

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Planning Committee: 27 August 2014

Subject: 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 and to advise on work carried out by external consultants on restoration bonds for Auchencarroch Landfill site and Dumbuckhill Quarry site.

2. Recommendations

- 2.1** To note the outcomes of the site visits outlined in Appendix 1 and to agree that an updated report will be presented to a future Planning Committee once discussions have taken place with the operators with regard to the findings of the external consultants.

3. Background

- 3.1** A report was considered by the Planning Committee in April 2014 which informed the Committee of the current situations of the two quarries and two landfill sites in the Council area with regard to progress of operations and restoration. It was agreed that an annual report be presented to the Committee in August following the formal monitoring of the sites in May. This report is to provide details of the progress of the quarry and landfill sites, updates on the compliance monitoring and the assessment of bonds.

4. Main Issues

4.1 Annual Monitoring of Sites

One of the procedures agreed by the Committee in April was the instigation of a more formal monitoring arrangement for such sites, including an annual site visit to monitor progress and compliance. The first such annual monitoring visits to the sites began in May with all site operators contacted to discuss the new monitoring procedures which have been put in place. Each site was inspected by planning officers and notes were made of the progress of each site, compliance with conditions and any restoration works carried out on site. A summary of the progress of each site is provided in Appendix 1.

- 4.2** In general, all four sites are progressing well operationally but as they vary in the restoration requirements set out by the planning consents, the extent of restoration that has been carried out on sites also varies.

- 4.3** It has been identified that at Auchencarroch landfill site work is behind on implementing the dry heathland habitat on the capped and seeded cells (currently acidic grassland) is currently behind the approved schedule and the operator is aware of the work required. There is also a need to re-establish the Technical Working Group whose members (planning officers, site operator, SNH and RSPB) are involved in monitoring the habitat management of land outwith the operation landfill area.
- 4.4** The main restoration works at Dumbuckhill Quarry are proposed to be carried out on cessation of use of the quarry, but the upper benches were to be restored once the agreed levels were reached and this work has not yet been carried out. However, a recent planning application has been received to amend the bench levels which would have implications for the tree planting thereon, and a revised landscaping scheme will therefore be required as part of any consent.
- 4.5** Rigangower landfill site is currently being operated in compliance with the conditions but regular monitoring is needed to ensure the site is fully restored on completion of the landfill operations. However, a planning application has been submitted to excavate previously land filled materials for recycling as secondary aggregates and this proposal will require an updated restoration plan to be put in place.
- 4.6** Sheephill Quarry has a historic planning permission with very few conditions controlling operations on the site or restoration requirements. The site is therefore operating in compliance with its current permission. However, as the Committee is aware the site is subject to a long-running ongoing application for a Review of Minerals Permission (ROMP) which would result in appropriate new conditions. At the site visit issues such as hours of operation, blasting and future restoration were discussed and the ROMP application, which is still to be agreed, will cover these matters.
- 4.7** Restoration Bonds
The purpose of the restoration bonds is to ensure that there is funding available to implement site restoration as a guarantee against the failure of an operator or contractor to comply with the conditions of a planning consent. Specialist environmental consultants (Parsons Brinckerhoff) have been engaged to carry out a review of the value of restoration bonds currently in place for Auchencarroch Landfill and Dumbuckhill Quarry (Rigangower and Sheephill Quarry do not currently have bonds in place). The consultant's work included an assessment of:
- the suitability of the approved restoration masterplan and any habitat management plans for each site;
 - the works required to complete the restoration process;
 - the suitability of the restoration phasing proposed;
 - the estimated costs of carrying out the work; and
 - the adequacy of the overall value of the restoration bonds.

In addition to undertaking a desk-top study each site has been visited and a meeting held with planning officers to discuss issues particular to each site.

4.8 A report for each site has now been prepared by Parsons Brinckerhoff, which reviews the implementation of restoration proposals and provides updated costing breakdowns for the restoration plans which determine the levels of the bonds. However as the reports cover commercially sensitive issues it was considered appropriate to discuss the content of the reports with each of the site operators prior to publication, and it has not been possible to undertake this prior to this meeting of the Planning Committee.

4.9 Both site operators have now received a copy of the reports and the next steps will be to meet with them to discuss their contents. Once the content of these reports have been discussed with the respective operators an update report will be presented to a future Planning Committee meeting.

5. People Implications

5.1 Staff time will be required to take forward any issues which arise from the monitoring exercise and consultant's work. It is anticipated that this additional workload can be accommodated within existing staff resources.

6. Financial Implications

6.1 The costs of a specialist consultant to provide advice on the adequacy of the restoration bonds and the restoration schemes have been met from the Planning and Building Standards budget. Financial implications could arise in the future in the event of the failure of one of the site operators without a restoration bond, or the bond was not sufficient to cover the required restoration of the site and it is therefore considered necessary to invest in expert consultancy as a safeguard against this.

7. Risk Analysis

7.1 There is a risk to the Council if the quarry and landfill sites fail however it is not of the same magnitude experienced by some Council's recently with the open cast coal industry. 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. Consultation

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

10. Strategic Assessment

10.1 The report supports the Council priorities.

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Date: 6 August 2014

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Appendices:	Appendix 1: Monitoring of Quarry and Landfill Sites
Background Papers:	None.
Wards Affected:	All