

SOUTH WALES REGIONAL AGGREGATES WORKING PARTY

Minutes of meeting – 2 pm on Wednesday 10th September at Innovation Centre, Bridgend

Present:

Martin Hooker – Consultant (Chair)
Hugh Towns – Carmarthenshire CC (Secretary)
Gareth Denning – Bridgend CBC
Ruth Amundson – Caerphilly CBC
Ken Hobden (KH) – MPA
Mark Frampton - MPA
Neville Morgan – Neath Port Talbot CBC
Lindsay Christian- Newport City Council
Gary Nancarrow – North Wales RAWP Secretary
Richard James – Pembrokeshire Coast NPA
Bob Smith – Pembrokeshire CC
Mark Wrigley – The Crown Estate
Adrian Wilcock – Torfaen County Borough Council
Joanne Smith (JS) – WG
Steve Bool – WG

1. Apologies:

Lynda Healy – Blaenau Gwent CBC
Murray Alston – BAA
Chris Morgan – Brecon Beacons NP
Tom Boothroyd – Carmarthenshire CC
Ruth Henderson – CC Swansea
Justin Waite – Merthyr Tydfil CBC
Malcolm Lawer – MPA
Mark Russell – MPA
Mike McGee – MPA
Karen Maddock Jones - NRW
Chris O'Brien – Powys County Council
Owen Jones – Rhondda Cynon Taff CBC
Basil Hollington – WG

2. Minutes of the SWRAWP Meeting 6th February 2014

The minutes were accepted as a correct record, with one amendment – this being in section 10 where in the second line 'RTS/Vale' should read 'RCT/Vale'.

3. Matters Arising

Section 4 - The Secretary confirmed that there was provision within the SWRAWP budget for the Chair to be paid travelling and subsistence expenses.

Section 10 – There was a renewed request for a clarification note from WG on how reserves at ‘straddler’ sites should be allocated. Historically, they have been allocated to one of the LPA’s that the site covers but the logic of this has been challenged. There was concern that if the SWRAWP adopted a convention on the matter then that may not carry as much weight with Inspectors at LDP Examinations as a WG clarification. JS explained that WG could only issue a clarification note in relation to existing policy and there is no policy on this matter. The view of the members present was that the reserves should be split on the basis of the LPA area they occur in but that care must be taken to ensure that reserves are not double counted. Adrian Wilcock stated that in the case of Tir Pentwys the Inspector accepted that the reserve in Torfaen/Blaenau Gwent was split based on the county it was in so there is precedent for this approach.

4. South Wales RAWP Update

Carmarthenshire had been successful in obtaining grant aid from WG to provide the Secretariat for the SWRAWP until the end of March 2015.

The responses to AS2013 in relation to primary aggregates have been very slow, with the returns of one major operator still outstanding. If the returns are provided relatively soon it is anticipated that the Annual Report will be published before the end of the year. Responses in relation to secondary aggregates have been very poor.

The Secretary is currently undertaking a programme of familiarisation visits to quarries in South Wales in order to increase his awareness and knowledge base.

5. North Wales RAWP Update

The submission of survey returns in North Wales has been relatively good with only a few outstanding. The picture appears to be that output is fairly flat with no significant change from last year. Sales of limestone (2.1mt) and S&G (650kt) have remained fairly static, but sales of igneous rock (630kt) and slate waste (400kt) have declined slightly. The igneous reserves are in the north-west further from the major markets which might partly explain the decline.

There are two significant projects on the doorstep, second Mersey Crossing and the M56 connection. It is hoped that this will result in a pick-up in economic activity in North Wales.

Marshalls are no longer active in North Powys; they have been bought out by Breedon Aggregates. Breedon have also taken a 50% stake in Tanyfoel Quarry.

6. AM2013

There has been a significant delay in CLG progressing this partly due to changes in Minister and

key personnel, Mark Plummer has left and has been replaced by Nick Tennant who does not have a mineral background. The minerals team in CLG has shrunk to just two people, with another person covering waste. CLG are now ready to go out to tender under their procurement rules but the contract will probably not be let until the end of the year. There is still a provision for a training day for LPA staff.

7. RTS Endorsement and Policy Clarification Letter

The RTS Endorsement and the WG Policy Clarification letter were noted. The MPA still has concerns about the message that comes from the guidance that no allocations are necessary if the landbank is 25 years. They consider that this is being interpreted as a maximum rather than an 'at least figure' and hints at an overprovision argument when there is no such thing as over-provision.

The MPA expressed concerns in relation to the potential impact the reform of local government, as set out in the current White Paper, would have on the strategic planning for aggregate provision in Wales. The White Paper consultation raised 26 high level questions on delivery and closes on 1st October 2014. It proposes a reduction in LPA's from 22 to 12 and raises questions as to the future of the three National Parks. The MPA will be responding to the consultation. In addition, the Planning Bill proposed that mineral matters would form part of the proposed Strategic Development Plans, although the SDP's would not cover all of Wales.

The MPA reported that they had recently met with NRW and were surprised to hear that NRW considered that, as the body looking after the natural resources of Wales, they would have an overall strategic role in decision making on minerals in the future. They expected to see this outlined in the Planning Bill.

The MPA view is that the amalgamation of LPA's, uncertainty about the future strategic planning responsibilities and the potential loss of key skills was a significant concern.

8. WG Update

The timing for bringing forward the Planning Bill is contained within the First Minister's legislative statement on 15th July 2014. It will be introduced to the Assembly as a Bill plus the consultation responses to 'Positive Planning', it will then go through scrutiny at a Committee stage and the Committee will report back to the Assembly. This process is expected to be carried out in a short space of time. The Bill will be focussed mainly on structures and delivery. There will be a consultation and JS asked LPA's and industry to comment on the Bill contents and to express positive support where they feel they can do so. The Chair asked all members of the SWRAWP to communicate any concerns regarding the contents of the Bill to the RAWP Secretary and if necessary a Special Meeting of the SWRAWP will be convened.

The PAIS advisory group has been gathering evidence and is due to report shortly. It is understood that some appointees are already in place.

An LDP Refinement consultation is due out later this month.

Consolidation of the EIA Regs will be consulted upon. Wales did not consolidate at the same time as England.

Consultations are due out on Planning Committees & Delegation, Planning Fees and Discharge of Conditions, Design & Access Statements and Pre-application consultation.

The Future Generations Bill has been introduced (July 2014) and is going through the scrutiny process. This places a duty on all public bodies to consider the well being of future generations, including the preparation of wellbeing plans –but there is some scepticism that this is a burden and not really a change.

9. MPA/BAA Report

The MPA reported that their overall impression is that activity is increasing and the industry is gearing up for it. This may put a strain on the planning system as plans come forward. This is already happening in England.

KH gave some background to the Note to AWP and RAWP Secretaries. The MPA was aware that some LPA's were holding data that they shouldn't be holding and it had become obvious that MPA's needed to hold data for longer than 14 days for comparative purposes. It had therefore become clear to the MPA members that it was in their interests to make the system easier to operate even though this may expose them to FOI requests. The Competition Commission is a significant worry for operators and any situation where the SWRAWP could be a mechanism for an exchange of information between companies has to be avoided, as that would be anti competitive. There has been suspicion in the past that the RAWPs worked behind closed doors, had selected representatives and were a data exchange. Hence, the public availability to minutes of the meetings in South Wales was welcomed.

KH clarified that although LPA's could hold raw data in relation to individual sites, the RAWP Secretaries could not, the confidentiality now related to three units rather than three operators and the information could be used for a planning function but not if it undermined confidentiality. However, the information could be used with the operators express consent provided it did not affect the confidentiality of another unit.

A BAA representative was not present so no update was provided.

10. Marine Dredging Update

Mark Wrigley of The Crown Estate confirmed that there was a tender round running during which areas of seabed can be bid for. It is open to UK waters where there is no current activity. Bids are to be concluded in late autumn/early winter 2014 with the results known in the spring of next year.

The Chair gave a report on the current marine dredging licences and applications in Welsh Waters. It was noted that licences for 250,000t per annum at West Middle Ground for CEMEX UK Ltd and 338,271t per annum for Resource Management Association had already expired. The licence for North Bristol Deep expired in April 2015 and the North Middle Ground and

Nobel Bank expire in 2016. There are no licences beyond that date but an application for 1.8 million and 3 million tonnes per annum has been submitted by Resource Management Association for the Western Bristol Channel. The Nash and Helwick Banks are no longer dredged.

WG are currently consulting on a Strategic Scoping Exercise covering what the vision and objectives for marine spatial planning in Wales should look like. Deadline for responses is 10th November 2014.

The MPA marine operators consider Welsh waters are more difficult to operate in than English waters and this is primarily down to difficulties with NRW. Wales is now a net importer of marine sand. MPA Wales, BMAPA and The Crown Estate are collectively funding a socio-economic study on the value of the aggregates industry in Wales, which will cover marine as well as land-won aggregates.

11. Secondary Aggregates

There was no-one present to give an update on secondary aggregates. The Secretary reiterated the poor response to the AS2013 Survey.

12. Major Projects Update

The Swansea Bay Tidal Lagoon and the proposed M4 Relief Road at Newport will require significant quantities of material. This may come from sites in South Wales, South West England or even transported by ship from further afield. Some of the armour stone for the Swansea Bay Tidal Lagoon may come from Cornwall and an approach was made to re-commence work at a coastal site in North Wales to provide some material for the scheme, although this approach has come to nothing.

The MPA is in consultation with Tidal Power operators across the UK about a series of proposals.

13. Any Other Business

There was no other business

14. Date of next meeting – 10am on Wednesday 18th March 2015 at the Innovation Centre, Bridgend