

**Draft minutes of the South Wales Regional
Aggregates Working Party
Waterton Centre, Waterton Industrial Estate, Bridgend
Wednesday 18th March 2009**

<u>Present: -</u>	<u>Action: -</u>
<p>M Hooker (Chair) – Consultant S Bool (Secretary) – BCBC S Williams – Cardiff County Council O Jones – Rhondda Cynon Taff County Borough Council L Christian – Newport County Council N R Morgan – Neath Port Talbot County Borough Council B Hollington – TSD / WAG L Jones – Vale of Glamorgan Council G Dorrington – Ceredigion County Council M Davies – Monmouthshire County Council A Wilcock – Torfaen County Borough Council J Cuddy – Cuddy Group M Frampton – MPA T Gilman – BAA R Millard – MPA K Hobden – MPA K Maddock-Jones – Countryside Council for Wales C Morgan – Brecon Beacons National Park Authority R Henderson – City and County of Swansea J Kirk – Pembrokeshire Coast National Park Authority S Martin – Welsh Assembly Government C Warburton – Welsh Assembly Government H Towns – Carmarthenshire County Council J Locke – Carmarthenshire County Council N Bateman – Carmarthenshire County Council</p> <p><u>1. Apologies</u></p> <p>L Healey – Blaenau Gwent County Borough Council M Lucas – Vale of Glamorgan Council M Wrigley – Crown Estates M Russell – BMAPA M Lawer – Tarmac S Packer – Powys County Council K Seaman – UMD A Wilkes – Environment Agency Wales I Thomas-National Stone centre(Sec-NWRAWP) R Amundson - Caerphilly CBC</p> <p><u>2. Minutes of the last meetings – SWRAWP 17th September 2008 & Sub Committee 21st November 2008</u></p>	

Agreed as a correct record subject to: -

(i) SWRAWP report 17/09/08 – Page 4. Third paragraph. Reword to read ‘The application of a factor for waste was used by MF to illustrate his point that the net workable tonnage should be quoted as the reserve figure, not the in-situ tonnage’.

(ii) AOB – D Harding (MPA Wales Secretary) to receive agenda / minutes of meetings.

3. Matters arising

SWRAWP report 17/09/08 –

Page 3. Third paragraph regarding standard mineral application form. It is evident no standard form is used UK wide and the One Application system does not pay much regard to mineral matters. No doubt the forms will be standardised but there is no timescale as yet because of low profile / priority.

Page 3. Item 6. Fifth paragraph. Research is underway by Capita Symonds acting on behalf of WAG, to investigate issues / concerns regarding restoration and aftercare of coal and aggregate sites. Short contract to be completed by the end of April 2009. Includes reference to dormant and periodic review sites.

Page 4. Paragraph 9 regarding reserves. SB advised this topic had been discussed at the RAWP Secretary’s meeting in London but no easy / sensible solution confirmed. Each case to be determined on the site characteristics. KH considered reserve figures were dynamic and constantly under review, and not necessarily reactive to applications or surveys. Industry only change reserve figures as a last resort.

SM suggested reserve figures appear to be rolled forward without proper consideration particularly by junior staff. Such figures only seem to undergo rigorous examination at the 4 yearly national survey period.

RM / MF advised reserve figures are assessed as and when necessary. MH suggested the reserve figure section in RAWP annual survey forms may need to be amplified and the forms should give the opportunity for this.

KH raised the confidentiality issue and confirmed the majority of MPA members were in favour of agreeing a specific set of survey questions. The MPA will be working towards the approval of a set of questions but this won’t be in place until the 2009 survey. In the meantime, talks will continue with POS.

SB

<p>TG confirmed the BAA were taking a similar stance to the MPA on this issue. It was acknowledged if a managed supply was to work, sound data was required. MH drew attention to the strong challenges that have been made by regional authorities in the South East. It was acknowledged the CLG have a difficult task in managing apportionment which is exacerbated by a lack of staff experienced in mineral work.</p> <p>Page 4. Item 8 regarding SWRAWP website. SM advised the WAG had funded the website in North Wales for a further 2 years and this will in the future be built into the RAWP contracts for both North and South Wales.</p> <p>Page 5. Item 9. 6th paragraph. KH advised Leeds University are running a Masters course in minerals and waste via modular distance learning.</p> <p>SM referred to the University of Glamorgan who regrettably had been unable to continue with their MSc course because of lack of support.</p> <p>It was agreed all MPA officers would advise their CPO's on the availability of the Leeds course.</p> <p>Page 6. Point 5 regarding Bristol Channel Study. SM advised this was being pursued by the WAG Marine Unit who have responsibility for the 2007 regulations. SM agreed to forward details to SB for circulation. <u>See section on Marine- item 5 for MCU update post meeting.</u></p> <p>Page 16. Point 6. AW confirmed the area he was referring to was the former Gwent County Council area.</p> <p>Page 6. Point 10. Discussions have been held between WAG and Flintshire County Council to secure the contract for the NWRRAWP for 12 months starting from 1 April 2009. When the SWRAWP contract expires on 1st April 2010, both contracts will be re-issued.</p> <p>The RTS in the NWRRAWP will be issued shortly following final endorsement by the last of the constituent authorities.</p> <p><u>4. SWRAWP update (SB)</u></p> <p>AS2008 survey forms were despatched in January and a target deadline has been set for <u>31st March 2009</u>. Very few returns to date. SB requested all MPA officers to send reminders to non-respondents. In addition, officers to provide: -</p> <p>(i) list of sites updated as necessary (status) (ii) items of interest (iii) list of permissions granted in 2008</p> <p>Industry representatives to note deadline for the response of forms.</p>	<p>All</p> <p>SM</p> <p>All LA officers</p> <p>MPA reps</p>
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As secretary, SB confirmed his attendance at several conferences, seminars, forums, and steering groups relating to major projects, research, RAWP Secretary's, site waste management plans, etc.

With regard to the SWRAWP website SB reported there had been 3,300 unique visits between 1st October 2008 – 31st December 2008 and 2,000 unique visits between 1st January 2009 – 31st March 2009. This justified the need for WAG to fund the RAWP's websites in the future.

Steps have been taken to revise / re-model the annual survey forms to make them more user-friendly.

Following the cessation of work carried out by Graham Bishop (WET) on the collection of statistics for the use of recycled aggregates and secondary aggregates to substitute for primary aggregates, SB advised a request had been made to WAG to fill this data gap. SM confirmed further bids for the work to be continued via Aggregates Levy funding had been submitted by WET, TRL and WRAP but these had been unsuccessful. However, elements of these bids had merit and WAG were therefore still actively pursuing new submissions given the importance of the statistics to the evidence base for the RTS.

JC thought WET had ceased to exist.

5. Marine

SM confirmed Tamsin Brown of the Marine Consents Units would be administering the licensing arrangements.

Marine and Coastal Access Bill – likely to receive Royal Assent in the autumn. The new licensing regime will then come into force.

Bristol Channel Marine Aggregates GIS(Bristol Channel Study) Updating of the GIS data layers is under way in-line with the commitment the Minister gave in October 2007. The study is being taken forward with the technical Services Division(TSD) who are able to update around 80% of the existing data held in the GIS in-house. This exercise should be completed by June, 2009. In respect of the remaining 20% data, options are being considered.

SM gave an update on the various dredging areas. List to be forwarded to SB for circulation.

Post meeting update now provided by SM.

Applications:-

North Bristol Deep (area 470)

Next steps-awaiting outcome of AA and determination stage will follow.

SM

Nobel(Area 486) next steps-awaiting information from applicants before application will be progressed.

North Middle Grounds(Area 455 and 459)awaiting outcome of consultation on marine works(EIA) Regs 2007 amendment to fill a regulatory gap.Next steps are being considered and will be agreed in due course.

Screening determinations.

Nobel(Area 476) for an increase in tonnage.-next steps-WAG to issue screening determination once all required advice received.

Existing permissions(to note in particular)

Helwick(Area 373)-dredging not commenced –awaiting sign off of baseline survey specification.

West Middle Grounds(Area 385)

There is a current issue with the Coast Protection Act 1949 consent required for the dredging activity,in relation to the requirements of the Marine Works(EIA) Regs 2007.CPA falls under these Regs and therefore is bound by its requirements.This issue is currently with DEFRA lawyers and we are awaiting an update on next steps from them.

Marine Consents Unit

The Marine Consents Unit (MCU) has been established within the Welsh Assembly Government's Marine Branch, and is responsible for administering and issuing permissions under the Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (Wales) Regulations 2007 and, in the longer term, will administer a range of marine licensing functions, including the new regime proposed under the Marine and Coastal Access Bill.

The MCU can be contacted at mcu@wales.gsi.gov.uk.

Please pass on apologies for not attending in person.

Marine and Coastal Access Bill

Progress of Bill through Parliament - The Marine and Coastal Access Bill was introduced into the House of Lords (HoL) on 4 December 2008, and received its Second Reading on 15 December. HoL Committee stage commenced on 12 January 2009, with subsequent dates throughout January - April. It is expected that Report stage will take place in April - probably after Easter - this is all dependent on how quickly they get through the last parts (Parts 6-9 left to consider as of today (16/3)). This same process will then begin in the House of Commons. As a result of current progress, thinking is that the Bill will receive Royal Assent after the summer recess in Autumn 2009.

Delivery update - Consultations on the development of the new licensing regime will be carried out jointly with Defra, wherever possible. The first of these is expected in the next few months. Keep an eye on Defra and WAG websites for further information in due course. The Welsh Assembly Government continues to investigate all the options for delivery and the consultation responses will help to

underpin this thinking also.

Bristol Channel Marine Aggregates GIS update

WAG will be updating the majority of the data held in the BCMA GIS in-house (We can access around 80% without needing to contract the work out). Next steps on this piece of work are yet to be agreed in terms of the remaining 20% of data. However, views will be sought from the Minister on the next steps very soon.

Casework:

Applications

North Bristol Deep (Area 470) - next steps - awaiting outcome of AA and determination stage will follow.

Wobel (Area 486) - next steps - awaiting information from applicants before application will be progressed.

North Middle Grounds (Area 455 and 459) - awaiting outcome of consultation on Marine Works (Environmental Impact Assessment) Regulations 2007 amendment to fill a regulatory gap. Next steps are being considered and will be agreed in due course. I am working closely with Defra on this process and taking internal legal advice to ensure that this application can be moved forward as quickly as possible.

Screening Determinations

Nobel (Area 476) for an increase in tonnage - next steps - WAG to issue screening determination once all required advice received.

Existing permissions

Helwick (Area 373) - baseline survey specification currently back with applicant to provide additional information to WAG.

Nash (Area 376) - ongoing review of monitoring, latest with Cefas for comment.

Holm (Area 377, 379, 381)

West Middle Grounds (Area 385) - there is a current issue with the Coast Protection Act 1949 consent required for the dredging activity, in relation to the requirements of the Marine Works (Environmental Impact Assessment) Regulations 2007 - CPA falls under these Regulations and therefore is bound by its requirements. This issue is currently with Defra lawyers and we are awaiting an update on next steps from them.

6. Standard of restoration

the industry in recent reports. AW said that in Torfaen they were taking into account the projected aggregate requirements for that part of the of the Borough's population in the National Park and were planning for it in their apportionment. MH suggested there should be further discussion on this topic and it was agreed he and SB would consider the merits of setting up a SWRAWP sub committee to discuss the matter further.

KMJ requested AONB's ought to be included with National Parks on this issue as they enjoyed similar if not more important status.

7. Joint working arrangements

SB outlined the papers that had been circulated and the responses received from mineral planning authorities to-date. Four responses had been received; two confirming they did not wish to engage with such arrangements; one confirming possible interest subject to further details being clarified; and one possibly offering their services as another lead authority.

Overall, it was anticipated the remaining authorities would respond very differently giving at best a range of responses.

NM thought Neath Port Talbot CBC would have some real concerns about how a lead authority would be promoted above others. However, it was noted Carmarthenshire CC had been working with such an arrangement for some time and there appeared to be few significant problems so far. NPT generate fees which are one of the highest in the region and it was considered they should therefore be given the opportunity to act as a lead authority. MH felt this issue formed the basis of his paper and there was recognition there was a significant lack of expertise by MPA. As long as local authorities were fully aware of the service delivery offered by lead authorities this gave them the opportunity to meet their needs.

TG felt the solution had been proposed and was already in action (in part) via Carmarthenshire CC. It just needed to be refined and taken forward a step.

RM endorsed TG's view and considered Carmarthenshire CC's team had been very positive demonstrating clear service benefits.

HT confirmed they were not in essence a lead authority per se but a consultancy to the authority.

There was a general acknowledgement regular monitoring and contact with sites and operators generated better understanding and relationships with the industry. This should continue.

With regards to the issue of fees for applications, it was noted there

SM

considered to be too prescriptive. The rationale for these was discussed but no consensus on their merits / use was agreed. CW confirmed they were primarily intended to protect the mineral resource.

10. AOB

1. MH spoke about the Severn Barrage proposals and how far the project had been progressed to-date. It is becoming evident current publications do not address the necessary provision of aggregates from the region in any depth. There appeared to be an assumption that each region can meet their own demands and needs for the project. SB reported a recent ICE conference in Bristol on the subject which highlighted a worrying lack of forward planning and the impression given the necessary resources would be dictated by the market conditions that prevailed at the time.

2. SM referred to the POSW Minerals and Waste Topic Group and how this had been administered by Bridgend CBC as lead authority and then latterly the WAG following the retirement of the chair from BCBC. WAG were trying to get POS Wales to take this on but inevitably this would mean another new lead authority would need to take it on. It was agreed all MPA officers would refer this issue to their CPO's.

3. SM raised the issue of mapping licences. The Digimap BGS licence issued to some individual MPA's will run out shortly as they were only temporary for 12 months. In view of this, WAG have taken a decision to acquire a licence giving free access for line work. This will be available to the industry and LA's.

4. RM sought assurances from SM the WAG would strive to replace both SM / CW posts with experienced mineral planners. SM advised a new recruitment was starting shortly and they were actively recruiting a replacement for CW. Jo Smith would continue to be involved with RAWP liaison. SM agreed she would pass on RM's concerns to Rosemary Thomas – Head of Planning Division.

5. In the light of CW's imminent retirement, MH thanked her for all of the enthusiastic / hard work with Welsh mineral matters and the SWRAWP. This was wholeheartedly endorsed by RM / TG on behalf of the quarry industry.

11. Date of next meeting

Wednesday 30th September, 2009, at the Waterton Centre, Bridgend (10am start).

SM