



Chairman – Lester Hicks
Secretary – Chris Waite

**Minutes of 23rd Meeting of the UK Minerals Forum,
held at The IoMMM HQ, 1 Carlton House Terrace, London SW1Y 5DB
on Thursday 20 March 2014 at 11 00am.**

Present: -

Lester Hicks - Chairman

Ruth Bradshaw - CNP

Bob Brown – CPRE
Laura Cohen – British Ceramic Federation
Ruth Chambers – Independent
Mick Daynes - Hanson
Alan Everard – Lafargetarmac
Tony Cook – POS/LGA
Nick Horsley - Sibelco
David Highley – Independent
Graham Marchbank – Scottish Government
Ian Selby – The Crown Estate
Lonek Wojtulewicz – POS/LGA
Chris Waite – Secretary

Jane Chelliah-Manning - BIS

Simon van der Byl – CBIMG/MPA
Jo Mankelow – BGS
Bob LeClerc - CBIMG
Mark Plummer – DCLG
Eamon Mythen - DCLG
Philip Garner – Coalpro
Peter Huxtable – CBIMG/BAA/IoM3
Ken Hobden – MPA
Nigel Symes - RSPB
Mark North – Kier Minerals Ltd
Andrew Tyler – OMYA UK Ltd

1 Welcome and Introductions

1.1 The Chairman welcomed Laura Cohen who is attending UKMF whilst Lauren Darby is on maternity leave.

2 Apologies for absence

Apologies were received from:

Jim Davies EA

Keith Duff – former Chairman
Bob Fenton – CBIMG/MAUK
Brian Marker – Independent
Darren Moorcroft - RSPB

Peter Day – POS/LGA

Nigel Jackson – CBIMG/MPA
Naledi Hinds - DECC
Jon Humble – EA
Hannah Townley - NE

3 Minutes of the Last Meeting (27 June 2013)

3.1 The minutes circulated with the agenda included a number of amendments received regarding the earlier draft, and LW sought a change to the first sentence of paragraph 6.8 to read: LW said that based on PINS information at the beginning of February, about 48% of the Bowland Shale MPAs had adopted up to date mineral planning policies. All the amendments were agreed.

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 IoQ now has a near final version of a distance-learning module. This was out for a peer review, and needs fine tuning in respect of the recent final version of NPPG. NH sought confirmation that the review included representation by industry. The Chairman agreed to check and let him know. **Action: Chairman**

4.3 Minerals awareness in revised school curricula (from the 2010-2011 Working Groups): Brian Marker has been invited to make a presentation on the desirable content of minerals matters in a secondary school course at the ESTA Secondary Level Workshop meeting at the University of Keele on 17 May. PH, NH and LW offered to assist BM by commenting on his draft presentation. It was suggested that BM should also invite Andy Tickle to comment. **Action: BM**

10.1 British Mountaineering Council: RSPB, MPA and Leicester County Council have had discussions with the BMC. It appears that they are aspiring to take over disused quarries, and wished to see their interest in climbing rock faces to be reflected in planning conditions. This was considered over ambitious, not least in respect of health and safety issues, and BMC would be better advised to focus on particular sites and approaching the owners. The Forum agreed to take no further action.

5 Future Scenarios Working Group

1. JM said that the Past Trends report had been completed and was on the website. The press release issued earlier in March had been picked up by a number of publications, including Planning magazine. The first draft of the final report before this meeting integrated the Working Group's and UKMF members views, and included the results from the Future Scenarios workshop. An Executive Summary would be prepared. The WG now sought the views of UKMF on the paper.
2. A number of proposals to improve the report were raised in the discussion that followed:
 - NH & PH asked for reference to be made to the work being done across member states in Europe on minerals information, adequacy of resources and security of supply (developed from the EU's Raw Materials Supply Group). NH would supply a document that could be included in a bibliography to support a suitable reference in the report. **Action: NH**
 - The Chairman suggested that the bracketed phrase [*Offshore oil and gas is not considered in detail*] at the end of the first paragraph should be replaced with a narrative saying that the report essentially deals with onshore minerals, but includes marine dredged aggregates as a major supply to London and the South East. At present the report was claiming to cover all UK mineral extraction and supply, but in reality the offshore oil and gas sector had its own regulatory and taxation regime, and was technically almost completely different from onshore extraction. Nor was it represented on UKMF or the Projects Working Group. After a short discussion it was agreed to confine the report to onshore minerals and offshore marine aggregates, and to make that clear in the next version.
 - AE asked for the fifth recommendation (on developing foresight) to be expanded. The conclusions and recommendations in general needed to be more hard hitting, drawing out for policy-makers the core problems that were most likely to require action in the run up to 2050 if problems with supply were to be avoided. Otherwise it may appear that minerals are being delivered satisfactorily, and that action to address or prevent potential problems was unnecessary.
 - IS said that the scenarios gave a range of elements of the possible future situation for supply in the UK, but surely the next stage was to reach some conclusions on the core problem areas and then make recommendations on 'What we need to do'.
 - The Chairman agreed that the report's analysis and recommendations needed to be more focused and specific if it was to attract the attention of politicians, their advisers and influential sector analysts and commentators. Its recommendations should clearly come from an analysis of the key issues for future policy in an identifiable Conclusions section, which at present was not drafted. He and MP proposed that the focus should be on
 - a) energy and construction materials, including increasing efficiency in the use of mineral resources,

b) the relationship with land use designations to protect habitats, landscapes and the environment, and

c) the need for continuing future access to land based minerals, and the demands on aggregate supply, not least for infrastructure renewal, housing supply, the necessary shift to lower carbon energy generation, and increased flood and coastal protection. The report should also recognize that future geopolitical changes could affect mineral supply as was starkly evident from the current events in the Crimea. It should show awareness of the near-term constitutional uncertainties raised by the possibility of independence for Scotland (which could be highly topical at the time of LWM5 in Autumn 2014) and the UK's possible exit from the EU over the next decade..

- AT said that the report should recognize the highly regulated regime in UK compared with that experienced by minerals operators and processors in some other countries, where lower regulatory costs tended to attract both mineral extraction and processing offshore. This exported jobs and encouraged imports with adverse effects on employment, security of supply and the balance of payments. BleC noted that environmental impacts were exported and wished to see the balance between the environmental impact of imports and home based extraction, such as for cement and coal to include the impacts sent overseas and in transporting material to the UK.
- In order to set the scale of impacts of mineral extraction in context, LW asked for reference to the very limited (<1%?) land area of the UK occupied by mineral workings (a figure the Project Team agreed to check) to be qualified by noting that minerals could only be extracted from where they exist, which was often in sensitive locations. LW and LC said that the problem was not the scale of activity, but this lack of locational flexibility, which did not apply to other land uses.
- SvdB said that looking forward to 2050 may seem a long way ahead, but the minerals industry already has to make investments requiring a 30 year or more life - such as for a new dredger for marine aggregates, or to open a new hard rock quarry. For large parts of the minerals industry, the present situation was a good proxy for the 2050 scenario. The report therefore needed to focus clearly on the major current issues already affecting the industry's plans over this period.
- RB, NS and BB asked for references to the environment to be more positive as to its intrinsic value as well as its social and economic benefits and the value people attach to protecting unspoiled areas from development. NS referred to the beneficial legacy that mineral working could produce for the environment, and the Chairman suggested that the report should refer to the use of aggregates for selective hard coastal protection in partnership with a policy of managed coastal retreat in other areas suitable for creating inter-tidal areas that absorb wave energy. That had the additional benefit of enhancing habitats.
- PH said the basic message to get across was that for creation of wealth and jobs, UK needs stable energy and minerals supplies, and that UK sourced minerals had to be a part of that in an increasingly unstable and uncertain world.
- The meeting supported DH's proposal to add an Appendix listing each mineral with a succinct statement on its economic importance and level of available resource. However, the Chairman urged great caution in how 'resources' were described. They were generally much larger than proven reserves accessible at acceptable economic and environmental cost. Without qualification, the inclusion of some resources (for example of hard rock aggregate in attractive upland landscapes) would be highly misleading in view of the strong policy constraints on working them.
- In response to JM it was recommended that the report retained both charts and the Annex A on the UK's declining minerals self sufficiency. SvdB asked for the use of recycled and waste materials to be included in a suitable table as this was such an important source of supply for aggregates and maybe other minerals as well.

5.3 In conclusion the Chairman asked for UKMF members to send the project team (JM & DH) written views, preferably proposing specific revisions to the wording, by the end of the second week in April, ie Friday 11 April. **[NB Please note this has now been extended to the Wednesday before Easter, 16 April].** That will enable the working group to submit a final report for sign off at UKMF June meeting. **Action: UKMF members, JM, DH**

6 Verbal Report by DCLG

6.1 Mark Plummer updated the meeting on various developments in Europe:

A new set of energy and climate objectives had been agreed in January 2014: there was to be a 40% reduction in carbon emissions by 2030, and 27% of energy was to be generated from renewable resources.

A number of changes of direction; could take place arising from the EU Council meeting that day, which would be discussing events in Ukraine. It had been intended to look forward to managing the results from the EU elections in late May, the new Commission due to take office in October 2014, and the forthcoming change of Commission President.

7th Environmental Action Programme: more work was taking place on resource efficiency and producer responsibility

EIA Directive: a major revision of the Directive was no longer on any agenda for early action and no changes to the Annexes on mandatory and discretionary (ie screened) EIA were likely. However, the consultation period for EIAs would be extended and more issues would be covered including soils and climate change.

A 'One Stop Shop': for mandatory EIA for development affecting either the Habitat or Birds Directive would come into effect once the documents had been translated into EU official languages. Consents would then take place through one regulatory authority ie a 'one stop shop'. MP could not say which body would be for England.

6.2 MP also reported on aspects of the UK's National Budget that had taken place the day before UKMP meeting and on other planning matters:

Aggregates Levy: would remain at £2.00 per tonne, at least pending the outcome of litigation in the EU.

Landfill Tax: would rise in line with inflation in April 2014.

The proceeds of both taxes: were likely to be devolved to UK territorial administrations

Housing Market: the fund to assist small house builders was to be extended to 2020 and MPAs would be under an obligation to make provision for sites for self build projects. Ebbsfleet in North Kent was to be the first new generation 'full specification' Garden City for over 100 years (ie not just another New Town on the post war model); a development Corporation would be formed to deliver the development.

Planning:

- amendments to changes of use and permitted development rights had been announced (on which there would be more consultation).
- a new specialist Planning Court would be set up later in 2014 to filter out prospective legal challenges or judicial review applications with no prospect of success (previously judges had been setting the bar too low, resulting in too many cases with no merit clogging up the system until rejected at a full hearing after causing all parties to incur unnecessary costs).
- the process for handling major infrastructure projects would be improved.
- NPPG: had been published on 6th March. There would be some refinements and additions (for underground gas storage and peat).
- AMRI: had been published in February
- AWP's and NCG: six of the AWP's had now produced Annual Monitoring reports for 2012. These are on DCLG website and provide a basis for an NCG meeting. SWAWP's report was due that week.

3. In reaction to the Budget, PG and LC reported their initial assessments of how it was

likely to affect the coal and heavy clay industries. The freezing of the carbon price floor at £18 a tonne was a start, but more clarification was needed from the UK government and European Commission about the precise impacts on compensation in high energy using sectors. Meanwhile, high energy costs and fuel prices still threatened the competitiveness of their industries and were a disincentive to investment, despite the welcome doubling of the Annual Investment Allowance until the end of 2015. PH did not see the freezing of the carbon price floor as enabling the industry getting through the necessary development of carbon capture and storage to a low carbon future.

4. In response to DH, PG said that some 80gigawatts (gW) of coal fired capacity had already closed, with some 20gW left. The industry could lose 13gW in the next 5 years unless action was taken on current carbon pricing. LC said that if Europe finds its source of gas is significantly reduced (eg due to Germany's dependence on Russian supplies, which could be cut off as a result of the escalating Crimea crisis) there might be a contractual call on UK

reserves. With only some 15 days of gas storage UK supplies would then become vulnerable and major gas using industries such as brick making were first in line for supply interruptions. This had clear implications for the work of the Future Scenarios Working Group.

7. UK Territorial Administrations

7.1 Scotland: GM reported among other things:

- the National Planning Framework (equivalent to England's NPPF) and Scottish Planning Policy (equivalent to NPPG) had completed parliamentary scrutiny and were due to be finalized by June 2014. Scrutiny had not focused on minerals except for unconventional gas on which there had been a great deal of interest.
- a consultation on Opencast Coal Restoration had concluded in February and the results were being analysed. Key issues were restoration guarantees, mine progress reports, compliance and monitoring skills, and the potential role of a shared service or compliance unit to assist planning authorities
- concern by planning authorities over financial guarantees for the restoration of opencast coal sites after some failures was leading to 'creep' to similarly affect the wider minerals, waste and renewables sectors, which threatens economic growth
- minerals skills (experience and expertise) remained at a premium and consideration was being given to providing funding to secure some lasting benefit among authorities, possibly based on distance learning. (The Chairman agreed to pass GM contact details of the lead manager for the current England-based distance learning unit under development at the Institute of Quarrying). **Action: Chairman**
- BGS was conducting a survey of shale gas resource in the Scottish midland valley and an expert panel on unconventional gas was due to report later this year.

7.2 KH said that he did not understand why the MPA Restoration Guarantee Fund for aggregates sites was not accepted by some Scottish authorities. They appeared to want 100% guarantees to cover all eventualities. The MPA Fund was designed for a specific purpose, ie where action to secure restoration was not possible due to insolvency. That covers perhaps 95% of likely problems, and it had never been called upon. The Fund has specific recognition in the NPPF in England as an option to be preferred to seeking bonds or financial guarantees that added costs for operators. It would be helpful if it was similarly recognized in the Scottish National Planning Framework. **Action: GM**

7.3 No reports had been received from Wales or Northern Ireland.

8 Environmental Update

8.1 A paper compiled by John Humble from contributions by from CPRE, CNP, NE, EH and RSPB had been issued as a late paper. Jim Davies had been unable to make a contribution for EA due to his involvement in the recent flooding crisis. Unfortunately neither JH or JD could be present

8.2 The Chairman thanked JH for collating the Update and said that Darren Moorcroft had suggested that rather than the update paper tending to be passed without comment, sometimes in a rush before the end of a meeting, an environmental issue should be selected as an agenda item for substantive debate where there was something important to discuss. He favoured this suggestion as a means of getting more involvement from all around the table. This was widely supported. JH was therefore invited to consult DM on how best to involve the Update contributors in proposing items for discussion at future UKMF meetings, and preparing notes or presentations introducing them. **Action: JH**

9 Any Other Business

9.1 RB said that CNP was to hold a seminar on impacts upon National Parks and invited UKMF members to suggest to whom invitations might be sent. **Action: UKMF members**

9.2 NH said that he had a frustrating problem over seeking to obtain a listed monument consent, as agendas and reports to EH's internal Committees considering the proposal were denied the parties affected, as was any attendance at such a meeting. Months passed by without a decision or why it was being delayed. The process was not acceptable and needed

change. The Chairman noted that, on the face of it, without knowing all the facts, this appeared unreasonable behavior, which might be found unlawful at a judicial review. It could also be vulnerable to challenge under Article 6 of the European Convention on Human Rights – the right to open and fair judicial proceedings of which this was arguably an example. NH responded that while a company could seek a judicial review, this was not just, as it was costly and took time.

9.3 MP announced that this would be the last UKMF he would be attending as he was moving out of minerals planning to another part of DCLG. The Chairman thanked him for his regular and helpful contributions at UKMF over the past 5 years and wished him the very best in his new role. UKMF warmly concurred.

10 Date of Next Meeting

10.1 The next meeting will start at 11am at the IoMMM, 1 Carlton House Terrace on **Thursday 26 June 2014**. Coffee will be served from 10 30am and a buffet lunch at 1 30pm. To avoid over catering, members are asked to indicate 7 days in advance of the meeting if they could not attend or would not be staying for lunch.

10.2 **The other 2014 Forum date for your diary is 11am at IoMMM on Thursday 20 November. This is preceded by LWM5 on Monday 17 November 2014.**