

Draft Heads of Agreement

These Draft Heads of Agreement relate to the following Planning Application:

- 1) Continued back filling with inert material and restoration of land to agriculture until December 2015 ref: **RU12/0872**

Set out below are the broad heads of agreement, subject to the grant of planning permission for the above application, to be included in a legal agreement between CEMEX UK Material Limited (Applicant) and Surrey County Council (Planning Authority) in relation to: the routing of heavy goods vehicles along the haul road.

Recital

The Applicant is the freehold owner of Coldharbour Lane Landfill and Norlands Lane Landfill
Coldharbour Lane Landfill and Norlands Lane Landfill defined as excluding the haul road

Routing of Heavy Goods Vehicles

The Applicant shall:

- (i) Erect signs on within Coldharbour Lane Landfill to explain the routing arrangements to be followed by drivers of HGVs entering and leaving the site;
- (ii) Issue or cause to be issued directives to the drivers of HGVs under the direct control of the Applicant or otherwise lawfully entering and leaving the Coldharbour Lane Landfill such directives setting out and requiring compliance with the permitted journey routes prescribed in paragraph (i) above;
- (iii) Use all reasonable endeavours to ensure compliance with such directives including the inclusion of such obligations within the conditions of contract of all haulage contractors employed by the Applicant to travel to and from the Coldharbour Lane Landfill such conditions of contract to include an escalating sanctions regime whereby a warning will be issued for a first breach of such requirements by a contractor, a written warning issued for a second breach, a notice suspending a contractor's haulage contract for a period of not less than 7 days be issued for a third breach of such requirements and a contractor's haulage contract being terminated by the Developer in the event that such contractor or its drivers fail to comply with the directive's lorry routing restrictions on four or more occasions;
- (iv) Use all reasonable endeavours to enforce such contractual requirements where any breaches come to the attention of the Applicant;
- (v) Inform the Council of the steps that it has taken to comply with the requirements of this paragraph;
- (vi) Take adequate steps to monitor the routing of HGVs to and from Norlands Lane Landfill by carrying out random spot checks at the exit to the Coldharbour Lane Landfill and on local roads to ensure compliance such checks to take place not less than 4 times per calendar year; and
- (vii) Issue to all HGVs drivers a map indicating the routes to be used and any prohibited routes.

