



North Cray Residents Association

www.northcrayresidents.org.uk

FROM: David Cook, Chairman - Wychwood, 29 Parsonage Lane, Sidcup Kent DA14 5EZ

TO: Naomi McCoy, Central Licensing Unit, Office of the Traffic Commissioner for the South Eastern and Metropolitan Traffic Area, Hillcrest House, 386 Harehills Lane, Leeds L69 6NF

Your ref: OK1106232

DATE: 23 November 2011

CC: Ms Susan Clark, Head of Development Control, London Borough of Bexley

Dear Ms McCoy

THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995

APPLICANT: JOHN KENT SURFACING LTD

PROPOSED OPERATING CENTRE: 57 NORTH CRAY ROAD, SIDCUP, DA14 5EU

Thank you for your letter 3 November 2011 addressed to our secretary Mrs Jean Gammons.

From the nature of the requests by the Traffic Commissioner relating to the North Cray Residents Association (the Association) and for individual representations from affected local residents we assume the inference is that there is no requirement for the Commissioner to consider the Association's views. Indeed your letter of 17 September states that "Parish Councils, Residents Associations and Action Groups cannot therefore make representations..." Having read the Act, that restriction applies as a result of the specific categories of allowable objectors covered under Section 12.2 and relates to applications for operating licences.

However where such an application would establish an Operating Centre the Act states, under Section 19.4 (b) that "owners or occupiers of land in the vicinity of that place" may make representations against the grant of the application as it being unsuitable on environmental grounds. There is also nothing in the Act, that we can see, that precludes such individuals from forming a group or body through which they make representations. Indeed under an explanation of "the prescribed manner of making an objection" the regulations cover the situation of "any body or group of persons...etc." Consequently as the Association is an entity made up of its members we would expect the Commissioner to take full consideration of the concerns it has raised on behalf of its members which are specifically objections on environmental grounds.

Having said that we are not attempting to argue the Act's wording but purely wish you to take the views of affected local residents fully into consideration. I hope you will understand that many local residents do not feel sufficiently equipped to make formal representations on planning, licencing and development issues. More concerning, there is an increasing reluctance by individuals to make personal representations of objection on such matters because of fear of reprisals, particularly where commercial activities/business concerns are

involved. However, please note, we must stress that we are not suggesting that this is an issue in respect of this application. It is, nonetheless, a fact and a frequently expressed view by our members that they are unwilling to submit personal letters of objection as they consider that this is what the Association is for. We agree with our members that, in many cases, it is neither appropriate nor prudent for them to do so.

At the end of this letter we have provided a full explanation of the nature, structure and standing of the Association, as well as its close interaction with local residents which we hope will satisfy the Commissioner's concerns regarding its probity.

There are two key objections to this application, both of which are fundamental to the aims and objectives of the Association and its members – these being the protection of North Cray's Metropolitan Green Belt and the preservation of the local environment. These are:

1. The unsuitability of the North Cray Road as a location, and
2. The inappropriate establishment of a Heavy Goods Vehicle Operating Centre within the Metropolitan Green Belt

The North Cray Road (A223)

This road is a dual carriageway going nowhere. It was built in the 1960s with the intention of joining what was then the A20 at Ruxley to the A2 near the Black Prince interchange near Bexley, effectively splitting North Cray Village into two. However, the dual carriageway was never extended this far because in 1971 Old Bexley was designated a Conservation Area. This resulted in the dual carriageway ending at a small roundabout before continuing as a narrow lane into Bexley Village creating traffic congestion with 'jams' often going back half of its two mile length. With Bexley's 2010 Core Strategy Report (spatial planning programme) anticipating a 20% increase in traffic flows and no plans (or money) for the extension or improvement of the North Cray Road, any proposals for increased traffic levels - particularly the additional continuous flow of heavy goods vehicles - would add to the congestion our members (who are the great majority of local residents) and others already suffer in using the North Cray Road at peak times; congestion which occurs at least twice daily.

The issue of continual congestion problems on the North Cray Road is one that is frequently raised at our AGMs, the latest one being in June this year, and we are in the process of pursuing this matter with TFL.

Metropolitan Green Belt

The proposed location is Metropolitan Green Belt/Heritage Land and the establishment of a Heavy Goods Vehicle Operating Centre there is inappropriate and detrimental to the environment and local residents and contravenes guidance on the protection of Green Belt land. We note that the applicant has advised you that their vehicles will be parking at the back of the garden centre and not within the garden centre itself. Also, that they have stated that they will not store any tarmac on site as the relevant materials are collected from designated tarmac centres and any excess will be tipped off at designated recycling centres. Notwithstanding this assurance, our Association has asked Bexley's Development Control (department) to take Enforcement action against the owners of the land (Stuart Brothers) if an operating centre is established there and/or if it finds, at any time, that tarmac is being stored on site. In addition we believe establishing an Operating Centre would constitute a 'change of use' of the land which the Association will be objecting to should a licence be granted.

The North Cray Residents Association

The North Cray Residents Association is an entity made up of its members. It is a long established Association of over 65 years standing representing some 800 local residents (its members) – this being around 95% of all North Cray residents.

Our local Ward Councillors are *ex-officio* members of its Committee and attend its AGM, as does our MP, James Brokenshire, Home Office Minister for Crime and Security.

The Constitution of the North Cray Residents Association has as its primary aim and objective “To promote and further the preservation of the local environment as a Residential area, the protection of the Green Belt and the improvement of local amenities in North Cray”.

Each year the Association issues two Newsletters to its members, ward councillors and local MP bringing them fully up-to-date on matters that have been brought to its attention and where the Association has taken action on their behalf. In our Autumn Newsletter, published and distributed to our members three weeks ago, we reported the following: “57 North Cray Road (Stuarts): Application to Traffic Commissioner for a Licence to use as an operating centre by a tarmac surfacing operator for 2 goods vehicles & 2 trailers. *Opposed, inappropriate activity in Green Belt, one creating a nuisance to residents*”. This same information was posted on our website (see head of this letter) in September. **No phone call, letter or E-mail has been forthcoming from any member expressing a contrary view to the one expressed in both our Newsletter and on our website.**

Finally, I would like to emphasise that the Association works very hard on behalf of its members to help safeguard North Cray and its environment. We are constantly vigilant in monitoring all planning, licencing and development activity, much to the credit of our hardworking secretary Mrs Jean Gammons MBE who, only a few months ago, received a ‘Team London Award’ from London’s Mayor, Boris Johnson, “for her outstanding contribution to improving London and the quality of life for Londoners”.

A copy of this letter is being placed on our website for the benefit of all members.

Yours sincerely

D H Cook

Chairman