.gov.uk'

**Cc:** 'Glenda.Egerton@tmbc.gov.uk'; 'Michelle.Waterman@environment-agency.gov.uk'; 'Crispin.Hanson@crestnicholson.com'; 'Albert.Prince@btinternet.com';

'Russell.Dawkins@crestnicholson.com'; 'ssma.murray1@tesco.net'; [tony.sayer@tmbc.gov.uk](mailto:tony.sayer@tmbc.gov.uk)

**Subject:** IQW FOI Document Release

Dear Lindsay,

The promised bundle arrived this morning, and has proved interesting if repetitive reading.

I must make some clarification for those Officers who are making their assessments based on reports and pictures rather than personal knowledge of the actual site, and have attached pictures to illustrate the sheer size of the tarmac yard. These pictures were taken in March 2007, prior to Hanson's illegal dumping of spoil in strategic spots to prevent test bores/pits/sampling by URS:

On the extreme north west of the site, butting up against the Hornet eastern boundary, was a large rusting structure, the old Sentinel workshops and stores. Immediately east of this was a large tarmac hardstanding, the full width of that workshop. To the east of that was an area of rough ground again the full width of the workshop and about 20ft across, before it met the drop down towards the concrete retaining wall of the old tarmac and filler plants. This is referred to by Crest as Area 1. That rough ground, through which I dug a water trench in the late 70s, was saturated with oil: the ground was like treacle pudding: I accept that oil will have spread widely through the ground in the meantime, but that just increases the problem. As a machine driver, I am aware of how much excavated soil bulks, and frankly the meagre "bunded stockpile" referred to does not meet my expectations of the amount of contaminated material. I would have expected both the tarmac and the spoil to have each yielded very large stockpiles in the order of several hundred tonnes each.

I believe there are a few questions/issues outstanding:

1. In your draft press release for 11/3/2014, you state "Council Officers have monitored the work at the site.... and will continue to do so". This is slightly at odds with the sudden flurry of activity in late February. It is quite clear that no officer from any monitoring authority visited the site until some considerable time after the majority of the earthmoving that occurred in early November, you were unaware that works had started until we complained. The March aerial pictures show a large amount of material bunded in the compound that is not apparent in the December pictures. I presume this is the "hydrocarbon hotspots" referred to by Russell Dawkins on 25th Feb, so where were they between their excavation from Area 1 in early November, and their appearance in the March pictures?

2. Your letter to Crispin on 24th Feb clearly shows that no-one in planning or EH knew that Crest had departed absolutely from the agreed remediation strategy requiring removal.

3. I may well have confused my terminology, Crispin Hanson told us in January not to worry about HGV traffic, because all material would be re-used on site, and because I was aware of the large quantities of contaminated material involved, assumed that recycling the materials for re-use would involve at least some remediation.

4. Albert Prince's rather dismissive letter to Kirstie on 27th February actually highlights the problems: the newspaper article does reflect " the observations of someone not aware of what is being carried out". No-one was aware, not even the planning officers, that the contamination strategy approved requiring removal had been completely and arbitrarily changed, to a new "remediate or recycle on site".

5. Also in Mr Prince's letter is a mention of "popping in with the records". I presume those would be the sampling and disposition records, which could have been shown to BGPC long before this escalated to a demand for a planning hearing and FOIs.

6. This is followed by Kirstie's email saying "she is satisfied with the work on site": why wasn't the result of this site inspection made known to BGPC? And how can she state the strategy is proceeding as agreed, when recycling/ remediation on site is a clearly major departure from the Planning Committee approved removal of contaminated material?

7. You appear to have been sniffing in the wrong place, the strong smell was apparent adjacent to the Hornet access road, where the first houses are being built, and even some of the site staff admit to it.

8. What Kirstie says in her email 5th March about windrowing, as a means to improve the contaminated spoil before it all goes to landfill, seems contradictory to Mr Prince's avowal that much will be re-used on site.

9. Russell Dawkins' email 6th March about the disposition of the tarmac refers to a survey: yet another piece of documentation that could have been passed on. Kirstie uses the word "supposedly" to describe the tarmac: that clearly demonstrates the complete lack of knowledge of a site about which she is making crucial decisions. (perhaps she would like to scrutinise the attached pictures)

10 Adrian Stanfield's comment 11th March made me chuckle: "the default method of engagement". As we have been deliberately misinformed about IQW for many years directly, perhaps the Press is a very useful default method, and to judge by the resulting email traffic, and the sudden flurry of activity, quite a successful method.

11. I can find no mention of your email to me on 15th November, nor any source, about the major excavations that had occurred on site, when you said the excavations were "predominantly.....species related, aspects of ecological investigation". I do not accuse you of lying, you obviously passed on unquestioned what you were told, but I would be most intrigued to discover the source of such arrant nonsense.

12 I personally do not have an issue with the tarmac being crushed and used on site, exactly as we used tarmac planings for the carpark at Potters Mede. It is the EA who won't allow tarmac into inert landfill sites, which leads me to suspect a danger to health. As Rodney Chartres pointed out at the planning committee, noting his expertise in remediation, that tarmac would only release its harmful residue when crushed.

13. The early paperwork refers to the surface water disposal, and also the allegation that I misunderstood the strategy, and that it had always been the intention for surface water to go into the Bourne. Yet Southern Water recently said that Crest's original proposal **had been** for the water to be introduced into the foul sewage system as we suspected, but that Southern Water had

rejected that proposal, and a new scheme piping and tanking surface water to a junction into the Bourne on the east of Thong Lane was being drawn up for approval. ( as of 10 days ago)

14 The documentation released under FOI by the Environment Agency finishes in September 2013, so I can only make the assumption that they did have not visited the site

There are two very important issues highlighted by this release of information:

1. The serious contamination on this site was known since 2007 from my LDF submission, and 2008 from the URS study, which I believe to be a fair investigation of the site and largely bears out my own report. In the light of this knowledge Planning and EH officers should have attended site on a regular basis to monitor progress, approve deviations from the agreed strategy, and to make day to day decisions when new contamination was discovered : this did not happen. We are now in a situation where, with all due respect to Crest, we have to go on blind faith that the site is safe, **because no-one checked!**

2. Officers clearly failed in the task of monitoring the site on our behalf, and then failed again to report what little information they had gleaned. There was ample opportunity to give assurances **based on fact** that this development was safe.

long before we were forced to call this before planning committee, and long before an FOI.

As BGPC Chairman, a Local Borough Member, and a member of the planning committee, I have an **absolute right** to be kept informed of the detailed progress of a development that poses significant risk to my residents if not carried out properly, and I have little faith in any developer doing anything that interferes with their bottom line unless so persuaded by an effective inspection regime.

I repeat what I have been saying for some time now: my sole aim is to ensure this development is safe for current and future residents of Borough Green, but nothing I have seen in the releases of information gives me any confidence that is the case. It may well be that everything has been carried out by the book, but how do we know that?

Apart from the feelings of suspicion and mistrust, the sheer waste of everyone's time illustrates how important transparent processes are throughout planning and development, and I hope this will guide the way these processes are carried out in the future.

Regards  
Mike Taylor