



Chairman - Keith Duff
Secretary – George Muskett

**Minutes of the Sixteenth Meeting of the UK Minerals Forum,
held at The IoMMM HQ, 1 Carlton House Terrace, London SW1Y 5DB
on Thursday 17 November 2011 at 11.00am.**

Present; -

Keith Duff - Chairman

George Muskett - Secretary

Andrew Bloodworth – BGS

Jim Davies – Environment Agency

Bob Fenton – CBIMG/MAUK

Corrine Gray - DCLG

Chris Hall - CBIMG/BCC

Clare Harding – DECC

John Heron – BCA/Lafarge

Lester Hicks - Consultant

David Highley

Ken Hobden - mpa

Nick Horsley – CBIMG/SAMSA/Sibelco

Jon Humble - English Heritage

Peter Huxtable – CBIMG/BAA/IOM3

Nigel Jackson – CBIMG/mpa

Bob LeClerc – CBIMG

Brian Marker - Former Chairman

Darren Moorcroft – RSPB

Mark Plummer – DCLG

Richard Read – Hampshire CC/POS

Ian Selby – Crown Estates

Joanne Smith – Welsh Assembly Government

Hannah Townley – Natural England

Simon van der Byl- CBIMG/mpa

Chris Waite - SEERAWP/LAWP

Peter Whittington - BIS

Paul Wilkinson – The Wildlife Trusts

16/1 Welcomes and Introductions

The Chairman welcomed Darren Moorcroft to his first meeting and Jim Davies who was standing in for Mark Okuniewski. The Chairman also welcomed Corrine Gray who replaces Lucy Yates at DCLG as the minerals contact.

16/2 Apologies for absence

Apologies were received from:

David Brewer – Coal Pro

John Cummins -DoENI

Mick Daynes – CBIMG/mpa/Hanson

Alan Everard –CBIMG/mpa/Tarmac

Hugh Lucas – Aggregate Industries/mpa/CBIMG

Graham Marchbank – Scottish Government

Mark Okuniewski – Environment Agency

Andy Tickle – CPRE

Paul Wilcox – Planning Officers Society

Lucy Yates - DCLG

NB. mpa in lower case refers to The Mineral Products Association

16/3 Minutes of the Last Meeting (23.06.11)

These were agreed, subject to corrections of a few typographical errors.

16/4 Matters Arising, not dealt with elsewhere

These were summarised in the paper (UKMF/16/P1) circulated before the meeting.

The majority of the actions were discharged with one withdrawn.

Minute 15/3 - The Chairman noted that Nigel Jackson was today meeting with Defra on the issue of representation, for which he would be leaving early.

Action: Nigel Jackson

There were no other matters arising from the members.

16/5 Living with Minerals 4

The Chairman thanked all those involved in LWM4 and said that copies of the Working Group reports, presented at the conference, were on the table for those who were not able to attend.

The Chairman said that there was now a need to reach conclusions on the event and decide how to go forward and suggested that a paper may be needed for these purposes.

i) Verbal Report by Nigel Jackson

Nigel Jackson reported that the attendance was good and that there was a more balanced and diverse audience, which helps to make the outcomes more relevant.

Nigel considered that two good debates on domestic minerals issues examined by UKMF Working Group rather than three may be the way to present issues in depth at a future conference. The preparatory work would also take less time away from the day to day commitments of involved members. The new 3 year interval for the conference was likely to continue, with LWM5 being held in 2014, but the venue and format will need further consideration.

With regard to LWM4; Nigel felt that the three working group summary documents could stand as they are, but that a paper from the Forum was needed to close off proceedings and that these should be widely distributed and inform future work.

There was a marked lack of attendance by local authorities, but the invitations had gone out and it was disappointing that there was a lack of enthusiasm to attend, in particular on the part of elected Councillors. If any Councillors did apply it would have been possible to give them free VIP places. However, it was encouraging to see better representation from academia, especially from geology departments.

There was some discussion as to the need for a dedicated LWM website, but for the time being the outcomes would be posted on the UKMF site hosted by BGS. Consideration could be given to the cost and practicality of a dedicated site for LWM and who would host it.

The Chairman would liaise with the Working Group Convenors to prepare papers pulling together the conference responses and summarising today's discussions. One page from each Group should be sufficient.

Action: Chairman/ WG Convenors

The Working Group reports to LWM4 had been circulated with the meeting papers and Andrew Bloodworth will get them on to the UKMF website.

Action: Andrew Bloodworth

ii) Reflections on LWM4 from the Working Groups

WG1 – Chris Waite

Chris spoke to the paper that had been prepared by Paul Wilcox, in Paul's absence. He reported on the issues that stood out.

- that there was strong support from conference for the rail transportation of aggregates, but he noted the lack of opportunity for greater provision except perhaps for hard rock to the South East
- that coal supply was very heavily influenced by national energy policy
- that the increase of sea-borne aggregates was possible, most likely from Norway and not Scotland
- that without port to rail connections, onward transportation would be by road
- that there was some good news with the recently permitted extension to Bardon Quarry, but the future position of the other three Leicestershire hard rock rail-connected quarries needs to be considered further. It was too soon to conclude that the Bardon extension and the possibility of re-opening

dormant sites in the county would be sufficient to maintain long-distance rail supply to London and the South East for another generation.

In discussion it was noted that it was difficult to secure additional deep-water berths to import aggregates in bulk due to the competition from higher value products for port capacity. The call for more use of rail was aspirational, but it was important to make people aware that these issues have had thorough consideration. The key point about inland distribution is that ports only bring aggregates to land, the same effort as for new quarries is required to get rail links and capacity on the network. The default position for any major new source in the absence of rail links at reasonable cost and convenience will always be road transport.

It was pointed out that flows of at least 100,000 tonnes per annum are needed for a rail connection to be viable. It was impractical for minerals plans to assume or call for rail use if the downstream customers' requirements were not factored in. A plan could be found unsound if there are unrealistic expectations for rail use not based on supportable figures.

Assembling all the elements required to facilitate a new rail connection is a large task and the costs involved need to be seen in context. While comparatively small when put up against other major development costs, they can be very large when set alongside the other quarry development costs, and if they would make the project unviable either it would not go ahead or the haulage of the mineral would default to road.

It was noted that in the London Boroughs there was difficulty in getting the need for safeguarding mineral rail-heads recognized. Use of such sites for waste facilities seemed to dominate.

The Chairman thanked Chris for his presentation and the members for the useful points which would be fed back to the convenor.

Action: Chairman/ WG1 Convenor

WG2 - Lester Hicks

In the absence of David Brewer, Lester Hicks presented the findings from conference.

The core proposal for in-career training for staff new to mineral planning work had received strong support from conference. Funding was the key issue, as local authorities and universities do not have sufficient resources. The implication of the voting at LWM4 was in practice that either directly or indirectly the minerals industries would need to help fund development and delivery of any such course. David Brewer would continue to discuss this with the CBI Minerals Group. Speakers from the floor at LWM4 had stressed the value of site visits and on-the-job learning, which fitted in well with the proposal for an in-career course with site experience as a central feature. Others had mentioned distance learning, but this was less suitable for training job-holders than students not at present working in minerals planning.

In discussion it was suggested that more should be done in the Planning Schools to alert students to the possibilities and advantages of working in mineral planning at

some stage. Lester Hicks responded that this had been discussed exhaustively with the Chairman of the Heads of Planning Schools, with no reciprocation of interest. Minerals were not considered a particularly attractive option by students at the beginning of a career in planning and its profile was low/absent in planning courses, which were anyway now generally shorter than in the past and very crowded with core material. This was one reason why the Group's focus was on training to get a job holder without a minerals planning background quickly up to speed, not on the personal development of a planning student who might or might not work in minerals at some later stage

Even so it was noted that the supply of planners competent in minerals work was only part of the present problem. Whilst the proposed course may improve the understanding of a minerals officer, mineral planning would still be at the mercy of the political dimension (as a 'Cinderella' service), budgetary constraints and the lack of training for elected members.

It was felt that dealing with mineral applications was becoming a 'tick-box' exercise, with no consideration of the role the planner should play in assessing the merits of the comments and opinions of statutory consultees. The tendency was for these to be passed on to the applicant without any consideration of their planning relevance.

It was also recognized that there was a loss of confidence amongst planners. The service was becoming politicized and minerals were prone to strong adverse public reactions. Planners were therefore in a difficult position in advancing the objective case for mineral working in the face of local opposition to any mineral proposals. But these difficulties did not remove the case for a better service, and hence there was a need to continue to press for this.

The need for minerals to get proper consideration was recognized as was the requirement for a properly designed in-career course, but it was also questioned if there would be sufficient demand. Existing courses did not currently seem to be well-supported.

In response it was stated that minerals proposals tend to be big projects with complex issues; among the largest regularly going before local authorities. If some form of training was not provided for those dealing with them, there would be increased delays for the minerals industries and a further decline in the quality of service. Costs to industry through delays and appeals would increase.

Reference was made to the approach elsewhere in Europe, and notably in Germany where the State Governments had to plan for resource and material flows, including minerals, required by their plans for construction and manufacturing. This requirement for planning from the bottom up obliged the States and local authorities to provide the staff and skills for this work. By contrast, it was noted that in England the Government was on the point of completing its abolition of statutory regional planning.

Concluding the discussion, Nigel Jackson observed that there was no possibility of the mineral trade associations or individual companies funding any projected in-career training course. If there was to be a way forward it would have to be through the

existing collective training arrangements for the minerals sector. The Working Group should therefore not underestimate the potential of the offer made at the conference by the Institute of Quarrying and the role that may be played by Mineral Products Qualification Council. A meeting with Jack Berridge (IoQ) to explore this should go ahead.

Action: David Brewer

WG3 – Brian Marker

Brian Marker spoke to his paper that had been circulated before the meeting, covering the key points.

It was proposed that the paper on the Techniques of Communication is made available on the UKMF website and that the public information material prepared by the WG should be finalized and posted for public comment on suitable websites.

There is a need however to improve on the current photographic material for the photo library. It was intended that users, such as planners, NGOs and the industry could dip into the resource and use material by cutting and pasting.

The devolved administrations might consider if they would wish public information materials to be adapted for their respective areas.

There was much discussion on the conference conclusion that television was the best approach to create better and more positive understanding of mineral issues amongst the general public, which otherwise never gets involved unless there is a proposal to work minerals near where people live.

Whilst TV is an extremely costly medium and it may be difficult to get producers interested, much had been achieved to raise awareness and the profile of archaeology by the 'Time Team' programmes.

It was noted that Professor Iain Stewart had mentioned his enthusiasm for tackling minerals from the geological aspect in a 'windows on the past' approach and this could highlight the role of minerals in both their past usage and as essential for modern living.

This could be tuned to the audience's interests. However it should be noted that the public is not just one audience. Television allows people to self-select and possibly only those with a pre-existing interest would watch. It could be more productive to target the people on the industry's doorstep.

Mark Plummer reminded the meeting that in view of the recent Localism Act it would be even more important than before to engage with the local community.

It was noted that while there are already numerous individual quarry open days, there had previously been European Minerals Days and a Minerals Week associated with the Minerals '98 event, when coordinated quarry open days were held, bringing large numbers of the public into the workings. Next year was the Queen's Jubilee which could be used to stage events of local interest and a national scheme of quarry openings could be part of that.

It was also noted that there had been some past coverage of mineral aspects in programmes such as Countryfile, Horizon and The History of Ceramics, although the latter made little mention of the source materials. The key thing was to find a simple but absorbing point through which to engage interest, such as Prof. Stewart's suggested use of geological history, or the often forgotten fact that any material that is not grown is derived from material that is mined or quarried.

Peter Huxtable noted that communication did not necessarily need to be achieved through the earth sciences route. In the late 1970s chemistry teachers were provided with training packs on minerals such as silica sand, fluorspar and china clay. These got into the 'O' level and 'A' studies through the Nuffield Advanced course. Site visits were included.

In summing up, the Chairman noted general agreement with the conclusions in the paper regarding the preparation of material for the websites and support in principle for suitable television coverage, though with a need to recognize the target audience and how best to engage it..

The Chairman reiterated the need for all the WGs to produce one page on their reports' conclusions and the main points from the conference and today's discussion. He would work with them to get to a position for signing off at the meeting on 22 March 2012.

Action: WGs/Chairman

16/6 CLG Update

Mark Plummer advised of the effects of re-structuring within DCLG's Planning (Environment) Division. Lucy Yates has now moved on to dealing with finalising the NPPF and Andrew Lipinski has moved to a post in housing after many years working on minerals planning. He introduced Corrine Gray, who has taken over from Lucy on mineral matters.

He informed the Forum about some current CLG issues: -

1. The Localism Act had received Royal Assent on 15 November 2011 and is expected to be in full effect by April 2012

There were a number of points of potential interest for the mineral planning community:

- Local authorities gain a general power of competence
- Councillors' pre-determination rules clarified
- Local referendums and 3rd party rights of appeal have been dropped
- Regional Spatial Strategies will be revoked by Order, which means they will be dealt with one by one. A voluntary SEA is being undertaken – consultation ends on 20 January
- A stronger duty to co-operate on local authorities

- Provide for neighbourhood plans and neighbourhood development orders. There had been no real challenge in Parliament to the exclusion of minerals
- The consultation on pre-application discussions was in progress
- New planning enforcement rules
- CIL - greater flexibility to spend in areas other than infrastructure
- Strengthening of enforcement provisions against concealed development
- Limiting Inspector's discretion to change wording in plans
- Nationally significant infrastructure projects –abolition of IPC, with decision-making powers back to the relevant Ministers

Bob LeClerc asked if the decentralization of planning fees was going ahead. Mark replied that the Government was still keen to roll this out, but is concerned to get it right. They are working with the Planning Advisory Service.

Mark indicated that a reform of the Use Classes Order is also on the horizon.

2. National Planning Policy Framework – 14,000 responses had been received, which are being analysed. The official deadline for publication was still 31 March 2012 but Ministers had promised it “much earlier”. There should be no major surprises with respect to the presumption in favour of sustainable development or the minerals section. Bob Neill MP had visited Coalpro and the Banks Group in the summer recess and Mark and Lucy Yates had visited Leicestershire brickworks.

A major issue in the consultation responses was to what to do about guidance that was not policy, but still useful to the day to day work of all participants in mineral planning. A consequential exercise is to be undertaken on what the option might be and there would be a transitional period of indeterminate length. Minerals should be more straightforward than most as there is much guidance material in the MPSs. However there was around 5,500 pages of planning “guidance” as a whole for DCLG to tackle and any successor to the present material would not be ready by April next year.

In discussion it was felt that industry and other stakeholders would like involvement in drafting guidance, but it was suggested that there had to be evident neutrality on the part of anyone outside Government involved in its preparation and that it must be signed off and endorsed by Government in order to instill public confidence.

The status of the NPPF was also questioned after a Minister had referred to it as “guidance”. However, that was just a slip; it is clearly established as policy. It is not itself law as it has no statutory footing, but local authorities are required by planning law (the 2004 Act) to have regard to it.

In response to a question Mark confirmed that AMRI 2009 was with the department and should be out in a matter of weeks.

With regard to MASS; the Minister, Bob Neill MP had said in the summer he was keen to have a system that recognised that ‘resource rich’ aggregates area should serve ‘resource poor’ areas, but no decisions have yet been taken on the future means of achieving this. The outcome would be announced alongside the final version of the NPPF.

In a response to a question on the ‘Red Tape Challenge’ (RTC) with regard to ROMPs; Mark had no personal involvement, but there may be more clarity in a month or two. The RTC “spotlight” was about to be shone on planning, and clarification was being sought as to whether it would include statutory requirements as well as administrative procedures.

Peter Whittington confirmed that the RTC was being carried out by sectors. It is open for anyone to feed in issues to the Better Regulation Executive at BIS.

Clare Harding advised that DECC was looking at energy matters as part of the RTC programme.

16/7 Environmental Update

The Chairman thanked Jon Humble for producing the update paper that was circulated prior to the meeting.

Jon noted a typographical error in the heading ‘The Setting of Heritage Assets’. He also agreed to send the Environment Agency’s response to the draft NPPF to the Secretary via a link so that it may be circulated. Link set out below.

http://www.environment-agency.gov.uk/static/documents/Business/2359_NPPF_response_for_web.pdf

Bob Le Clerc asked if key items relating to the Environment Agency could be included in the up-date and Jon agreed to look into this.

The up-date paper was noted.

16/8 UK Constituent States

There were no written reports from the devolved administrations.

Andrew Bloodworth confirmed that a gold mine had opened up in the Trossachs National Park.

There were companies now looking at the UK for metal mineral resources.

It was also reported that there is a proposal to reopen the Lochaline silica sand mine in northwest Scotland with the creation of 12 jobs.

Joanne Smith reported that the Welsh Assembly Government had launched an independent review of its planning system. There was a call for evidence from the independent advisory group undertaking the review. It was noted that there was no industry representation on the review team. Joanne suggested that the group would be happy to have face to face contact with industry and this could be progressed through her.

With respect to the Wales RAWPs there was to be a regional technical statement review discussion in January 2012.

16/9 Environmental Debate

The Chairman outlined his proposal for an open environmental debate on Chatham House Rule terms. He felt it was time to devote space at UKMF to looking at one of the fundamental issues that lies beneath many of the practical and day to day issues concerning minerals which dominate the Forum's agenda. He therefore suggested the following topic for debate:

“Protection of environmental assets has had too great an influence on planning decisions affecting minerals”

He proposed that a large part of the March meeting should be devoted to debating this proposition with a proposer and an opposer, and the floor then being open to speakers from around the table.

Following discussion it was felt that there was support for a forward looking ‘grown up’ debate, although some were worried that the balance of opinion in the room might not be equitable. This was not seen by others as crucial, as the purpose was to understand the varied points of view within UKMF. However to do this it was important that the existing membership was fully represented and efforts should be made to encourage Andy Tickle and Ruth Chambers to attend the debate meeting in view of the severe pressures on their time that meant they were unable to attend regularly.

There was also concern that a debate on this motion could develop into ‘planner bashing’, but it was suggested that the main problem was not the delivery of the planning decisions, which statistically were pretty favourable to the minerals industry, but the journey getting there in terms of time, statutory procedures and appeals against initial refusals.

It was considered whether to invite suitably qualified high-profile speakers from outside the Forum to present the arguments for and against the motion, but on balance it was decided in the first instance to explore the format and discover the Forum's own views on this topic. It was also suggested that the debate could be held following a meeting on normal business, but this would be subject to the Forum members' ability and willingness to extend the day further into the afternoon.

The Chairman would discuss further the format, timing and subject with Nigel Jackson and others before contacting the general membership with a firm proposition.

In conclusion the Chairman indicated that he was not wedded to the suggested topic and would welcome suggestions in the next week or so. However, he suggested that in framing any proposition for debate UKMF members should take account of the points that had been made and focus the motion so as to use the time effectively.

He was also most willing for volunteers to come forward to present the cases for and against the chosen proposition and warned that in their absence some arm-twisting might be required.

Action: Chairman

16/10 Future Issues for UKMF

The Chairman asked that members start to think about future issues to bring to the June meeting for discussion.

Action: all members

16/11 Any Other Business

A suggestion was made by Peter Whittington that a future meeting item could be framed around innovation/ research and development and the links with Europe. The Chairman noted that the Forum receives periodic up-dates from members who attend these fora, but that this may be an issue to explore further at a later date.

16/12 Suggested dates of Meetings in 2012

Bob Fenton noted that the meeting proposed for 28 June 2012 conflicted with a MIRO event. It was agreed to provisionally change the Forum's date to Tuesday 26 June 2012, subject to availability of the room at IoMMM, which will be checked by BobLeClerc.

Thursday 22 March
Tuesday 26 June (provisional)
Thursday 15 November

Subject to confirmation all meetings will take place at 1 Carlton House Terrace
London SW1 starting at 11.00hrs

Action: BobLeClerc/Secretary