



**Chairman - Keith Duff**  
**Secretary – George Muskett/Chris Waite**

**Minutes of the Eighteenth Meeting of the UK Minerals Forum,  
held at The IoMMM HQ, 1 Carlton House Terrace, London SW1Y 5DB  
on Tuesday 26 June 2012 at 14 00pm.**

**Present: -**

Keith Duff - Chairman	
Jo Mankelow - BGS	Lester Hicks – Chairman designate
Ruth Bradshaw - CNP	David Highley - independent
David Brewer - Coalpro	Ken Hobden - MPA
Bob Brown - CPRE	Jon Humble - EH
Simon van der Byl – CBIMG/MPA	Peter Huxtable – CBIMG/BAA/IOM3
Ruth Chambers - Independent	Nigel Jackson – CBIMG/MPA
Jim Davies - EA	Bob LeClerc – CBIMG
Peter Day – POS	Brian Marker - independent
Alan Everard – Tarmac	Mark Plummer – DCLG
Mick Daynes - Hanson	Joanne Smith – Welsh Assembly
Chris Hall – CBIMG/BCC	Hannah Townley - NE
Clare Harding - DECC	Paul Wilkinson – The Wildlife Trusts
Lindsay Harris - Defra	Lonek Wojtulewicz - POS
John Hemon - BCA	George Muskett - Secretary
	Chris Waite – Secretary designate

**18/1 Welcomes and Introductions**

The Chairman welcomed Lindsay Harris, Ruth Bradshaw, Lonek Wojtulewicz, and Peter Day to their first meeting, and Jo Mankelow who was standing in for Andrew Bloodworth.

**18/2 Apologies for absence**

Apologies were received from:

Andrew Bloodworth - BGS	Graham Marchbank – Scottish govt.
Bob Fenton – CBIMG/MAUK	Darren Moorcroft - RSPB
Nick Horsley & Dave Walton – CBIMG/ SAMSA/Sibelco	Ian Selby – The Crown Estate Peter Whittington - BIS
Simon Kirk – DOE NI	

### **18/3 Minutes of the Last Meeting (22 3 12 )**

These were agreed, subject to a typographical error in section 17/5 and the parallel study referred to in WG1: to be amended to by Buchanan & Partners.

### **18/4 Matters Arising**

17/1 The Chairman confirmed that this would be his last meeting as Chairman, and also for George Muskett as Secretary, to whom he gave special thanks. He wished Lester Hicks and Chris Waite every success in taking on these roles.

The outcomes on the action points from the seventeenth meeting that had been met were set out in paper UKMF/18/p1 circulated before the meeting.

17/5 David Brewer would report on the follow up with the Institute of Quarrying under item 5a. Nigel Jackson said that putting the Techniques of Communication paper on the MPA website was in hand and he would report on the final report of the Working Groups findings under item 5c. Brian Marker would seek contributions to the gaps in photographs to illustrate WG3's work under item 5b.

### **18/5 Living with Minerals 4**

#### **5a Update on proposal for mineral planning training**

David Brewer reported that the IoQ has produced outline proposals for an in-career course for planners new to mineral work. There were two aspects in particular that needed to be explored:

- they appeared to be orientated to training for industry rather than mineral planning authority officers
- a large percentage focused on distance learning, which again might suit industry staff development rather than mineral planners needing on the job training.

DB would be meeting IoQ on 2 July to explore whether a course can be designed to meet both industry and mineral planner/authority interests. **Action: DB**

#### **5b Update on progress on public information material**

Brian Marker spoke to the paper circulated before the meeting:-

i) he sought confirmation that the WG3 information & communication resources had been placed on the appropriate websites of UKMF members. At the last meeting Chris Hall (BCC) had pointed out that the quality of the visual presentation could ideally be improved if it was to be widely and effectively used by target audiences. POS representatives confirmed that the material had gone straight on to their website but with no enhancement of its presentation. After a short discussion Nigel Jackson offered to have the visual presentation improved by the MPA's web team for wider use. It was therefore agreed to defer putting the information on further websites until this is done, and for it then to be placed on UKMF website with hyperlinks to others eg MPA, BAA, POS, MIRO etc. **Action: NJ**

ii) turning to the photographs in the public information material, BM was increasingly concerned at the gaps in coverage. They need to be filled before the linked text becomes too dated. He has also had problems with copyright clearance with BGS and MPA because web publication meant others could download and copy for their own (non commercial) purposes. NJ agreed to seek to clear copyright issues within MPA, and Jo Mankelow would try to do the same within BGS despite the evident problems involved. BM had provided a list of 23 items for which pictures are still needed, and asked Forum members to write to him saying which images they could provide rather than sending him a plethora of random photos. Lonek Wojtulewicz said that he could provide some photos of onshore oil & gas development, and Bob Le Clerc and Ruth Chambers would also supply contacts that might assist. **Action: NJ, JM, LW, BleC & RC**

iii) his recent attendance at the Earth Science Teachers Workshop had indicated that there were sufficient off curriculum opportunities to run events linking other activities (such as rock climbing) with geology and minerals, which could be further developed, for example in a pilot

trial with a few schools on the lines of one already run by BGS in Nottinghamshire. Moreover, the whole of the secondary schools' examination curriculum was due to be revised over the next 2 years, and there was an opportunity to influence this. However, BM said that he was concerned whether UKMF had the commitment to participate in the development and preparation of the material required over a possibly prolonged period, which would not only require syllabus content but also teaching material and CPD for teachers. There was a risk of raising expectations that UKMF could make a sustained and possibly substantial input that could very well not be delivered.

After discussion it was agreed that UKMF does not have the resources to undertake the necessary development work, but it would be unfortunate to miss the opportunity to influence the content of the future curriculum. The Chairmen offered to assist BM, initially approaching his contact in the Examination Boards dealing with curriculum development for the earth sciences.

**Action: BM and Chairmen**

### **5c Summary Report on Working Groups Findings 2009-2011**

The Report had now been published, and copies were circulated at the meeting. The issue now was to whom in Government and elsewhere should a copy be sent, either by email, or as printed, with pointers on where recipients could or should take action. Forum members were asked to write with suggestions to the Secretary by 6 July. The Chairman would then prepare a cover letter with the aim of sending on the Report to relevant stakeholders by mid July.

**Action: All to Secretary; Chairman**

### **5d Strategic Lessons from 2009-2011 Working Group Programme**

Lester Hicks spoke to paper UKMF 18/P2. It seemed evident from the experience of WG1-3 that it was easier for a Working Group to reach closure on a policy issue which could then be directed at government or agencies, rather than undertaking projects with recommendations that require executive action within UKMF itself. As the debate on WG3 had just shown, beyond a clearly limited extent UKMF did not have the executive capability or resources to deliver appropriate outputs requiring sustained work beyond the formal conclusion of the Working Group reports. LH was raising this now before UKMF began to consider whether new Working Groups should be established for 2012-2014. In summary it was prudent to consider the outputs likely to emerge before selecting topics for examination.

The meeting agreed that any future Working Groups should focus on policy issues which UKMF with its wide umbrella membership was well placed to address. Chris Hall suggested that when selecting a topic it should engage the wider membership of UKMF, and NJ suggested that one or two groups rather than three or four would allow the limited funding available provide better support for those topics that were chosen. LH agreed that focusing on fewer topics would be desirable, but this should not be taken too far. The Working Group process has also been valuable in building better understanding between interests represented on UKMF through looking at a specific subject over a sustained period.

The discussion concluded with one or two preliminary suggestions for possible future Working Group studies; resource security, and the interaction of mineral working with water regulation were mentioned. This would be considered further at the next meeting.

**Action: Secretary to include on agenda for next UKMF meeting**

## **18/6 Recent Policy and Guidance relating to Minerals – strategic discussion**

### **6a NPPF**

The Chairman said that the meeting had already heard from Mark Plummer about issue of the NPPF in March and had raised some concerns, particularly on the continuing need for accompanying guidance, but did members wish to raise other particular issues?

*Secretary Note: As noted under Item 9 below, Mark's DCLG report had been taken early because he had to leave early for another meeting.*

Lonek Wojtulewicz said that mineral planning authorities were concerned at interpretation of the duty to co-operate. Inspectors were asking 'have you complied' and 'have you planned

strategically'? Did this mean mineral planning authorities would have to consult all others supplying them with aggregate, including distant authorities, as well authorities receiving exports from them? What is the role of RAWPs and NCG in helping to discharge this duty? LH drew attention to the recent Examination in Public of the North London Waste Plan where the authorities, on legal advice, were taking a very narrow view on how far they had to consult, not including shire Counties in two tier areas or authorities outside their immediate area, notwithstanding the continued export of some waste into authorities north and east of London. The Inspector rejected this argument, but it seems inevitable that either in this case or another one, the extent of co-operation required will be tested in the courts.

Bob Brown said that CPRE were concerned that MPAs would not have the resources to undertake annual Local Aggregate Assessments. He also expressed concern that commercial confidentiality eroded the transparency in plan preparation and the credibility of the data.

A number of Forum members referred back to the concern expressed earlier (*see Item 9 over*) regarding the delay in the provision of guidance to support the NPPF. Paul Wilkinson announced that the Wildlife Trusts and TCPA had taken the lead in filling the gap by preparing their own guidance. Some 25 bodies had signed up and it was planned to launch it in a few weeks time. KH for MPA expressed amazement that as a major stakeholder it had no knowledge of this and had not been consulted. PW offered to send a copy of the final draft to any Forum member who wrote asking for it.

**Action: PW to circulate draft planning guidance to UKMF members**

LH said that the problem with such unofficial guidance, however well meant, was that without ministerial sign off it would not have the statutory force of government-supported guidance (Planning and Compulsory Purchase Act 2004, section 39). Government policy and guidance was always consulted on under a mandatory consultation code, and draft plans issued by local authorities had by law not only to be consulted on, but also preceded by a statement of how consultation was to be carried out. Many stakeholders in the planning process therefore would not find it acceptable that they had not been consulted during its preparation. Unofficial guidance would at best be discretionary. Since it would not be followed consistently there would be variations of approach from place to place. Even more seriously, where controversial matters were involved, reliance on unofficial guidance risked generating local challenges.

In the light of this discussion, Ruth Chambers proposed that a letter should be sent by UKMF to DCLG emphasizing the importance of bringing clarity to NPPF through the early issue of full further planning guidance as promised in March when interim technical guidance on flooding and mineral working was issued alongside the NPPF. The meeting unanimously supported this. It was agreed that LH would draft a letter for the Chairman to send to Bob Neill, Parliamentary Under Secretary at DCLG who had attended the MPA/RTPI Conference in May and knew of the concerns about this. LH would carry out limited consultation on the draft in order that the letter could be sent early in July. **Action: LH and Chairman**

## **6b Review of Habitats Regulations**

There was no discussion under this item.

## **6c Resource Security Action Plan**

Lindsay Harris (Defra) spoke to this document published by Defra and BIS on 'Making the Most of Valuable Materials'. He said that government had become interested in the supply of raw materials, metals and minerals to industry because it recognized industry concerns on access to supply and costs, the potential impact on the government's growth agenda, and the UK global footprint where we imported such material.

The report was in two parts, an analysis of the resource security issue and recommendations on action. The government's approach was to facilitate business action to get more value from our indigenous resources and the internal supply cycle. Government will be looking to identify leading business practice and any barriers that could be addressed. An industry led consortium, convened by the Green Alliance would provide a mechanism to address the resource security issue.

Peter Huxtable asked what the relationship was with the EU Raw Materials Supply Initiative in which BIS had been engaged over a number of years? LHa said that BIS remained the EU contact and the initiative has developed a 'Road Map to Resource Efficient Europe', with working groups. It was instructive to look at this.

David Highley and Nigel Jackson questioned whether the Green Alliance-led consortium would be capable of addressing the critical metal and mineral resource issue properly when no single industry company had been invited onto the consortium and that Green Alliance had proposed itself as the Convenor. LHa said that Defra had paid for CBI to represent this interest – all other participants (such as Boots and Veolia) had paid to take part. LHa said that the security of supply was the driving force behind the work, not environmental protection. However, DH and NJ were not convinced this would be the case. Green Alliance does not include an industry stakeholder group, and rather than focus on the critical supply aspects of strategically important minerals and metals, the focus may devolve into an emphasis on re-use and recovery. While it was important to develop further recovery of scarce materials in the recycling process, not least scarce metals increasingly required in modern electronics and batteries for example, security of strategic material supply could not be provided just by increased recycling and recovery.

JM said that BGS were providing short summary commodity profiles for the 'critical resources dashboard'.

### **6d Red Tape Challenge**

There was no discussion on this at the meeting (other than the reference to it by Mark Plummer under Item 9), but Simon van der Byl said that water regulation would be a key agenda item for UKMF in 2013.

### **18/7 Reflections on the Environmental Debate at the 17<sup>th</sup> meeting in March 2012**

The Chairman said that he had received favourable comments on how members had appreciated the debate. This enabled the range of organizations represented on the Forum to express their views and take account of counter views. It indicated that a future meeting might set aside time for a further debate on new and developing environmental issues. Simon van der Byl said that the one thing the debate had shown was that environmental issues were intrinsically linked to climate change.

### **18/8 Future Issues for UKMF**

Lester Hicks said it seemed to him that the future issues likely to be of interest and concern to UKMF were:

- i) short term: as reported by Mark Plummer (Item 9 below) a continuing lack of clarity in the detailed direction of government in a number of key issues still awaiting decisions, including timing of the revocation of RSs and the status of their mineral content meanwhile, the content and process of the Local Aggregate Assessments required by the NPPF, the related roles and resources of the AWP and NCG, the future of the ROMP process, and the full extent of the promised guidance to support the NPPF
- ii) continuing: the present dire state of the UK and wider European economies and its potentially adverse impact on:
  - a) levels of demand for UK-won minerals
  - b) the resources and capabilities of the mineral trade associations and environmental NGOs to engage with the regulatory processes;
  - c) already sharply reducing staffing and resources in central and local government which would not be fully matched by reductions in the statutory planning and wider environmental protection requirements applicable to minerals. This would be despite a further round of effort to simplify and streamline the planning process. Net result – further pressure on the system with potential for delays in advice, plan making and decisions on cases

Forum members were asked to consider and bring forward at the 15 November meeting proposals for UKMF, possibly through one or more Working Group(s), to focus on in 2013-2014.

**Action: All forum members**

### **18/9 Report from DCLG**

*This item was taken early in the meeting as Mark Plummer could not stay throughout.*

Mark Plummer updated the Forum as follows:-

- the time limit for NPPF judicial review challenges was the day after this meeting ie 27 June (none so far)
- the Secretary of State had announced decisions on the first significant infrastructure projects to determine under the new regime (a waste development in Leicestershire and an underground gas storage project).
- further supporting guidance to accompany the NPPF, promised in March and including on LAAs, needed a clear steer from Ministers. This had not yet been forthcoming and no timeframe can yet be identified.
- the specification for new AWP contracts is nearly complete, and would be issued as soon as possible. Under EU tendering rules there will be seven weeks to respond.
- DCLG has had no dealings with the Competition Commission investigation into the aggregates industry since March.
- consultation on DCLG's Red Tape Challenge is scheduled for August, but it is not clear what the coverage will be (eg secondary legislation only?) or would ROMPs also be dealt with despite removal requiring primary legislation?
- a report on shale gas from the Royal Society and Royal Academy of Engineering was imminent. (*Published on 29 June, finding shale gas extraction was safe and environmentally acceptable provided that industry best practice was rigorously followed and properly regulated*).
- Bob Neill was pleased with the MPA/RTPI Conference in May and in particular the question and answer session.
- what will be in the Planning Deregulation Simplification Package is still being discussed. But an announcement is expected before the Recess at the end of July.
- Graham Ward has been appointed to support Mark in DCLG's minerals and waste team.

MP responded to a series of points raised by Forum members:-

- he was unable to say any more on the timing of an announcement on planning fees, or whether the BGS report on Mineral Policy would be published;
- he was aware of the problems arising from the continued existence (and therefore statutory weight) of the RSs, but could not say when they might be revoked, though this was the intention;
- he acknowledged that there remained loose ends that needed tidying up regarding NPPF relationship with PPSs and where policy or technical guidance is lacking eg on the application of noise limits in the NPPF Interim Technical Guidance (formerly MPS2, Annex 2) to waste management development;
- consultation on the New Waste Management Plan (which will replace PPS10) including SEA matters is expected later in 2012, with a final issue by the end of 2013. This will be relevant to recycling and re-use of minerals and other waste material for minerals uses eg aggregates.

### **18/10 UK Constituent States**

The report from Graham Marchbank for Scotland had been circulated and was noted.

Joanne Smith reported that in Wales

- an independent advisory group had reported to Ministers on a 'planning review agenda' ie a review of the planning system
- a single body is to be formed from the FC/EA/CCW, with the same powers as those bodies and planned to be operative from April 2013
- a Green Paper has been prepared on 'Living Wales' which is essentially about natural resource planning.

There was no report from DOE NI. (After a gap, Simon Kirk had been appointed to succeed John Cummins after his retirement. He had been unable to attend this meeting, but it is hoped that he will attend or provide a report to future Forum meetings)

### **18/11 Environmental Update**

A paper by Jon Humble had been circulated in advance of the meeting. UKMF welcomed the report and agreed that it was a useful format.

Ruth Chambers asked Ken Hobden whether MPA had taken steps to refresh the 4 Point Plan. KH said MPA had started the process with a report to its most recent Environment and Mineral Planning Committee. There were two important issues to consider. First the MPA membership had substantially changed since the QPA originally agreed to the Plan. Second, the Committee had made it clear that any decisions would be made in the light of the additional National Parks and the revised status of AONBs, and the current portfolio of sites across the country (which also has changed over the years). They would be based on an assessment of the potential loss of mineral working not only in the designated areas but across the whole estate, taking account of the resulting effects on maintaining a steady and adequate supply of aggregate.

David Brewer drew members attention to an EU on-line consultation on environmental aspects including a 'water blueprint' and 'no net loss to biodiversity'. It was suggested in a brief discussion that the latter should not be a problem for aggregates which contributed a net gain to biodiversity.

Jim Davies said that the EA consultation on river based management plans was worth looking at. There is funding for water quality improvements. Industry cannot directly access these funds but could support others who might benefit from partnerships with industry.

### **18/12 Any Other Business**

David Highley reported, and NJ confirmed, that there appeared to be very serious doubts about the future of the National Stone Centre at Wirksworth in Derbyshire. The meeting hoped it would gain the necessary funds to continue.

Chris Hall (BCC) said that this would be his last meeting as he was retiring. He thanked the forum for the wide ranging interests that the forum had introduced to him, and the Chairman thanked him for his contribution over the Forum's first five years.

The Chairman confirmed that he was retiring from the Chair at this meeting but wished to continue to be invited to the Forum. He thanked members for enabling him to enjoy his role as Chairman and he particularly wished to thank George Muskett for acting as Secretary. He also wished every success to Lester Hicks who is taking over as Chairman and Chris Waite who will be the new Secretary.

George Muskett also confirmed that this would be his last meeting and made a pleasing speech of thanks to the Forum for its help and support.

Both KD and GM were thanked warmly and unanimously for their valuable contributions to the running of the Forum.

### **18/13 Date of Next Meeting and 2013 Dates**

The next meeting will start at 11am at the IoMMM, 1 Carlton House Terrace on Thursday 15 November. (Coffee will be served from 10 30am and a buffet lunch at 1 30pm for those indicating they will stay for that)

Please note in your diaries the meetings in 2013 have been arranged for 11am at IoMMM on the following dates: Thursday 21 March,

Thursday 27 June and  
Thursday 14 November.

**Action: Forum members to note**