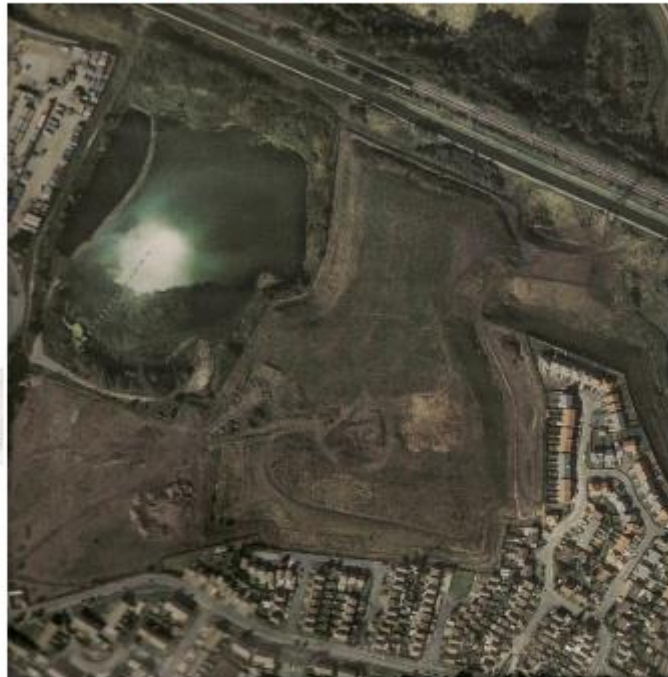




A TALE OF TWO TIPS



1.0 "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness...."

1.1 it was the age when waste management licences were issued with few questions asked, it was the age when tipping and playing the planning system for all it was worth made a mint. It was the epoch when the regulators "monitored closely", it was the epoch when they looked the other way.....

Numerous activities on this supposed "reclaimed" private open space site which no longer had a valid waste licence permit, [this being surrendered on liquidation of the company as confirmed in an FOI request to The Environment Agency](#). Therefore, this site was in the remit of Sandwell Council regards authorised activities which could impact human health- under part2 A Environmental protection Act. It reveals a cavalier attitude of environmental health and planning policy where the protections of the public and environmental health come a poor second to the economic interests of land owners of this site and their pointless activities. [At every stage, I can evidence correct protocol of reporting these matters to Sandwell Council, only for them to be ignored, then having to chase a response, and finally an absurd response using increasingly desperate semantics and failure to investigate or prosecute action.](#)

2010 metal tatting exercise prior to the SAD inspection.

No metal should have been present at this "reclaimed" site, the only material allowed under licence SL947 was supposedly screened, and yet the extent of the intrusive excavations, not forming any "intrusive site investigation" received the most ludicrous explanation from senior planning officer

John Baylay in relation to my and local residents complaints about the unsanctioned activities which should have required planning applications and site assessments.

[Here's video I took of this at the time.](#)



A massive crater had been carved out in an area that included the stated “Duport’s Tip”. A large blue piece of machinery loomed like an invading spacecraft that had settled in the pit. It was quite a mess, and several metres deep!





“



Service roads appeared to have been carved around the site, yet no one from the housing estate, the canal or John's Lane were deliberately able to identify what was going on in the middle due to the carefully hidden trench enforcements of the over tipped foundry sand mounds.

Next it appeared that some form of industrial grade magnet had been attached to one of the earth



movers, and was busy removing large piles of scrap metal buried within this area. Hardly “good housing” keeping was it, especially when buried down so deep. No one could possibly have tatted for metal to those depths without being seen and bringing machinery of this nature onto the site could they?

[HERE'S A CLIP OF THIS ACTION AT THE TIME, TATting FOR METAL , WITH DIGGERS REMOVING AND SHIFTING PILES AROUND AIMLESSLY JUST AS DESCRIBED BY RESIDENTS IN THE 1990'S](#)

There was also clearly much material blowing about in the wind through the Christmas trees, many of which appeared to be being felled into the partially hidden crater being excavated.



Within the new lunar landscape the activities of man were clear to see. ICI – a firm which had not been in the area for many years clearly had some packaging waste blowing about in the rattlechain area. Sodium hydroxide is clearly a very dangerous substance, but there was never any licence which allowed their waste or of any other chemical company to be deposited here, not even as notes in the margins.







Silica- a human carcinogen

Worse than this silica packaging, with the clear warning on the red packaging that this was a human carcinogen. It was evident in the carved out water filled craters that much of the so called rags, scrap packaging etc was still there and had not been removed from the site.

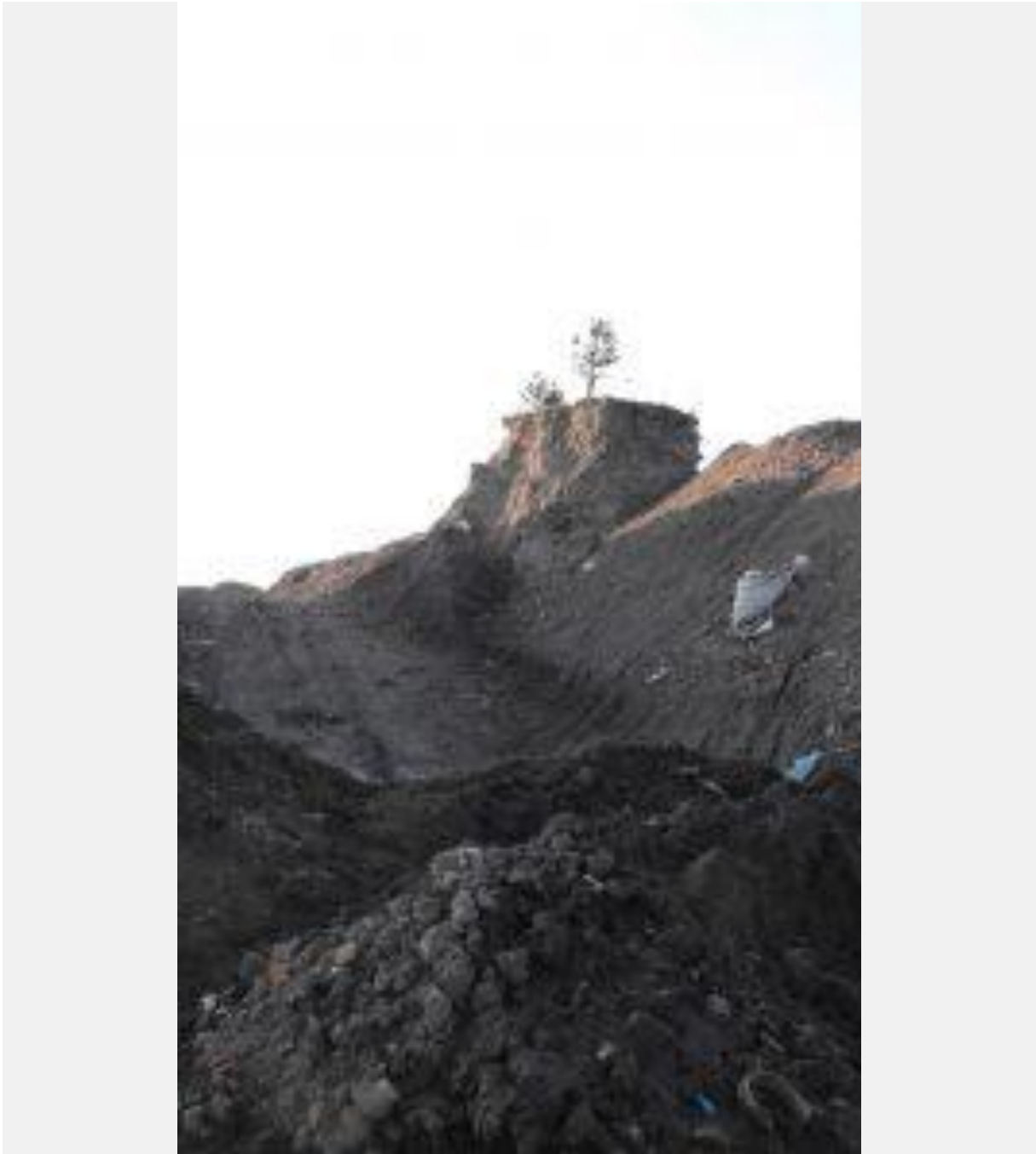






For scale, a meter ruler highlighted was placed at the foot of one of the new crevasses. See middle of picture.





According to John Baylay-

“I attended a site meeting with the owner (John Hurst of Mintworth Transport Ltd) in August 2010 and again in February 2011. I have made several other site inspections from nearby roads and the canal since then.

The site owner has explained that: –

- 1. Settlement, scouring and erosion, criminal damage to the perimeter security, and extensive ‘tattooing’ for metals has left the site far from the state that it was left in on completion of the approved reclamation/landfill operation well over 10 years ago;*
- 2. The activities undertaken have been for the purpose of repairing and making the site safe; returning it to the state in which it was, and reducing the likelihood of trespass and/or accident.*

3. The activities have involved the placement of screened foundry sand over exposed slags and lumps; re-dressing the slopes to make them safe; and, improving vegetation cover over parts of the site.

ahem



4. The screened material has been obtained has been obtained by screening existing fill materials on the site.

5. The activities are matters of maintenance and repair to the approved landform (i.e. good housekeeping) and do not therefore amount to “development” requiring planning permission.

To date it has not been considered that there is a clear breach of planning control requiring action by the local planning authority in the public interest. However, the matter will be kept under review and I expect to have a further site meeting in the next month or so.

If you have any queries, please do not hesitate to contact me.

Regards

John Baylay

Principal Planning Officer”

Large amounts of metal were recovered from this site, and it is quite clear that these were taken away, no doubt to weigh them in for quite a mint. But why were they allowed to be dumped there in the first place with the foundry sand during the supposed period of licensing?

2020 supposed “intrusive site investigations.

Works under cover of lockdown 2020

In **October 2020** I noticed activity on the hill off Gladstone Drive and vehicles travelling along the John’s Lane Road. I query the legal right for vehicles to use this access up to the canal given that it was in place at the time of the waste management licence for the said operation. When Mintworth

decided to nullify this and abandon the site, that licence was extinguished, yet for sanctioned tatting operation in 2010-11 vehicles accessing this path obliterated the condition as well as damaging the Rhodia fence, so much so that signs were placed on here, (see below).



On speaking to local residents, who videod several incidents, it was also clear that they were accessing the site via Gladstone Drive as well, and this sparked concern as to what was being undertaken here in light of the machinery.



My observations showed that new boreholes were being sunk all over the place, including the one below on the crest of the East of Rose Lane area.





Black tracks were clearly carving up the land as they had a decade earlier turning the greened over land treacle noir again.



This operation appeared to last nearly a month, and samples were observed to have been collected of soil samples.



According to the company information from this consultancy

“Our primary areas of interest are: – Ground investigation covering geotechnical and environmental services. Construction and built environment services.”

Drilling rigs were all over the site, and also right next to residential properties which caused concern again for residents.







red flags

And the so called absurd “Garden City” claimed its first casualties in that pathetic and fraudulent vision.





In regard to this new activity, I sent questions to SMBC as to what was going on and if consent was needed for such an operation, given that under legislation, this site is NOT the responsibility of the Environment Agency, due to the licence bypass, but of the council to ensure that no one comes to harm as a result of disturbing land known to contain waste potentially harmful to human health. This is part 2 A of The Environmental Protection Act.

It took this council 6 months to reply to this query, a pathetic and deliberate delay on their part. One can see from this that they could not care less about opposition to built development on “crap site” land such as this.

“With regard to your enquiry of 1st March which essentially was seeking a response to your original enquiry of last October. Firstly, I apologise for the delay in responding, but your enquiry related to a number of different elements, many of which I am not directly responsible, hence this coupled with COVID 19 restrictions has made it difficult for officers to investigate your enquiry.

Response

Council officers will pursue the contractor and site owner to reinstate the footpath. Unfortunately due to COVID 19, we are finding that Enforcement action can take more than a year through the Magistrates Court


The works that were undertaken last year, were exploratory works to understand the feasibility of developing site. Planning permission is not required for these works. Environmental Health would not have any involvement unless the works caused nuisance to residents. The planning authority has visited the site and noted that works have now ceased. If a planning application is made in due course we would review any feasibility works that had been undertaken in consultation with Environmental Health. Such works are deemed to be good practice in preparation for the assembly of planning applications.

Whilst the site is allocated for housing within the development plan, no formal pre-application discussions have taken place at present with regard to redeveloping the site. If a formal planning application is submitted for this site, both local residents and relevant statutory consultees (i.e. Environmental Health) would be consulted. Any comments received would be considered during the determination of the application.”

No name was attached to this, though my original enquiry was Targeted at **Alison Bishop** in planning, whom I was told had now left SMBC , **but hasn’t**, and **Gareth Davies** of contaminated land.

Compare the above with the recent statement put out by Sandwell council again, and you may appreciate why I do not believe a word that they say about any proposed future ***“intrusive site investigations”***.

https://www.sandwell.gov.uk/planning/vegetation-clearance-work-done-rattlechain-tip-tivdale-oldbury?fbclid=IwY2xjawIJ45xleHRuA2FibQIxMQ...

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Vegetation clearance work being done on Rattlechain Tip in Tivdale, Oldbury

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Rattlechain Tip in Tivdale, Oldbury, is a privately-owned brownfield site that has been identified as being suitable for housing in the local plan, subject to planning permission being granted and reclamation work being done on the land.

Planning officers from the council have met with the agents acting for the landowner to discuss how this large site can be reclaimed and redeveloped to provide much-needed housing.

The landowner has this week started to clear vegetation in advance of future site investigations which will inform a future planning application.

Independent ecologists have assessed wildlife and protected species that live or may be living on the site and an ecologist is attending the works with a watching brief.

Preparatory works of this type are a normal part of the development process.

The council has been advised that the private landowner has distributed leaflets to nearby residents to explain the works being undertaken which includes a contact number for the contractor should there be any queries relating directly to the works themselves.

The council is aware of the work and has seen the contractor's risk assessments to ensure the work being done is being properly managed. There will be no ground investigation of the site at this point.

We have been advised that the work, which began on 8 January 2025, should take around two weeks to complete.

This is a very early stage in investigating the potential future use of this site and no planning permission for development has been granted at this time.

Should an application be made in the future, consultation on the proposals will be undertaken with residents who would then have a chance to make any comments. Any comments can be raised in writing via email to info@eliasstopping.co.uk

2025 ecocide supposedly prior works to intrusive site investigations.

See above explanation from Sandwell Council in which they parrot the proven lies of the site owners and their agents. Despite many individuals complaining to their local councillors, they did not respond for weeks after this fiasco had unravelled, and put out this press release when it became apparent that there was a serious PR disaster looming for them. This is far from the caring council they like to project in terms of protecting wildlife and its habitat. The works destroyed the quality of life for local residents and this was made clear in pictures that they sent. During these works, there was no health and safety policy apparent at all, work continued as people came across the site, and damage was alleged to have been caused to a car in Macdonald Close due to site vibrations from machinery. Record sheets were distributed and kept of site activities in case of any future litigation along with pictorial and video evidence in terms of the failures of the site operators and of Sandwell council.