

## **PRESS RELEASE**

Local residents of Goring Heath, Whitchurch Hill and Woodcote are seriously concerned about the latest plans of local roads contractor Hazell & Jefferies. The contractor who is based in Coombe End, Whitchurch Hill plans to add twenty heavy goods vehicles and four trailers to an existing operating centre at Woodcote Saw Mill and a further fifteen vehicles to a site in Penny Royal, Goring Heath.

Hazell & Jefferies currently has four licenced Operating Centres which are regulated by the Office of the Traffic Commissioner and they currently hold a Standard National Licence which includes for forty-five vehicles and five trailers. This licence is renewable every five years and is up for renewal 28th February 2022.

Goring Heath Parish Council agreed at their recent Council meeting to ask that the District and County Councils raise a Statutory Objection and local residents and schools are being encouraged to submit representations and/or complaints to the Office of the Traffic Commissioner.

*A local resident from Goring Heath who wishes to remain anonymous said "We live in an area of outstanding natural beauty and our local 'B' and unclassified roads that the contractor uses on a daily basis are really not suitable for the size of vehicles and for the increase in traffic movements. Hazell & Jefferies already have more trucks parked up at Woodcote Saw Mill than they should have, and they are also using other non-licensed operating bases for vehicles. The noise and disturbance for local residents is simply too much—plus increased HGV movements will have a negative impact on the safety for other road users, pedestrians and cyclists."*

South Oxfordshire district councillor Peter Dragonetti commented *"The Chilterns AONB is not a suitable location for bases for transport depots or industrial sites of any kind, and this location, which was originally permitted for use as a saw mill, and no other purpose whatsoever, is particularly inappropriate. Over many years the government has weakened the planning system, with the result that we have inappropriate development in unsustainable locations."* Kevin Bulmer, Oxfordshire County councillor, added *"I share the residents concern over this application and believe the current system which limits local control to be flawed. Having spoken to OCC Traffic officers on this matter they have told me that they are limited to providing comments to the Traffic Commissioner and it is the Traffic Commissioner who makes the decision. I intend to continue asking that officers comments take the environmental impact into account in any submissions. It is clear in my view that it will have a big impact on the local environment and that needs to be fully explored. The district council as the local planning authority need to make their comments known as well and hopefully, they will also be looking at the environmental impact."*

**ENDS**

## Photos

1. Woodcote Saw Mill view from above.
2. Parked up vehicles (3) at Penny Royal Goring Heath
3. View of the Woodcote Saw Mill Entrance

## Further Information

Operator	Standard National: OH0206566 Continuation date: 28 <sup>th</sup> February 2022 (five yearly renewal)
Hazell & Jefferies Ltd Mount Pleasant Farm Coombe End Whitchurch Hill Pangbourne Reading RG8 7TB	Applications and Decisions Publication No: 5693 Published: 08/04/2021 Deadline Date for Objections/Representations/Complaints: 29 <sup>th</sup> April 2021  Operational Centre (Existing): Woodcote Saw Mill, Goring Heath, RG8 7SS – addition of 20 HGV's and 4 trailers Operational Centre (Proposed): The Slab, Penny Royal, Goring Heath, RG8 7SD – 15 HGV's

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## Interested Parties

Goring Heath Parish Council Woodcote Parish Council South Oxfordshire District Council Oxfordshire County Council	<a href="mailto:goring.heath.parish.council@gmail.com">goring.heath.parish.council@gmail.com</a> <a href="mailto:clerk@woodcoteparishcouncil.org.uk">clerk@woodcoteparishcouncil.org.uk</a> <a href="mailto:Peter.Dragonetti@southoxon.gov.uk">Peter.Dragonetti@southoxon.gov.uk</a> <a href="mailto:kevin.bulmer@oxfordshire.gov.uk">kevin.bulmer@oxfordshire.gov.uk</a>
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I refer to the article in the Henley Standard regarding the expansion plans of the roads contactor Hazell & Jefferies published on 27<sup>th</sup> April 2021. There are a few matters which require correction and/or clarification.

### **Vehicle Numbers**

Mr Hazell is quoted in the article as saying: *“I can promise, categorically, that we’re not going to run a single extra lorry and everything we’ve got will stay where it has always been kept.”*

Hazell & Jefferies have a Standard National license issued by the Office of the Traffic Commissioner for 45 vehicles and 4 trailers which are located at 4 Operating Centres. They want to add 20 vehicles and 4 trailers to the Woodcote Saw Mill site and a further 15 vehicles at a new proposed Operation Centre at Penny Royal. The revised total of vehicles would be 80 vehicles and 8 trailers yet Mr Hazell denies that he is increasing the size of his fleet.

He claims that this is not an actual increase and argues that there was an alleged “grey area” over how some of his vehicles were classed. According to the Office of the Traffic Commissioner, and Driver and Vehicle Standards Agency (DVSA) commercial vehicles that weigh over 3.5 tonnes (i.e. the maximum permitted total weight when loaded) require a licence. Mr Hazell mentions specifically tankers carrying tarmac. It follows therefore, that if they weigh more than 3.5 tonnes, they need a licence. It is highly likely that the Hazell & Jefferies tarmac tankers do exceed 3.5 tonnes and therefore have always required a license. There is nothing new in this.

Furthermore, it would strongly suggest that Hazel & Jefferies may actually have more licensable vehicles on their fleet than they have a licence for. If Mr Hazell continues to assert that there is no net increase and yet his Tarmac tankers do exceed 3.5 tonnes (and should have a licence but don’t) they would accordingly be in breach of their Operators Licence and liable for prosecution in relation to Offence Descriptions 6-12.1 & 6-18 respectively per Section 6 (3) & (8) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4 (using more vehicles than specified in the licence).

Similarly, at the currently unlicensed site at Penny Royal, Goring Heath, Hazell & Jefferies regularly use this site to overnight/park licensable vehicles. As the site is not a declared Operating Centre, they would accordingly be in breach of their Operators Licence and liable for prosecution in relation to Offence Descriptions Section 7 (1) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4 (use of an unauthorised operating centre). It is noted that Hazell & Jefferies now want to regularise this unlicensed site and declare it as an Operating Centre for 15 vehicles.

### **The Environment; Noise and Disturbance**

Mr Hazell admits that some of his “additional” vehicles had been in his fleet for up to 20 years, and that they would soon be replaced by more environmentally friendly models. This is heartening and most encouraging. Perhaps he would also spare a thought about the concerns raised in Representations and/or Complaints being made by residents and local organisations. They care also about the environment and many have mentioned the noise and disturbance which emanate from the vehicles going back and forth to and from the Operating Centres. Under the Environmental Protection Act 1990 a statutory nuisance is defined as something that causes an unlawful interference with a person’s use or enjoyment of their land or property. Noise qualifies as a statutory nuisance if it is *“prejudicial to health or a nuisance”* under section 79(1) of the Act. Under the Act local authorities have a duty to deal with statutory nuisances, including noise. The Noise & Statutory Nuisance Act 1993 extends the statutory nuisance regime by making noise from or caused by a vehicle, machinery or equipment in a street a statutory nuisance. Anti-social noise at night may be subject to provisions included within legislation such as the Noise Act 1996, the Anti-social Behaviour Act 2003 and the Anti-social Behaviour, Crime and Policing Act 2014.

Night-time noise, specifically before 7.00 am, that is likely to disturb sleep is more likely to be judged a nuisance than daytime noise. As well as a statutory nuisance, noise can also be classified as a form of damaging environmental pollution. In this context it is seen as harmful to individuals and to communities, diminishing quality of life and creating stress.

### **Woodcote “Saw Mill” Planning Consent for Change of use (P04/E1084)**

This comment is made to help aid understanding of any conditions pertaining to this Operating Centre. In 2004 Hazel & Jefferies applied for planning consent for: *"Change of use of land and buildings from sawmill & timber storage depot to civil engineering & public work contractors depot."*

There were over 40 objections from local residents to the ‘Change of Use’. Nevertheless, a Planning Decision was issued in 18th March, 2005 giving consent, but to appease local concerns with Conditions attached, one of which was:

*“That vehicular movements to or from the site shall be restricted to between the hours of hours of 07:00am and 19:00pm on Mondays to Saturdays and there shall be no vehicular movements to and from the site at any time on Sundays or on Bank Holidays. Reason: To protect the residential amenities of local residents in accordance with Policies G1, G7 and E3 of the Adopted South Oxfordshire Local Plan.”*

Residents at least thought they had secured something by the above. But this was not to be, as Hazell & Jefferies disregarded the condition, and assumedly acting on some ‘clever’ advice never implemented the Planning Consent; the lawful use of the site reverted to that of a sawmill granted in 1956 (P56/H0596). This had no operating hours attached to it.

Accordingly, there are no operating restrictions as to hours of operation per the condition of the defunct planning consent.

### **Who can Object, make Representations or Complain to the Office of the Traffic Commissioner?**

There was a statement in the article *“However, he [the Traffic Commissioner] will not consider comments from parish councils or individuals”*. This is incorrect and should be corrected as it sends a message to people that they cannot do anything in relation to this matter.

In accordance with the Office of the Traffic Commissioner Guidance Document 2013 No1. ‘*A guide to making representations, objections and complaints*’ there are three distinct routes to raising a matter of concern about an Operating Centre. These are:

- Representations; from residents or organisations who are ‘in the vicinity’ of the Operating Centre
- Objections; from statutory authorities such as the local authority, the Police and so on (statutory bodies)
- Complaints; these can be made by any person or organisation and can be made at any time.

**ENDS**