

Aggregate Storage and Recycling/Haulage Yard with Storage

**Holloway Lane, Harmondsworth, West Drayton,
UB7 0AE**

Supporting Statement

To accompany

**An application for a Certificate of Lawfulness of
Existing Use or Development**

Eleanor Crick

SUEZ UK Environment Ltd

June 2024



Recycling and recovery UK

Project quality assurance information sheet

Aggregate Storage and Recycling/Haulage Yard with Storage

Holloway Lane, Harmondsworth, West Drayton,

UB7 0AE

An application for a Certificate of Lawfulness of Existing Use or Development

Report status	Final
Report date	June 2024

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Reviewed by	Corrina Scott-Roy SUEZ Recycling and Recovery UK Ltd



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Drawings

Hlq-FLP-LOC-0424-01a

Site Location Plan

1:2500@A3

Appendices

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1. Introduction

- 1.1. This supporting statement has been prepared by SUEZ UK Environment Ltd ('SUEZ', the applicant) to accompany an application for a Certificate of Lawfulness of Existing Use or Development for land operated as an aggregate storage and recycling/haulage yard with storage by Foley Haulage Limited (Foley Haulage) at Holloway Lane, Harmondsworth, West Drayton, UB7 0AE (the Site). This relates to an existing use as an aggregate storage and recycling/haulage yard together with storage.
- 1.2. SUEZ holds the freehold interest in the Site on which the aggregate storage and recycling/haulage yard together with storage is based, together with other land, all of which is registered at the Land Registry under title number NGL2214. SUEZ has a long interest and knowledge of the Site having acquired it prior to January 1981, over 40 years ago. SUEZ has, since 2013, permitted Foley Haulage, a third-party operator, to occupy the Site for use as an aggregate storage and recycling/haulage operation with storage.
- 1.3. The application is being made under Section 191 of the Town and County Planning Act 1990 (as amended) which permits "*...if any person wishes to ascertain whether – (a) any existing use of buildings or other land is lawful; or (b) any operations which have been carried out in, on, over or under land are lawful; Or (c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.*"
- 1.4. Part 2 of Section 191 states that "*For the purposes of this Act uses and operations are lawful at any time if—*
 - (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and*
 - (b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.*"
- 1.5. Part 3 identifies that "*For the purposes of this Act any matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful at any time if—*
 - (a) the time for taking enforcement action in respect of the failure has then expired; and*

(b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.”

- 1.6. Section 4 states “*If, on an application under this section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operations or other matter described in the application, or that description as modified by the local planning authority or a description substituted by them, they shall issue a certificate to that effect; and in any other case they shall refuse the application.”*
- 1.7. Section 5 confirms that “*A certificate under this section shall—*
 - (a) specify the land to which it relates;*
 - (b) describe the use, operations or other matter in question (in the case of any use falling within one of the classes specified in an order under section 55(2)(f), identifying it by reference to that class);*
 - (c) give the reasons for determining the use, operations or other matter to be lawful; and*
 - (d) specify the date of the application for the certificate.”*
- 1.8. Section 171B confirms that for time limits “*(1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed. (2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach. (3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.”*
- 1.9. As identified by part (3) Section 171B of the Town and County Planning Act 1990 (as amended) in the case of ‘any other breach of planning control’, which an unauthorised material change of use is considered to be, no enforcement action may be taken after the end of a period of ten years beginning with the date of the breach.
- 1.10. This application relates to the aggregate storage and recycling/haulage with storage use of the Site operated by Foley Haulage. SUEZ will provide the evidence and supporting information necessary to prove that the use commenced in 2013 and that continuous occupation of the Site for more than the



required 10-year period has occurred in the subsequent sections of this submission. This supporting statement seeks to provide London Borough of Hillingdon with sufficient information to both determine that a change of use to an aggregate storage and recycling/haulage yard with storage has occurred, and that that material change of use occurred in excess of ten years ago and is therefore immune from enforcement action. It is SUEZ's submission that enough detail has been provided to establish that on the balance of probabilities a Certificate should be issued.

1.11. This statement comprises a series of sections which outlines the rationale for the Certificate of Lawfulness to be issued. These are as follows:

- Section 2: Details of the site
- Section 3: Details of occupation
- Section 4: Rationale for determining the use to be lawful
- Section 5: Conclusion

2. The Site

2.1 The aggregate storage and recycling/haulage yard with storage is located within the former Holloway Lane quarry and landfill which is located to the south of Holloway Lane and to the north of Harmondsworth Lane on the eastern side of Harmondsworth in the London Borough of Hillingdon. Directly to the east of the Site, within SUEZ's landholding, is a waste processing facility with skip storage operated by Powerday plc. The Ansell Garden Centre is located to the immediate north of the Site. The Site is separated from the residential areas of West Drayton by the significant physical barrier of the M4. Heathrow Airport is located approximately 1km to the south of the site. The closest residential properties are located approximately 224 metres to the south east of the Site on Harmondsworth Lane.

2.2 Harmondsworth Conservation Area is located to the west of the Site and there are a number of residential properties in Harmondsworth that are Grade II listed buildings. There is also a Grade I listed building known as Tythe Barn, which is located on the north-western edge of Harmondsworth. Other uses within the area include Heathrow Primary School, which is located approximately 300m to the west and the Holiday Inn Hotel which is over 500m to the northeast of the Site.

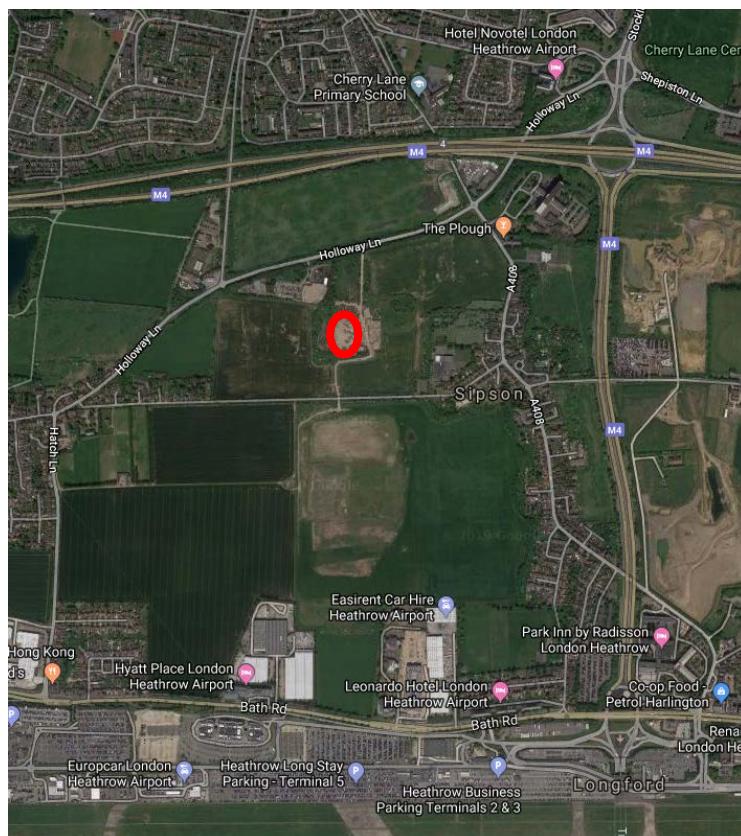




Figure 1 – Aerial Photograph

2.3 Access to the Site is via the access road from Holloway Lane previously used by the quarry and landfill. The area of land this application relates to is shown on site location drawing Hlq-FLP-LOC-0424-01a.

3. Details of the occupation

3.1 The Site operated by Foley Haulage has been operating on a continuous basis since at least 2013. This area of the former landfill site had been operating as a wood shredding operation until late 2011 when planning permission for this activity was refused (planning reference 43155/APP/2010/1417). Following refusal, the area was cleared, and the Site was then occupied by Foley Haulage as an aggregate storage and recycling/haulage yard together with storage. SUEZ began invoicing Foleys Haulage an initial fee for its occupation from December 2013 with Foley Haulage paying SUEZ rent on a formal basis from February 2014.

3.2 SUEZ had not formulated its long-term intentions for the Site after the 2011 planning refusal as such, Foley Haulage's occupation was secured by way of an unwritten period tenancy. As time passed, as noted in the Statements of Truth, the operational tonnage on Site increased with the result that an Environment Agency (EA) permit was required. Due to the EA's requirement the parties agreed to formalise occupation under a written lease which was completed on 15 March 2021.

3.3 The activities undertaken by Foley Haulage began in 2013 when Foley's began using the Site for skip and container storage and aggregate and soil storage and recycling. At that time a screener and crusher were brought to Site to undertake these works.

3.4 SUEZ has sourced copies of aerial images of the Site from the period 2011 until 2022 from the website www.getmapping.com and Google Earth Pro which show the Site as it has been occupied over the last 10 plus years.

3.5 The 2011 aerial image below shows the Site operating as wood facility prior to the refusal of the planning application in November 2011. The wood chippings mounds can be clearly identified.



Image 1 – Aerial image from 2011 showing the Site operating as a wood recycling facility

(<https://www1.getmapping.com/Webshop/Web/CommonPages/Main/preview.aspx?srnid=27700&x=506720&y=178040&searchType=eastingnorthing&height=141.42&width=100>)

3.5 The below image from March 2012 shows the Site having been cleared following the refusal of the wood chipping planning application.



Image 2 – Aerial image of site in March 2012 showing the Site having been cleared following the refusal of the wood chipping application.

Source: Google Earth Pro

- 3.6 Following the Site clearance, the aerial image from March 2014 shows the Site being used for aggregate storage and recycling together with storage.



Image 3 - Aerial image of site in March 2014 showing the Site being used for container storage in the north and west and aggregate storage and recycling occurring in the central area of the Site

Source: Google Earth Pro

3.7 Attached as Appendix C are two 2024 3D photos from google earth which show the current layout of Foley Haulage's operations on the Site (looking south to north and vice versa). SUEZ has not been able to obtain similar photos going back over the years. However, by cross referencing Appendix C to the 2014 aerial image (and also the subsequent images below) there are layout similarities, these include (but are not limited to):

- aggregate storage on the eastern boundary where the Site adjoins the Powerday plc accommodation
- aggregate storage in the central area of the Site
- storage and recycling in the southern part of the Site and

- storage in the north section.

3.8 Further aerial images from 2017 to 2022 below record the continued use of the Site showing that the aggregate storage/recycling activities together with storage.



Photograph 2 – Aerial photograph from 2017 showing the storage for the haulage operations and the aggregate storage/recycling

(<https://www1.getmapping.com/Webshop/Web/CommonPages/Main/preview.aspx?srnid=27700&x=506720&y=178040&searchType=eastingnorthing&height=141.42&width=100>)



Photograph 3 – Aerial photograph from 2021 showing the aggregate storage/recycling becoming more formalised

(<https://www1.getmapping.com/Webshop/Web/CommonPages/Main/preview.aspx?srld=27700&x=506720&y=178040&searchType=eastingnorthing&height=141.42&width=100>)



Photograph 4 - Aerial photograph from 2022

(<https://www1.getmapping.com/Webshop/Web/CommonPages/Main/preview.aspx?srld=27700&x=506720&y=178040&searchType=eastingnorthing&height=141.42&width=100>)

3.9 The photographic evidence (which is from an independent source) confirms that the Site has operated as an aggregate storage/recycling and haulage yard together with storage on a continuous basis throughout the last 10-year period.

3.10 There are variations in the operations shown in the photographs which reflect how Foley Haulage has developed and grown its operations over the years. It is clear to see that, over the last 10 years, the operational activities on Site have consistently been as an aggregate storage and recycling/haulage yard with storage.

3.11 In 2015 Foley Haulage registered the Site for a goods vehicle operator license and moved 12 vehicles which undertake the aggregate collection and offsite transportation to the Site. The 'O' license was issued on 29th October 2015 – see image 4 below. That license is still in place and is valid until June 2024.

<p>OK1089333 Standard National FOLEY HAULAGE LTD OK1089333 SN FOLEY HAULAGE LTD Director(s): TIMOTHY FOLEY. 60 HANWORTH ROAD FELTHAM TW13 5AY Removed operating centre: PART UNIT 3, BEDFONT TRADING ESTATE, BEDFONT ROAD FELTHAM TW14 8EE New operating centre: SITA UK LTD, HOLLOWAY LANE, SIPSON WEST DRAYTON UB7 0AE (0 vehicle(s), 0 trailer(s)) New authorisation at this operating centre will be: 12 vehicle(s), 0 trailer(s) Publication: A&D London and the South East of England(3946), New Variation Date: 29 Oct 2015</p>
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3.12 The former location of the O license was at Bedfont Trading Estate which is in close proximity to the Site. It seems that Foley Haulage had to locate in 2015 as Bedfont Trading Estate was being redeveloped by Readie Construction Ltd as part of Heathrow Logistics Park.

3.13 The activities at the Site undertaken by Foley Haulage were agreed with SUEZ, as the landlord.



3.14 Statement of Truth documents have been provided detailing confirmation of the last 10 years use of the Site. They are from:

- the occupant, Tim Foley on behalf of Foley Haulage, and
- three long term SUEZ members of staff (Gareth Philips, who has worked for the company for 22 years, Steve Horton who has worked for the company for 38 years, and Mike Garfield who has worked for the company for 23 years) who have a detailed knowledge of the Site and the wider SUEZ's landholding in the area based on their respective roles in the SUEZ business. These are provided at Appendix B

4. Rationale for determining the use to be lawful

- 4.1 The scope of this application is to demonstrate that the Site has been used as an aggregate storage and recycling/haulage yard together with storage for at least the last 10 years. The date at which the use started at the Site was 2013, as confirmed in the Statements of Truth and evidenced from the photographs. The use since 2013 has been continuous (and still remains) at the Site.
- 4.2 SUEZ has received correspondence from the London Borough of Hillingdon dated 15 April 2019 (reference ENF/236/19) alleging an unauthorised material change of use of the Site together with the adjoining land owned by SUEZ at Holloway Lane. A copy of this is provided as Appendix A. The correspondence notes that: "*at the time of inspection it was established that the site was in use as a waste processing facility, with storage of skips (Iver Recycling (UK) Limited) and an aggregate/haulage yard (Foley Haulage Limited).*" It goes on to state that: "*there is no record of planning permission being granted for either of these uses at this site.*"
- 4.3 It is clear that in 2019 the Council was fully aware that there was an established aggregate/haulage yard at the Site.
- 4.4 Separate certificates of lawfulness have been granted by the Council on 4 October 2019 for adjoining land for use as a material recycling facility (under reference 43155/app/2019/2610) and on 6 December 2022 for use as a waste processing facility under reference 77474/APP/2022/2540.
- 4.5 SUEZ does not have a record of Hillingdon Borough Council issuing any enforcement notices for the Site or the adjoining land. Hillingdon Borough Council has an enforcement monitoring search function available on its website. A search of this database confirms that the Foley Haulage has not been the subject of any enforcement complaints prior to the letter received in April 2019 (which was a complaint, not formal enforcement action). No enforcement notice has been issued for the Site.
- 4.6 As demonstrated in section 3 above, the Foley Haulage has been in operation at the Site for over 10 years. To establish that the Site has been in continuous operation as an aggregate storage and recycling/haulage yard together with storage for at least a 10-year period, SUEZ has provided:
 - 4.6.1 A letter from Hillingdon Council identifying the Site
 - 4.6.2 OS Licence details dated from October 2015



4.6.3 Statements of Truth documents signed by lease holder Tim Foley and SUEZ employees Gareth Philips, Steve Horton and Mike Garfield.



5. Conclusion

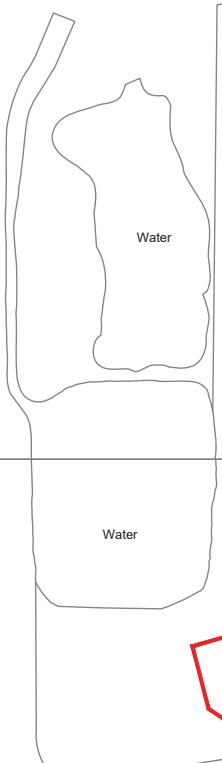
- 5.1. SUEZ considers that based on the evidence supplied including this statement that it is demonstrated, that on the balance of probabilities, that the existing use of the Site has been continuous for 10 years or more. As such, this application meets the requirements detailed under Section 191 of the Town and Country Planning Act 1990 (as amended). On that basis SUEZ respectfully requests that the Council issues a Certificate of Lawfulness for the use of the Site as described in this statement.



HOLLOWAY LANE

Nursery

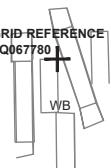
Water



Gravel Pit

GRID REFERENCE

TQ0677801



0 10 20 30 40m 60 80 100
Metres
1:1000

Notes

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KEY

— Site Boundary



Darwen Resource Recovery Park, Lower Eccleshill Road, Darwen, BB3 0RP
Tel (01254) 819700, Fax (01254) 819749, Email: richard.brasier@dufa.co.uk

Site	Scale	Drawn by	Rev	Subject	Date
Holloway Lane	1:1000 @ A3	RB	A	Red Line boundary amended	May 2024
	Date				
	April 2024				
Title					
Site Location Plan	Drawing Ref	EC			
	H1q-FLP-LOC-0424-01a				



APPENDIX A



HILLINGDON

LONDON

Company Secretary
Suez UK Environment Limited
Suez House
13-35 Grenfell Road
Maidenhead
SL6 1ES

Our Reference: ENF/236/19
Date: 15 April 2019



Dear Sir/Madam,

**UNAUTHORISED MATERIAL CHANGE OF USE OF GREEN BELT LAND
THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
LOCATION: FORMER HOLLOWAY LANE QUARRY, HARMONDSPORT, UB7 0AE.**

I write following reports regarding an alleged material change of use of the land known as the former Holloway Lane quarry site for use as a waste processing site. An inspection of the site took place on 9 April 2019 and I can confirm my findings as follows.

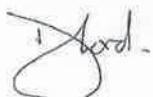
At the time of inspection it was established that the site was in use as a waste processing facility, with storage of skips (Iver Recycling (UK) Limited), and an aggregate/haulage yard (Foley Haulage Limited). There is no record of planning permission being granted for either of these uses at this site.

In light of the above findings please confirm within 14 days from the date of this letter how you intend to deal with this matter.

Please note that a refusal or indeed inaction on your part to engage a Planning Enforcement Officer and/or to have failed to remedy the unauthorised development/sought regularisation within the informal compliance period may result in the recommendation that an Enforcement Notice be served to achieve compliance. Failure to comply with the requirements of an Enforcement Notice(s) is a **criminal offence**, which on summary conviction can result in an unlimited fine.

Your co-operation is sought in order to resolve this matter and should you have any queries then do not hesitate to contact me on the telephone number below.

Yours sincerely,



D. Lord BSc (Hons) MA
Senior Planning Enforcement Officer.



APPENDIX B

STATEMENT OF TRUTH

I, TIM FOLEY of 60 Hanworth Road Feltham Middlesex TW13 5AY make this statement in support of an application to the local planning authority, being Hillingdon Council, for a certificate of lawful development.

1. Foley Haulage Limited (company registration number 06384317) (the Company) was incorporated at Companies House on 28 September 2007. Between 28 September 2007 and 26 September 2013 was known by its previous name; as Tim Foley Haulage Limited.
2. I was appointed as a director of the Company on 23 January 2009 and am registered at Companies House as being a person with significant shares in the Company, being more than 25% but less than 50% of the shareholding.
3. As a result of my position with the Company I am fully knowledgeable about the Company's operations particularly its interest in premises.
4. In December 2013 the Company commenced occupation of part of the former Holloway Quarry at Holloway Lane Harmondsworth West Drayton (the Site) for the purposes of its haulage and inert material recycling operations. The area occupied is shown edged red on the plan attached at Annex 1 (Plan 1).
5. The Company has remained in occupation and used the Site for its business operations from the date of occupation until the current time.
6. Following discussions with the Environment Agency (EA), on 20 February 2020 the Company applied to the EA for a bespoke environmental permit which was granted under reference EPR/JB3209LR/A001.
7. As it is a requirement of the EA to have signage at the entrance to the Site which was installed in early 2021, as shown in the photograph attached as Annex 2. Before that time there was no need to have signage as the vehicles delivering to the Site were fully aware of its location.
8. To ensure that the EA permit requirements could be observed it was agreed between the Company and the landowner, Suez UK Environment Ltd, to formalise the tenancy by way of a formal lease agreement which was completed on 15 March 2021.

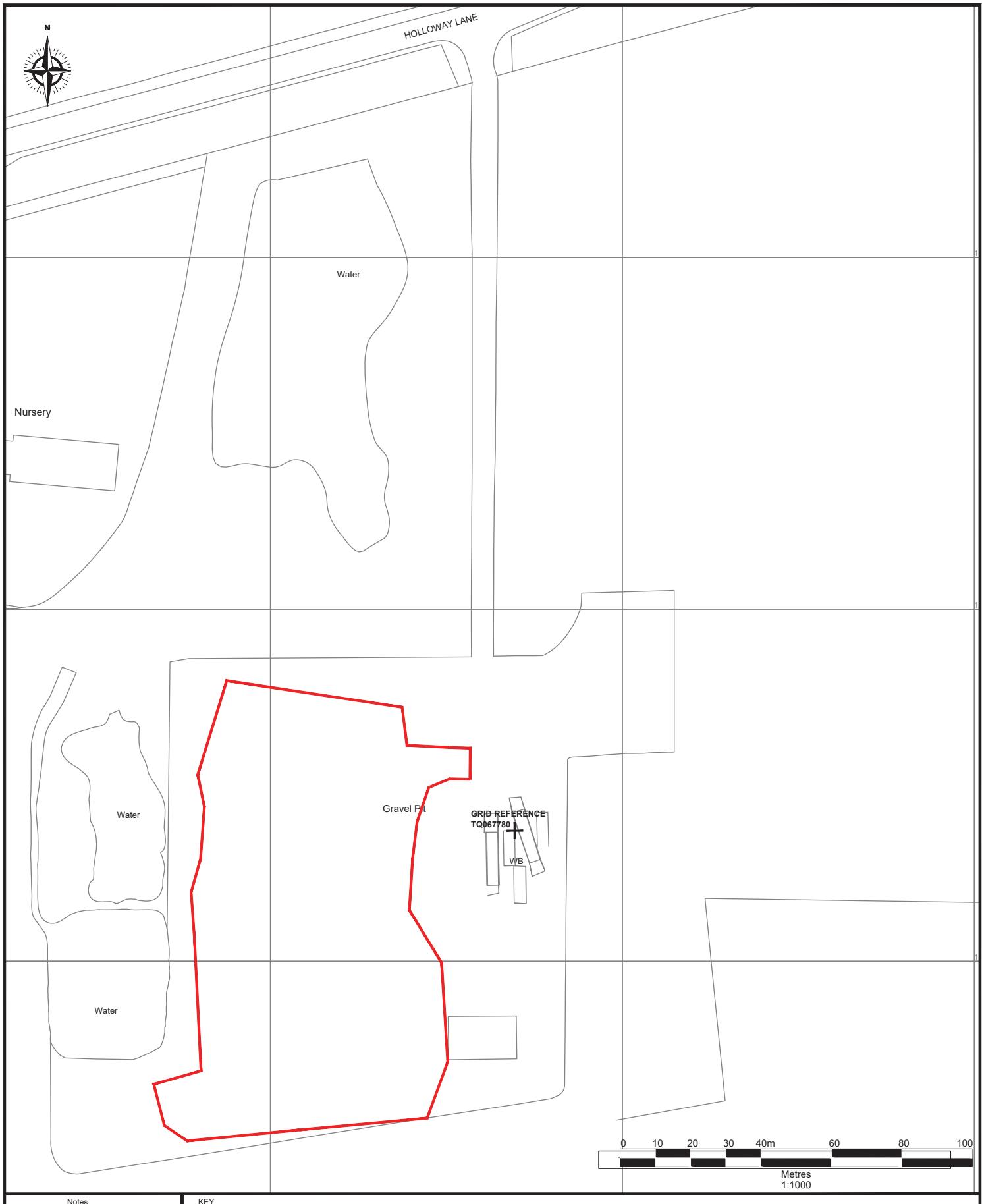
I believe that the facts stated in this statement are true and understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....



Tim Foley

Dated 01 - 05 2024



Notes

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KEY

— Site Boundary



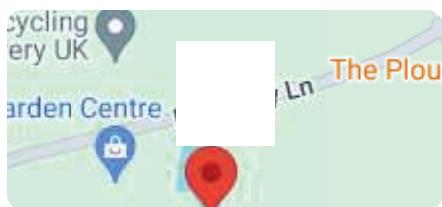
Darwen Resource Recovery Park, Lower Eccleshill Road, Darwen, BB3 0RP
Tel (01254) 819700, Fax (01254) 819749, Email: richard.brasier@suez.co.uk

Site	Scale	Drawn by	Rev	Subject	Date
Holloway Lane	1:1000 @ A3	RB	A	Red Line boundary amended	May 2024
	Date				
	April 2024				
Title	Drawing Ref	Checked by			
Plan 1 -Statement of Truth	Plan 1	EC			

A3044



Image capture: Mar 2023 © 2024 Google



STATEMENT OF TRUTH

I, Gareth Phillips of SUEZ House, Grenfell Road, Maidenhead SL6 1ES make this statement in support of an application to the local planning authority, being Hillingdon Council, for a certificate of lawful development.

1. SUEZ UK Environment Ltd (company registration number 01373225) (SUEZ) was incorporated at Companies House on 13 June 1978. One of the previous names of SUEZ, between 31 December 1978 and 1 August 1995 was Drinkwater Sabey Limited.
2. SUEZ is registered as the freehold owner of the former Holloway Quarry at Holloway Lane Harmondsworth West Drayton (the Site) which is registered at the Land Registry under title number NGL2214. The Site was purchased by SUEZ (then as Drinkwater Sabey Limited) who became the registered owner at the Land Registry on 13 January 1981.
3. I have worked for the SUEZ group of companies for 22 years. In my role as Head of UK Property I have on a number of occasions between June 2004 to date visited the Site and am fully aware about the occupational arrangements on site.
4. In December 2013 SUEZ permitted Foley Haulage Limited (the Company) into occupation of part of the Site subject to payment of a rent for the purposes of its haulage and inert material recycling operations. The area occupied is shown edged red on the plan attached at Annex 1 (Plan 1).
5. Since the date of occupation SUEZ has permitted the Company to remain in occupation and use the relevant part of the Site for its business operations. That has continued to the current date.
6. After the Environment Agency (EA) issue a bespoke environmental permit to the Company relating to the Site under reference EPR/JB3209LR/A001 it was agreed to formalise the obligations on the Company by completing a written lease agreement on 15 March 2021. That superseded the informal tenancy agreement that had existed since the Company's occupation.

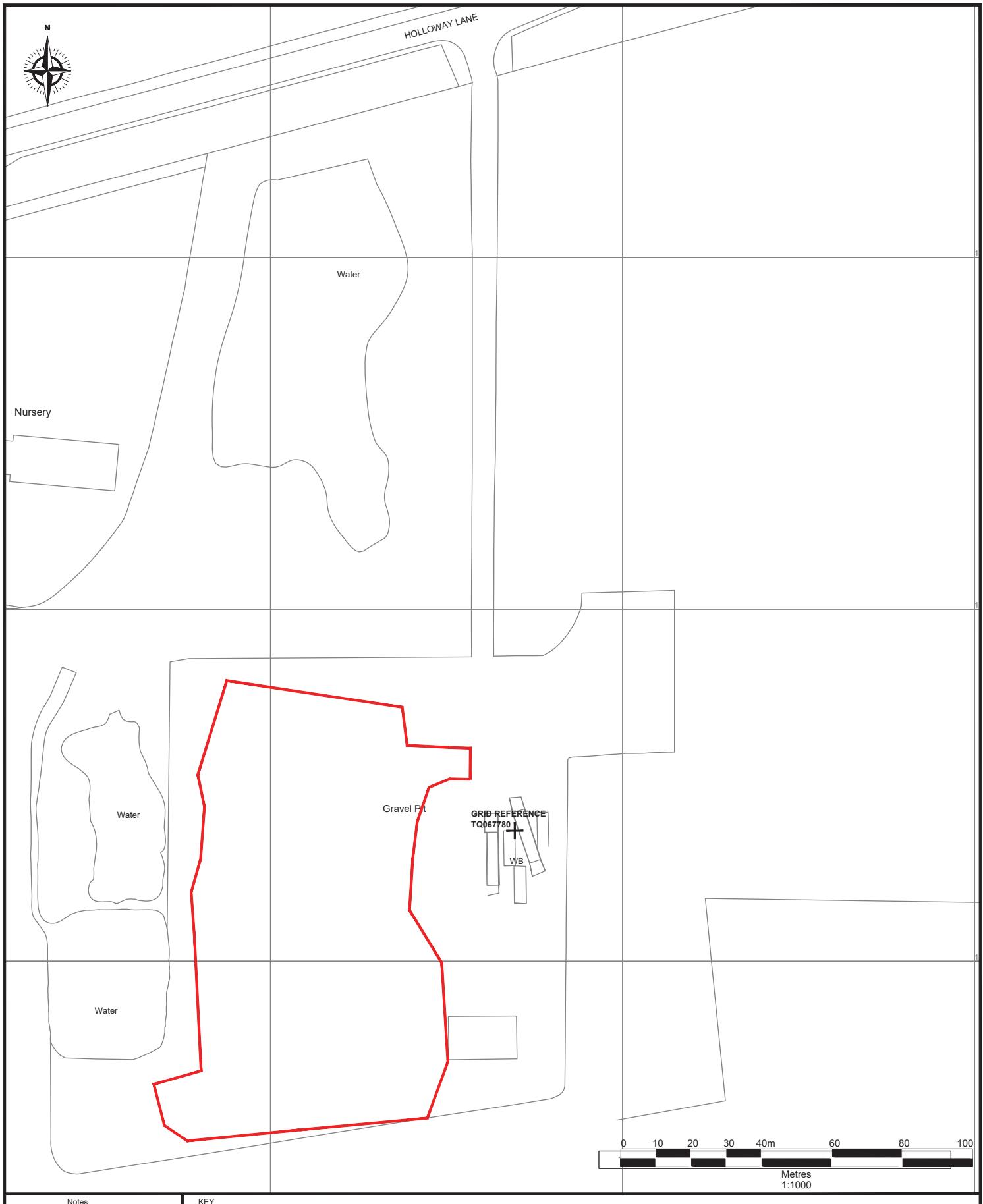
I believe that the facts stated in this statement are true and understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....



Gareth Phillips, SUEZ UK Environment Ltd

Dated 1st May 2024



Notes

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KEY

— Site Boundary



Darwen Resource Recovery Park, Lower Eccleshill Road, Darwen, BB3 0RP
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Site	Scale	Drawn by	Rev	Subject	Date
Holloway Lane	1:1000 @ A3	RB	A	Red Line boundary amended	May 2024
	Date				
	April 2024				
Title	Drawing Ref	Checked by			
Plan 1 -Statement of Truth	Plan 1	EC			

STATEMENT OF TRUTH

I, Steve Horton of SUEZ House, Grenfell Road, Maidenhead SL6 1ES make this statement in support of an application to the local planning authority, being Hillingdon Council, for a certificate of lawful development.

1. SUEZ UK Environment Ltd (company registration number 01373225) (SUEZ) was incorporated at Companies House on 13 June 1978. One of the previous names of SUEZ, between 31 December 1978 and 1 August 1995 was Drinkwater Sabey Limited.
2. SUEZ is registered as the freehold owner of the former Holloway Quarry at Holloway Lane Harmondsworth West Drayton (the Site) which is registered at the Land Registry under title number NGL2214. The Site was purchased by SUEZ (then as Drinkwater Sabey Limited) who became the registered owner at the Land Registry on 13 January 1981.
3. I have worked for the SUEZ group of companies for 38 years. In my role as an Operation Manager have on a number of occasions between 1st July 1986 – 1st May 2024 visited the Site and am fully aware about the occupational arrangements on site.
4. In December 2013 SUEZ permitted Foley Haulage Limited (the Company) into occupation of part of the Site subject to payment of a rent for the purposes of its haulage and inert material recycling operations. The area occupied is shown edged red on the plan attached at Annex 1 (Plan 1).
5. Since the date of occupation SUEZ has permitted the Company to remain in occupation and use the relevant part of the Site for its business operations. That has continued to the current date.
6. After the Environment Agency (EA) issue a bespoke environmental permit to the Company relating to the Site under reference EPR/JB3209LR/A001 it was agreed to formalise the obligations on the Company by completing a written lease agreement on 15 March 2021. That superseded the informal tenancy agreement that had existed since the Company's occupation.

I believe that the facts stated in this statement are true and understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....


Steve Horton, SUEZ UK Environment Ltd

Dated 1st May 2024

STATEMENT OF TRUTH

I, Michael Garfield of SUEZ House, Grenfell Road, Maidenhead SL6 1ES make this statement in support of an application to the local planning authority, being Hillingdon Council, for a certificate of lawful development.

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3. I have worked for the SUEZ group of companies for 23 years. In my role as Regional Manager have on a number of occasions between Jan 2004 to present visited the Site and am fully aware about the occupational arrangements on site.
4. In December 2013 SUEZ permitted Foley Haulage Limited (the Company) into occupation of part of the Site subject to payment of a rent for the purposes of its haulage and inert material recycling operations. The area occupied is shown edged red on the plan attached at Annex 1 (Plan 1).
5. Since the date of occupation SUEZ has permitted the Company to remain in occupation and use the relevant part of the Site for its business operations. That has continued to the current date.
6. After the Environment Agency (EA) issue a bespoke environmental permit to the Company relating to the Site under reference EPR/JB3209LR/A001 it was agreed to formalise the obligations on the Company by completing a written lease agreement on 15 March 2021. That superseded the informal tenancy agreement that had existed since the Company's occupation.

I believe that the facts stated in this statement are true and understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....

Michael Garfield, SUEZ UK Environment Ltd

Dated 13/05/2024



APPENDIX C



