



Chairman – Lester Hicks
Secretary – Chris Waite

**Minutes of the Twenty First Meeting of the UK Minerals Forum,
held at The IoMMM HQ, 1 Carlton House Terrace, London SW1Y 5DB
on Thursday 27 June 2013 at 11 00am.**

Present: -

Lester Hicks - Chairman

Philip Garner - CoalPro

Bob Brown – CPRE
Ruth Chambers – Independent
Lauren Darby – Ceramfed
Jim Davies – EA
Peter Day – POS/LGA
John Heron – Lafarge Tarmac
David Highley – Independent
Jon Humble - EH
Chris Waite - Secretary

Nigel Jackson – CBIMG/MPA

Simon van der Byl – CBIMG/MPA
Jo Mankelow – BGS
Brian Marker – Independent
Bob LeClerc - CBIMG
Mark Plummer – DCLG
Hugh Lucas – Aggregate Industries
Graham Marchbank – Scottish Government
Peter Whittington - BIS

1 Welcome and Introductions

The Chairman welcomed Philip Garner, Director General of CoalPro to his first UKMF meeting.

2 Apologies for absence

Apologies were received from:

Ruth Bradshaw - CNP

Mick Daynes – Hanson

Keith Duff – Former Chairman
Alan Everard - Tarmac
Bob Fenton – CBIMG/MAUK

Barney Pilgrim – HJ Banks
Joanne Smith – Welsh Assembly

Lindsay Harris - Defra

Ian Selby – The Crown Estate

Peter Huxtable – CBIMG/BAA/IoM3
Lonek Wojtulewicz – POS/LGA
Mark North – Kier Minerals Ltd

Hannah Townley – NE

3 Minutes of the Last Meeting (21 March 2013)

3.1 Simon van der Byl to be added to the apologies. BB asked for clarity over the reference to ground stability on the HS2 route over the shallow East Midlands coalfield in para 7.1. PG said that David Brewer meant that a comprehensive submission on coalfield issues would need to be made for HS2. Prior extraction of coal should be planned in where major stabilisation works or cuttings were necessary.

4 Action Points from the last meeting not dealt with elsewhere

4.1 Mineral planner training (from the 2010-2011 Working Groups): the Chairman said that discussions had continued with IoQ/MPQC on developing a distance learning module, with an indicative price of £42 (incl. VAT) per student. Tutorial support sessions or site visits would add to the costs. POS had completed a survey of MPAs to establish the level of interest for those coming new to this form of planning. The results of the survey, which had been circulated, indicated that there was a substantial measure of support in principle, subject to budget constraints. However it was clear that some MPAs had not appreciated that the proposal was a cheaper distance learning module not a conventional residential course; had they done so support might have been even stronger. The Chairman thanked POS and Lonek Wojtulewicz in particular for the survey and its analysis. He would pursue the initiative with IoQ.

Action: Chairman

4.2 UKMF public information material about minerals on web sites (from the 2010-2011 Working Groups): NJ said that the material was on the MPA website, both on the members' side and public side, but MPA were considering moving it to the CBIMG site. BLeC said that the UKMF material could be readily accessed via Google if UK Minerals Forum was entered, but if the "www" reference was used users then had to search further for the information. Bob Fenton had confirmed that the information was on MIRO home page through a button labelled 'laymen's guide'.

Action: NJ

4.3 Minerals awareness in revised school curricula (from the 2010-2011 Working Groups): BM said that the objective was to build up awareness in the next generation on where minerals come from, by seeking to introduce material on mineral extraction into the secondary curriculum, before students take a specialised course. Both the Earth Science Teachers' Association and the Geological Society were supportive in principle. But the timing of our approach was unfortunate as the Dept of Education has just undertaken a public consultation on the curriculum and the closing date for views has passed. However, government was interested in the wider disconnect among school pupils over the resources for everyday life, especially between agriculture and food. That might provide a way in. Further talks would be undertaken to try to incorporate teaching on minerals.

Action: BM

5 Future Scenarios Working Group

1. JM spoke to the paper UKMF 21/02 and diagram circulated with the agenda. He reported that DH has compiled a 27 page report summarising trends in UK production of each type of mineral over the last 30+ years. A copy of the draft report has been provided to the Chairman and Secretary, but the Working Group wished to give it further thought at their next meeting before it was issued to UKMF for comment. It was proposed to do this by the end of September in order that UKMF had time to consider it before its 14 November meeting. The diagram issued with the paper sought to illustrate the main drivers and the key issues impacting upon them.

5.2 In response to the request for comments KH said that heritage protection was missing as an issue on the diagram. SvdB said that the word 'policy' on the diagram should be in caps as any outcome of the exercise would stand or fall on government policy on minerals. He also considered that water consumption should be on the diagram.

5.3 This led the Chairman to question whether there was at present a coherent government policy on minerals. There were separate policies on energy (tax and revenue, climate change, adequacy of supply), construction (raw materials) and the environment, but no overarching or integrated policy on construction materials (including housing), environmental protection, health and safety and spatial planning following the splitting of the Department for the Environment, Transport and the Regions (DETR) in 2001. Now it was difficult to see where if anywhere an overall vision for UK-won minerals resided in government.

5.4 NJ said that in this time of continuing reductions in public services and staffing, the government had neither the capacity nor the skills to draw up a comprehensive policy for minerals that industry so badly needs, and which would underpin economic growth through construction that government is seeking. Industry was well equipped and motivated to draw up a policy itself, and he intended to recommend that to next CBIMG meeting. When it was

ready as a CBIMG draft strategy, it would then be brought to UKMF for comment so that it was strengthened as a balanced approach, taking on social and environmental aspects from UKMF's wider membership. The objective would be to present the policy at LWM5 in November 2014 alongside the UKMF's own Working Group report, and then seek government endorsement. The aim would be to set out a coherent agenda for action in the next Parliament

5.5 This approach was widely supported at the meeting. PW added that the BIS Construction Strategy, which is due out next week, had also been co-created with industry, and that a comparable minerals strategy would be a useful complement. The Chairman noted that between 70% and 80% of UK-won minerals were used in construction, and most were heavy and of comparatively low value compared to other bulk cargoes. This meant that UK sourcing would remain a significant factor. There was neither port capacity, market incentive nor economic sense in assuming construction minerals could be largely sourced overseas. Nor was it sensible to add embodied transport carbon when suitable material could be sourced in the UK. Previous UKMF work had shown how significant that was in the case of imported coal.

5.6 PG agreed that in many instances the right perspective was not being taken on reductions in carbon emissions. The more important perspective was the UK carbon footprint. Reductions in emissions could be due to a loss of home production and an increase in imports. This may well be exporting the problem and the imports had a higher embodied carbon footprint. NJ agreed that consumption should be looked at rather than production of carbon, and MPA has independent evidence of its record of improvements.

5.7 DH said that his report to the Working Group sought to take an overview of indigenous production vs. imports for the range of minerals. Energy costs were a prime mover and he agreed that an overarching government policy for minerals was all important.

5.8 In further discussion, the Chairman advised the Working Group not to attempt too wide an agenda, and to be careful in the selection and definition of the scenarios it chose to illustrate. These should not be too abstract or theoretical; they needed to relate to everyday understanding and be based on credible data. A good test was to consider how the chosen scenarios could be explained to a wider audience at LWM5, much of which would not be used to the jargon of future modelling. If that could be achieved UKMF would make a useful contribution to the broader discussion of NJ's proposed CBIMG draft national minerals policy. The Working Group should concentrate on illustrating a small number of plausible future scenarios, and regard the CBIMG initiative as a separate but related LWM5 strand.

5.8 The Chairman also asked the Working Group to show in its narrative it was aware that elections in 2015 could bring in policy changes under a new government, the Scottish devolution Referendum of September 2014 would be held shortly before LWM5, raising the consequences of a possible "Yes" vote, and that the UK might leave the EU after a Referendum in the next Parliament. While these issues should not be allowed to distort the broader analysis, the credibility of the chosen scenarios would be weakened if they were entirely ignored in discussing policy implications. BLeC said that the CBI was also looking at the consequences of the UK leaving the EU on security of material supplies etc.

6 Verbal Report by DCLG

1. Mark Plummer updated the meeting on the following :

The Government's Infrastructure Plan had been published the previous day setting out £50billion investment in roads, rail, and flood defence starting in 2015-2016. This included an intention to promote shale gas development, supported by a BGS resource appraisal of the Lancashire-Yorkshire prospective areas. (See also minute 9.1). Such development would be supported by a Community Benefits Fund.

The Growth and Infrastructure Act: the deferral of ROMPs for 15 years had taken effect on 26 June.. The National Major Infrastructure Planning Regime had been extended to include aggregates and industrial mineral sites of over 100ha.on application by the developer. DCLG would set out the supporting criteria - the thresholds and other factors (such as scarcity or value). Regulations would be submitted to Parliament for approval in October 2013. It had

been decided not to include any coal or onshore oil and gas development at this stage, but that decision would be kept under review.

Review of Planning Guidance: it was intended that new guidance for on-shore oil and gas development would be published by 18 July when the House of Commons rises for the Summer Recess. The guidance would clarify the basis of involvement of the planning and other regulatory regimes (water environment, pollution control and minerals waste management under the Environment Agency, well integrity under HSE, coal seam protection under the Coal Authority, protected species and habitats under NE and the historic environment under EH), when EIA was needed or not, and how to define the red line site boundary. The primary regulatory regime would remain with spatial planning. BGS would be informed when an application is made.

Revised planning guidance in support of minerals policy and legislation will follow by summer as part of the programme approved by the Taylor Review. MP thanked those UKMF members who had assisted him in drawing this up.

Red Tape Challenge: on going, and MP will be meeting Oliver Letwin who is seeking further refining/simplification of planning. The focus may be on secondary legislation, including permitted development rights and streamlining information requirements

NCG: it was proposed to hold another meeting as soon as possible

EU EIA Directive: DCLG (through Tom Simpson) was working hard to ensure the revised Directive delivers the simplification the Commission had promised, but so far the draft seemed to be going in the other direction. The UK had a clear view that only necessary changes to make the Directive simpler and more effective should be accepted.

Court Cases: three judicial reviews were being sought on opencast coal, one in Durham and another on a pre-application submission in Northumberland. A call in application for a quarry extension at Hermitage Lane, Maidstone was due to be determined in July, and the N Yorks. potash proposal was engaging substantial attention.

DCLG: departmental savings due by 2014-2015 had already been made, but a further 10% cut was being sought. A move back to smaller premises in Marsham St (vacated by DOE in 1996) next year would also contribute savings. MP was no longer supported by Graham Ward, but should have a replacement next week.

6.2 JH welcomed the opportunity to contribute to the post-Taylor review of planning guidance. The Minerals and Historic Environmental Forum intends to refresh its practice guide on Mineral Extraction and Archaeology.

6.3 NJ said that LEPs around the country have very different memberships, character and focus of activity, and it was not clear what their relationship is with MPAs. Yet they were receiving government funding and appeared to be gaining more influence. MP said they should be seen as replacing regional development agencies, and were supported by government as 'bottom up' organizations led by local businesses assisting economic growth (although some concentrate on skills and training rather than economic development). There was some overlap between them and some local authorities belonged to more than one. They had been set up to reflect local growth priorities and some variation in approach and strategy was inevitable. This was in line with the Government's localism agenda. LEPs are consultee in the plan making process and were here to stay.

6.4 In response to the Chairman MP said that the National Waste Management Plan and updated Waste Planning Policy were to be issued for consultation by the summer recess due to start on 18 July, probably as separate documents.

7 UK Territorial Administrations

7.1 Scotland: Graham Marchbank reported that:

- consultations were taking place until 23 July on a review of the National Planning Framework and Scottish Planning Policy. There were no significant change to minerals policy
- a 2012 minerals survey covering the status of sites, aggregate mineral output and distribution was about to start – the first survey since 2005.
- no legislative opportunity had yet been found to provide for the deferral of ROMP reviews as in England. Scotland faced similar problems, particularly whether the EIA cost element of periodic reviews was justified by the usually small potential for changes. Two interesting cases were being considered – a ROMP application where an old quarry has consent to 2042 but if worked would take out a significant hill feature and archaeological remains; and a proposed suspension order at another dormant site. A Scottish inventory of closed sites was an outstanding requirement of the EU Mining Waste Directive that was being pursued through working with industry and ultimately Defra.
- the Scottish opencast coal industry had recently collapsed following sharp falls in world coal prices, and liquidators have gone to court to disclaim sites. If disclaimed they will pass to the Crown's representative in Scotland – the Queen's and Lord Treasurer's Remembrancer. A Scottish Mines Restoration Trust was being set up to deal with legacy sites. However a sustainable industry may still be salvaged, possibly with Hargreaves of Durham taking over some of the sites. The Scottish Government was keen to ensure coaling continued wherever possible both to recover the mineral (and in doing so preserve important jobs) and to fund proper restoration.
- coal bed methane and fracking: a CBM proposal in the Falkirk/Stirling area had gone to appeal following non determination. Environmental NGOs were particularly active and campaigning for set-back buffer zones over distances more appropriate for aggregate quarries.
- there is interest in mining for rare earths and precious metals in Scotland to counter the issue of commodity security, as the UK's consumption of these resources is at present supplied mainly from China or unstable regimes.
- an online minerals topic page, which is updated periodically, can be accessed at <http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/minerals>

7.2 There were no reports from Wales or Northern Ireland

8 Environmental Update

8.1 A paper compiled by John Humble from contributions by from EA, NE, CNP, EH, and CPRE had been circulated with the agenda. Two additional items were reported:

- JH reported that the government has announced that it will work with English Heritage and consult on splitting the organisation into two bodies. A charity would be established to care for the historic properties in the National Heritage Collection on a self financing basis, supported government investment of £80million. The new charity would be called English Heritage, to be in place by March 2015. The regulatory and advisory functions of EH would become a new NDPB to be called the National Heritage Protection Service, and would continue in its role as the government expert on all aspects of England's archeological and built heritage.
- RC said that it had been decided by Defra's review of environmental regulation that EA and NE would not be merged, but would remain separate bodies. However how they interact still needs further work.

8.2 The Environmental Update paper stimulated a short discussion on the long running discussions over implementing the Water Framework Directive, and in particular dewatering of mines and quarries. Industry considers that it is already fulfilling its obligations under the Water Act and requiring additional licensing was not acceptable because of the uncertainty that would create over the future workability of its operating licences conveyed through the grant of planning permissions. That conveyed a property right which if frustrated through later government action would trigger a right to compensation for the loss of an asset. It was noted that the dewatering issue had now been referred to ministerial level. HL said that land use decisions are made by the planning authority, and thereafter EA regulations should be about

management procedures on how the development was implemented, not applied so as to frustrate any implementation of the permission. How the two regimes should work together needed to be resolved. The Chairman noted that this as a long-standing structural problem in UK public administration, caused by the statutory separation of spatial planning (in the hands of elected local authorities) and environmental regulation, now in the hands of a statutory government Agency .PW said BIS was working with EA in seeking to achieve effective joint operation of the two systems.

9 Any Other Business

9.1 JM announced that DECC had just released the BGS report on shale gas - The Carboniferous Bowland-Hodder Shale Gas Study. This established the theoretical shale gas resource figure, but not what proportion might be able to be extracted.

9.2 JM also reported that NERC had funded an onshore multi component geochemical base line survey over Cornwall and Devon based on low-level aerial surveillance. BGS was participating along with other NERC bodies including the British Antarctic Survey. This area was selected due to a concentration of issues – historic interest in mining, slope stability etc – and the data should be available by the end of the year. Free read-only access would be made online, and but a licence would be needed to use the data. This was, however, only a pilot study and funding was not available to roll it out more widely across the UK. That remained an aspiration, if this study proved successful

10 Date of Next Meeting

10.1 The next meeting will start at 11am at the IoMMM, 1 Carlton House Terrace on **Thursday 14 November**. (Coffee will be served from 10 30am and a buffet lunch at 1 30pm for those indicating they will stay for that)

10.2 Please note in your diaries - the provisional dates of meetings in 2014 (subject to confirmation) are 11am at IoMMM on Thursday 20 March, Thursday 26 June and Thursday 20 November 2014.