

Chalk Pit debate deferred by late abatement

18 October 2023



The Environment Committee of **Epsom and Ewell Borough Council** 17th October was to discuss a motion proposed at a Full Council meeting on July 25, 2023, regarding a noise nuisance issue at the Chalk Pit site in College Road, Epsom. The motion had suggested that the Council should install professional noise measurement equipment at the site for a minimum of three months and respond to any noise regulation breaches with noise abatement orders. Councillor **Bernie Muir** (Conservative Horton) had introduced the motion at Full Council.

However, the Chair of the Committee, Cllr John Beckett (RA Auriol) announced: “Members, as you are aware, I made the decision to withdraw this item from the agenda this evening in light of the recent enforcement activity last week. This activity resulted in an abatement notice being served to an operator at the Chalk Pit. I am very conscious of the members’ and the public’s interests in this matter. I am keen to ensure that the proposed motion is debated with full consideration of the circumstances, including the impact of the recently served abatement notice. Therefore, I propose that this item is deferred and considered at the next meeting of this committee in January.”

There were no objections and Cllr Beckett added that there will be “No further debate, questions, or statements will take place regarding the Chalk Pit until the meeting on the 9th (January).

The Councillors had received an officer’s report written before the abatement notice was served and that report is summarised here:

The report provided background information about the Chalk Pit, explaining its historical use and current industrial activities. It highlighted the various sources of noise on the site, such as equipment, machinery, road vehicle arrivals and departures, and more. The site was in close proximity to residential properties, and complaints about noise had increased since 2021.

Surrey County Council has jurisdiction over waste processing at the site, while other activities are regulated by the Borough Council. A planning application was submitted by Skip It, including changes and enclosure construction to control noise emissions. The Environment Agency and local authorities regulate noise and dust issues, depending on the source.

The report described the council’s actions in response to noise complaints, including extensive monitoring and investigation. Despite clear evidence of audible noise, the council’s officers believed they lacked sufficient evidence to issue an abatement notice, citing the complexity of the issue and the need for unequivocal evidence.

The report noted that residents had the option to pursue their own civil legal action under the Environmental Protection Act 1990 if they wished to explore this further.

The council had taken some enforcement actions, including Community Protection Warning Notices, but no abatement notices had been issued due to the lack of evidence.

The report presented three options for the committee to consider:

1. Close the investigation with no further action due to insufficient evidence.
2. Keep the issue under review and seek funding for enforcement action if sufficient evidence emerges.
3. Recommend allocating funding to hire external noise consultants to conduct a fresh investigation based on recent complaints and site changes.

Option 3 would require additional funding from sources like reserves and would only be pursued in the event of substantial and substantiated complaints about noise nuisance. Officers asked Councillors “In deciding whether to support renewed investigations on top of those that have already taken place, Members are asked to consider the likelihood of whether renewed investigation would ultimately lead to successful enforcement action and, by extension, whether it would be an effective use of limited Council resources.”

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