

WEST DUNBARTONSHIRE COUNCIL**Report by the Strategic Lead – Regulatory****Planning Committee: 9th December 2020**

Subject: Annual Review of Quarries and Landfill Sites**1. Purpose**

- 1.1** To update the Committee on the annual monitoring of the two quarries and two landfill sites in the West Dunbartonshire Council area along with the status of the relevant restoration bonds which apply to three of the sites.

2. Recommendations

- 2.1** That the Committee notes the progress of the quarry and landfill sites, the status of the relevant restoration bonds and that a further update will be provided to a future Planning Committee during 2021.

3. Background

- 3.1** Formal monitoring arrangements of the Council's two quarries and two landfill sites were agreed in 2014. An annual report is presented to the Planning Committee detailing the progress of the operations, restoration arrangements and highlighting any issues at the two quarries and two landfill sites within this Council's planning authority area. The Planning Compliance Officers continue to monitor the progress of the landfill and quarry sites assisted by Planning Officers.

4. Main IssuesAnnual Monitoring of Sites

- 4.1** The annual monitoring visits did not take place this year due to Covid restrictions however the Planning Compliance Officers retained close contact with each of the sites and spoke to each of the operators by telephone. All four sites continue to progress in accordance with the terms of their respective planning permission.

The sites vary in the restoration requirements set out by the respective planning consents, and therefore the extent of restoration that has been carried out on each site also varies.

Auchencarroch

- 4.2** Landfill is ongoing at the site and is divided into a series of separate 'cells' (an engineered depression in the ground prepared for the infill of material). Work is ongoing on waste disposal operations in Cell E4 by way of infilling and a new cell E5 has been opened in the last year.
- 4.3** The restoration scheme cell E3 has now been capped. The operator has had challenges with the final restoration of the dry heathland habitat due to final settlement levels in the cells. Reseeding to the cell side has been successful. Settlement of the cell E2 has allowed for a further cap and infill following sustained settlement and final restoration will not be achieved until the settlement is complete. The operator has indicated that restoration proposals for the site will require to be revised; this will be achieved through a future application to extend the lifetime of the landfill site. Clay extraction (DC19/033) has commenced and the clay has been utilised as a liner for Cell E5. Approximately a third of the clay extraction site has been utilised to date.
- 4.4** The recycling centre waste streams have remain static albeit there was an interruption to green waste and organic services due to Covid restrictions as Councils ceased the uplift of green waste. Nonetheless the amount of waste being deposited as landfill remains significantly below the approved maximum allowance. Consequently, the rate at which the landfill site is being filled is slower than was envisaged when permission was granted. The extant planning permission permits the disposal of waste until 31 December 2022 with restoration to be completed by 31 December 2024.
- 4.5** Over the previous year thirteen odour related complaints have been made directly to SEPA in respect of the landfill or recycling centre. The current SEPA Compliance Assessment Score for the operator is "Excellent" status. There have been no direct complaints made to the Planning Service in respect of this site.
- 4.6** The review of the bond will form part of the application for the extension of the life of the landfill site which is due to be submitted in 2021. In the meantime, a bond at the original level remains in place. In addition, the site is also regulated by SEPA in terms of a financial provision by means of a parent company guarantee. The permit holder is required to submit an annual certificate confirming that the financial provision remains in place. Every three years they are required to provide confirmation from an independent auditor (usually an accountant) to confirm that they have reviewed the site expenditure plan and that it remains an accurate reflection of projected provision requirements. The current financial provision for Auchencarroch remains at the same level as previously set and no issues have been highlighted by SEPA.

Dumbuckhill Quarry

- 4.7** All excavation works have been completed on the 147m and 135m benches. All the faces have been left at a safe angle of repose. Work has commenced at the northern end of the quarry on the formation of the 123m bench. Since the Covid-19 restrictions were eased, aggregate output has returned to pre-existing levels. To date the quarry has extracted approximately 30% of its agreed extraction.
- 4.8** A visit was undertaken in February 2020 by the Health and Safety Executive(HSE) to follow up on recommendations detailed in the previous years report regarding remedial measures to the rock netting at the upper and outer edges of the quarry. The HSE inspector was satisfied with the remedial works and no further improvement notices were required.
- 4.9** There have been a total of 23 complaints made regarding blasting at the quarry since the last report. Environmental Health Service indicated that all blast measurements are well below the agreed noise level. A complaint regarding early working (machinery being moved) was addressed via the quarry manager and start times altered to ensure ongoing compliance.
- 4.10** The restoration of Dumbuckhill Quarry is by habitat and landscape improvements carried out at the completion of extraction on each bench and has been in accordance with the approved restoration plan. Two applications were submitted in 2020 for Dumbuckhill Quarry. The Review of Minerals Permission(DC19/163) to review the existing planning conditions to ensure they reflect more modern working conditions which take into account amenity, environmental and landscape matters. The second planning application (DC19/162) is to extend the life of quarrying operations. Both applications will be submitted to a future Planning Committee in early 2021 for consideration and determination.
- 4.11** A restoration bond of £200,000 that was agreed in 2014 remains in place and this will be reviewed as part of the above applications.

Rigangower Landfill

- 4.12** The recycling plant has remained fully operational over the last 12 months. During the initial Covid restrictions there was a large drop in production however this returned to full capacity around mid June and has continued at the same level. The stockpiles of materials are maintained below the 9 metres in height as per the planning condition. The recycling and reprocessing of incoming and previously landfilled materials continues. Products continue to be in very high demand and the operator has made use of the extension of operating hours on

numerous occasions over the year for both production and maintenance.

- 4.13** The bund surrounding the operational area remains in good condition with continuing growth on the trees providing good screening. All areas in the site, including areas within the landfill that are currently not being excavated, have been grassed over ensuring a more natural appearance of the landfill area. The site is being worked in accordance with the phasing plan. Phase one of the site is still being excavated and no restoration can be undertaken. The extended capacity to the site has not been utilised and the operator has indicated that it is unlikely to be used whilst the excavation of previously landfilled material continues.
- 4.14** No complaints were received in respect of the site. The bond for the site was renewed in November 2019 and was set at the same level of £70,000 for a further 5 year period. The site's financial provision regulated by SEPA was demonstrated as being sufficient cover as detailed in their annual accounts.

Sheephill Quarry

- 4.15** This quarry has a historic planning permission dating from 1949 with seven conditions. The Review of Minerals Permission application and the planning application for an extension to the north west of the extraction area are to re-presented to a future Planning Committee for consideration and determination.
- 4.16** The quarry has remained fully operational over the last 12 months with a large drop in production during the covid lockdown period. Production returned to normal levels around mid June and have remained consistent since this time. The site is currently being worked on both the east side at 135m level and west sides at 100m level. Development of the south part is ongoing. Both the east and west sides of the quarry have dropped to the next bench level downwards to establish new floor levels. Work has yet to commence on the approved haul road diversion however this will be commenced before the current permission expires in January 2021. No work has commenced on the Sheephill vitrified fort (scheduled monument) part of the site or the extension area. At present there is 6 years of rock left without extraction on these area.
- 4.17** There is no bond for the wider quarry site however the operator has agreed to provide a bond for the extension area. Over the previous monitoring period there have been complaints made regarding quarrying outwith the consented area, works to the vitrified fort and complaints regarding extensive land clearance works at the entrance to Sheephill Quarry. A site visit found the vitrified fort remained intact and surrounded by protective fencing. All quarrying undertaken has been

within the currently consented areas only. The extensive land clearance works were permitted for emergency infrastructure works undertaken on behalf by Scottish Water.

- 4.18** There were a total of 3 complaints about blasting in the last 12 months (14 blasts), all following the same blast in September, which at 8.4mm/s, was above the normal recommended level of 6mm/s specified in PAN 50. It is acceptable practice for 5% of blasts to be greater than 6mm/s but never in excess of 12mm/s. The quarry operator recorded only 1 blast in excess of 6mm/s this year (September) however Environmental Health's own monitoring indicated that there was a blast on 9th January 2020 which measured at over 10mm/s. The quarry operator measured this blast at 5mm/s, it is unclear why there is such a discrepancy.

5. People Implications

- 5.1** Staff time will be required to take forward any issues which arise from the monitoring exercises across all sites. It is anticipated that this additional workload can be accommodated through existing staff resources.
- 5.2** The two quarries and landfill sites will continue to be monitored by the Planning Compliance Officers assisted by Planning Officers, on an annual basis and site visits will also be undertaken if any issues/complaints arise and this continues through covid restrictions.

6. Financial and Procurement Implications

- 6.1** Financial implications could arise in the future in the event of the failure of one of the site operators without a restoration bond, or if a bond was not sufficient to cover the required restoration of the site.

7. Risk Analysis

- 7.1** There are financial and reputational risks to the Council if the sites are not formally monitored or the bonds are not adequate to cover the full cost of implementing the agreed restoration proposals. There is a higher risk to the Council if no bonds are in place and the operator fails.

8. Equalities Impact Assessment (EIA)

- 8.1** It is not considered that the report or recommendations raise any equality issues.

9. Environmental Sustainability

9.1 All the quarry and landfill sites have been subject to Environmental Statements through the processing of the respective planning applications.

10. Consultation

10.1 No consultation was necessary for the preparation of this report.

11. Strategic Assessment

11.1 The annual monitoring of the quarry and landfill sites aligns with the strategic priorities of the Council.

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Appendices: None

Background Papers: Planning Committee Report, 28th August 2019
Annual Review of Quarries and Landfill Sites

Planning Committee Report, 30 April 2014 - Review of Quarries and Landfill sites (monitoring arrangements)

Wards Affected: Ward 1 (Auchencarroch Landfill Site)

Ward 3 (Dumbuck Quarry, Sheephill Quarry and Rigangower Landfill Site)