



Formula

Neil Hodgson
Group Manager Highway Programme Design and Delivery
Nottinghamshire County Council
Highways Authority
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By post and email

25th April 2013

Dear Mr Hodgson,

C3 WEIGHT RESTRICTION PROPOSALS

We write in connection with the weight restriction order on the C3 between Balderton (i.e. at the northern end of the C3) and Elton on the Hill. This is the order, as you know, that is currently experimental and where there were proposals tabled by yourselves at both the January 2013 and February 2013 Committee meetings to make it permanent. As you know this matter was then adjourned to a later date.

We write following our meeting on 11th March 2013 and earlier submissions, including letters and emails from our solicitors as dated below:

- 15 December 2011 and its statement of objection from us,
- 10 January 2012 letter,
- 12 March 2012 email,
- 5 October 2012 email,
- 19 October 2012 email and its attachments,
- 9 January 2013 email and its attachments,
- 1 February 2013 email and its attachments (including the Waterman report).

The points below are a recap on various of these and of course we continue to reserve all of our rights (including on legal action), demonstrating how seriously we take this matter and how damaging it is to us.

This C3 route is a route that our business has used for the delivery of both products from the Balderton factory (i.e. part of the complex with the access from Staple Lane) and delivery of raw material to the factory at Balderton since its construction. The C3 has been a route used by the gypsum industry in this location since at least the 1940's.

GYPROC

The Jericho factory, operated by the Saint-Gobain Formula company, at this site (and with the access from Staple Lane) supplies raw material and products to its sister companies British Gypsum at East Leake and Artex at Ruddington.

Until the imposition of the temporary weight restriction order on the C3 by the Council back at the beginning of April 2012, this C3 route was used extensively (40% of our transport) by our companies at their Newark sites i.e. the Jericho Works and Bantycok mine with their access from Staple Lane.

We are a long standing employer, with over 80 staff based at these Balderton sites (i.e. Jericho and Bantycok) and the majority of them being from the Newark area.

The alternative routes which we are being forced to use, as a result of this temporary weight restriction on the C3, all involve our HGV vehicles travelling into the heart of the town of Newark along Boundary Road, Bowbridge Lane and Bowbridge Road and by so doing passing three schools, one elderly people's home and a hospital, through areas that are residential in nature and clearly already considered (based on existing signage as shown in the attached further copy of the Waterman report) by the highways authority to be both accident zones and congested areas, including the A46 Farndon roundabout (which is also an accident zone).

This Waterman report (which was sent to the council with our solicitors' 1 February 2013 email) also identifies the unsuitability of this Boundary Road, Bowbridge Lane and Bowbridge Road route and how the C3 route is far more suitable.

As a group of companies we take our relationships with local communities very seriously. The imposition of the temporary weight restriction on the C3 by the Council is forcing us to use the Boundary Road, Bowbridge Lane and Bowbridge Road route which impacts significantly on the safety and environment of many residents of Newark. It is stopping us from using the C3 which has a relatively low safety and environmental impact i.e. it is far more suited to HGVs than Boundary Road, Bowbridge Lane and Bowbridge Road. This weight restriction order (in its current experimental guise and if made permanent) is and will continue to damage our relationship with the local community.

When our Bantycok Mine site (i.e. next door to our Jericho works site) and both of which have access from Staple Lane was granted planning consent in 2006, the Environmental Impact Assessment (EIA) was very clear in terms of the route proposed (i.e. the C3) and the likely annual tonnages involved.

In that EIA we did not assess the alternative route (i.e. the Boundary Road, Bowbridge Lane and Bowbridge Road route) into Newark, nor would we have expected to have received planning consent if we had proposed the Boundary Road, Bowbridge Lane and Bowbridge Road route that the Highways Authority are now in effect requiring us to take through this weight restriction order. Had we proposed this route (ie this Boundary Road, Bowbridge Lane and Bowbridge Road route) at the planning stages of Bantycok Quarry we would not have had the support of the highways authority for such a route for HGV's.

So in the granting of this planning consent in 2006 it was further to our use of the C3 and the Council approved such use through the Highways authority agreement to the application and the Council's grant of the permission. The plan referred to in condition 7 of the 2006 planning permission also clearly shows our use of the C3 for HGV traffic.

This is another illustration of how unreasonable it is for another part of the Council to now be making this weight restriction on the C3 which stops our use of the C3 and for that other part of Council to now be considering making it permanent.

This temporary weight restriction is now forcing us to use routes (i.e. Boundary Road, Bowbridge Lane and Bowbridge Road) which are far more harmful to residents than the use of the C3.

The C3 route is also, unlike the Boundary Road, Bowbridge Lane and Bowbridge Road area, sparsely populated and unlike the Boundary Road and Bowbridge Lane and Bowbridge Road area is not full of schools and hospitals and dangerous road systems.

Gypsum is a key component in a whole range of plaster/plasterboard materials and thus a key component for the construction industry. Gypsum is also widely used in the ceramic and metal industry, dentistry and other medical uses as well as in the food, brewing and pharmaceutical industries. The gypsum that comes from Bantycok is of a very high grade. Bantycok mine and Jericho works is a very important site to British Gypsum and in turn other Saint Gobain companies in the group and their parent Saint Gobain Group Company.

It is also clear that the council's own traffic surveys, which you have reported to the Council committee in your reports for the January and February 2013 committee meetings, have shown no reduction in HGV movements as a result of the experimental weight restriction order on the C3.

With your assistance we would like to urge the committee to take the decision not to make the weight restriction on the C3 permanent. The weight restriction on the C3:

- does nothing to control the HGV traffic from existing businesses on the C3 (which are exempted from it); and
- due to the location of the start of the weight restriction (i.e. our entrance on Staple Lane is just outside the start of the weight restriction and so we are not exempted from it unlike businesses which have their exit/entrance on the C3) has the effect of singling out our business.

The weight restriction order on the C3 is also contrary to all common sense and is unreasonable given the established nature of the gypsum business, the established use of the C3 route, the far more favourable environmental impact assessment and safety of the C3 route (when compared to the Boundary Road and Bowbridge Lane and Bowbridge Road route). This weight restriction order has also not met its purpose i.e. to reduce HGV usage of the C3.

The minimising of road safety risk to residents (including schools and hospitals) should also be put first by the highways authority. As the above reminds, British Gypsum have conducted an Environmental Impact Assessment and have put this consideration first by using the C3 delivery route over many years rather than driving through the densely populated residential areas of Newark and Balderton (i.e. along the Boundary Road, Bowbridge Lane and Bowbridge Road that this weight restriction now forces us to do). This use by us of the C3 was approved by the Council through their grant of the 2006 planning permission.

The Council is now contradicting this by this weight restriction order and is not putting residents' safety first, and is causing far more harm to a far larger number of people and users (including schools and hospitals) through this weight restriction order (i.e. currently an experimental one) than by not imposing a weight restriction on the C3.

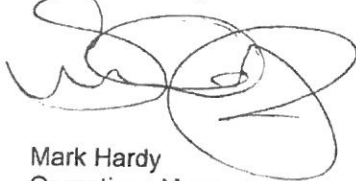
As we know, and following on from our earlier submissions in January 2013 and February 2013, the matter was adjourned at both the 10 January 2013 and 6 February 2013 Committee meetings. I understand that we have still not had any response to our submission in February 2013.

We hope that in the light of our submissions that the Committee will now decide not to make this experimental weight restriction order permanent.

The weight restriction order on the C3 is very damaging to our business, the environment, and the safety of Newark residents (and including the far greater number of adversely affected parties by the use of Boundary Road, Bowbridge Lane and Bowbridge Road instead of the C3).

The weight restriction order on the C3 is not reducing HGV traffic on the C3 (i.e. its purpose), and the C3 is far more suited to HGVs and is the route that was approved by the Council as part of our 2006 planning permission.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Mark Hardy', with a large, stylized loop at the end.

Mark Hardy
Operations Manager
Saint Gobain Formula Ltd.

cc:

Cllr. Keith Girling, Newark West, (enc. Newark Area HGV Routing – Road Safety Review).
Cllr. Stuart Wallace, Newark East, (enc. Newark Area HGV Routing – Road Safety Review).
Patrick Mercer, PM Newark & Retford, (enc. Newark Area HGV Routing – Road Safety Review).