

EAST AYRSHIRE COUNCIL
PLANNING COMMITTEE 30TH JANUARY 2015
COMPLIANCE MONITORING UPDATE OF
MAJOR DEVELOPMENTS IN EAST AYRSHIRE

Report by Acting Head of Planning and Economic Development

PURPOSE OF REPORT

1. The Purpose of the Report is to provide an update to the Planning Committee in respect of compliance monitoring activity relating to environmental projects which are subject to planning consents and comprising the following development types:- opencast coal, quarries, landfill, onshore windfarms and the electrical interconnector between the period October 2014 and December 2014.

BACKGROUND

2. The Independent Review of the Regulation of Open Cast Coal Operations in East Ayrshire included a recommendation that quarterly reports should be submitted to the Planning Committee recording progress of mining activity and restoration of the particular sites and complexes. At the Planning Committee on 27 June 2014 it was agreed that the remit of this quarterly report be widened to include the other environmental development subject to compliance monitoring including quarries, landfills, onshore wind farms and the electrical interconnector. The annual report covering April 2014-March 2015 will be considered by the Planning Committee during April 2015.

PROGRESS/ UPDATE

3. As detailed in below the Independent Consultants have been carrying out regular inspections at the four active open cast coal surface mines and the Electrical Interconnector site. A progress report is provided within each of the appendices. The individual Compliance Monitoring Reports from the Independent Consultants are being made available on the Council Web site following formal sign off by the Acting Operations Manager. For clarity the Appendices are separated into development types as follows:-

Table 1

Appendix	Development Type
1	Open Cast Coal Surface mines (OCCS)
2	Onshore Windfarms
3	Quarries
4	Electrical Interconnectors
5	Landfill

COMPLIANCE MONITORING VISITS

4. Within the four operational open cast coal surface mines, Dalgleish Associates Ltd (DAL), the Council's Independent Mining Engineer carry out Monitoring Visits on a monthly basis. These visits include the review of the Phased Mining Plans against the works carried out on site to verify operational coaling and restoration activity against the approved scheme. Planning Officers attend the site with DAL and following each visit an assessment is carried out to establish whether any current or future works necessitate a variation of the Planning Consent. DAL produce a compliance monitoring report of the development which will be published following the assessment and sign off by the Planning Authority.
5. DAL have also undertaken visits to Craignaught Landfill in November 2014 Garlaffan Landfill in December 2014, with further commentary noted within Appendix 3.
6. In respect of the Interconnector project the compliance monitoring visit is carried out by Ironside Farrar and Planning Officers on a monthly basis. These visits involve the review of site works against the planning conditions and the various technical and environmental reports which were approved following the discharge of the relevant Planning Conditions. Ironside Farrar produce a quarterly report detailing the status of compliance of the construction works. The sign off procedure is the same as referred to above.
7. Members will note that the scheduled compliance monitoring inspections of the sites are as detailed in the table below:-

Table 2

Site (Operator)	Date of Visits	Consultant
SWS Renewables Connection Project	1st October 2014 19th November 2014 17th December 2014	Ironside Farrar
Duncanziemere OCCS (Hargreaves)	7th October 2014 4th November 2014 9th December 2014	Dalgleish Associates Ltd
Netherton OCCS (Hargreaves)	7th October 2014 4th November 2014 9th December 2014	Dalgleish Associates Ltd
House of Water OCCS (Hargreaves)	16th October 2014 13th November 2014 18th December 2014	Dalgleish Associates Ltd
Greenburn OCCS (Kier)	16th October 2014 13th November 2014 18th December 2014	Dalgleish Associates Ltd
Tincornhill Quarry (Breedan Aggregates)	18th November 2014	Unaccompanied Officer Visit
Garlaffan Landfill (Barr Environmental)	23rd December 2014	Dalgleish Associates Ltd
Craignaught landfill (LafargeTarmac)	11th November 2014	Dalgleish Associates Ltd

TECHNICAL WORKING GROUPS/ COMMUNITY LIAISON COMMITTEES

8. Table 3 below details the Technical Working Groups and Community Liaison Committees which have taken place during the last quarter and/or forthcoming meetings due to the frequency the meetings are held. All the Technical Working Groups and Community Liaison Committees which took place during this quarter relate to Open Cast Coal Mines and were attended by Senior Planning Officials. Copies of the Minutes and Agendas of these meetings are published within the online Planning Register and the Council planning web site is being redesigned to accommodate all Compliance Monitoring data within a central location for public access.

Table 3

Complex (operator)	Community Liaison Committee	Technical Working Group
Greenburn OCCS (Kier)	Scheduled for 17 th March 2015	21 st October 2014
Duncanziemere OCCS (Hargreaves)	5 th November 2014	2 nd October 2014
Garlaffen Coal Distribution Yard (Hargreaves)	27 th November 2014	N/A
Netherton OCCS (Hargreaves)	8 th October 2014 14 th January 2015	Scheduled for 17 th March 2015
House of Water OCCS (Hargreaves)	27 th January 2015	28 th October 2014 27 th January 2015
Chalmerston OCCS (Hargreaves)	14 th January 2015	Not Scheduled until further commencement of the OCCS
SWS Renewables Connection Project (SPEN)	Scheduled for 3 rd February	N/A

9. The Planning Authority welcomes that the Technical Working Groups and the Community Liaison Committee Meetings have been well attended by members of the local community, the various statutory bodies and other interested parties. It was also noted that the meetings have been conducted in a frank and open manner with all parties participating fully in discussions. Each meeting involved an opportunity for all attendees to have a tour of the opencast operations to view the coaling and restoration operations, with the exception of the Chalmerston and Netherton Community Liaison Meetings held on the 14th January 2015 due to the severe inclement weather conditions.

ORGANISATIONAL ARRANGEMENTS OF THE TECHNICAL WORKING GROUPS (TWG) AND COMMUNITY LIAISON COMMITTEE (CLC).

10. The Report of Independent Review of Regulation of Opencast operations in East Ayrshire, dated 20 January 2014 raised issues about the functionality and governance of the Technical Working Groups and the Community Liaison

Committees. As Members will be aware the organisation and running of the TWG and CLC are requirements of the original Section 75 legal agreements linked to the appropriate planning permission. Therefore, the changes to the setup required the agreement of the Operators.

11. It was agreed by Council on the 26 June 2014, following consideration of the Depute Chief Executive's Report Opencast Coal Mining in East Ayrshire: The Past, The Present and the Future that both the Community Liaison Committees and Technical Working Groups should be retained in their current format, while recognising that these can meet jointly when considered appropriate and convenient to do so. As of 1st January 2015, the Secretariat and Chairing of both the TWG and CLC for Chalmerston, Duncanziemere, House of Water and Netherton sites has been transferred to the Council. Kier Mining have retained control of the secretariat and Chairing of both the TWG and CLC for their Greenburn complex.
12. These changes were implemented on 1st January 2015 and those changes include:-

TECHNICAL WORKING GROUP

- the use of a standard Agendas for the TWG;
- the commencement of each TWG meeting with a site visit;
- the timetabling on a calendar year basis of TWG;
- provision of TWG Minutes and Agenda on the Council web site; and
- the Planning Authority will nominate the Chair of the TWG (excluding Greenburn).

COMMUNITY LIAISON COMMITTEE

- the use of a standard Agendas for the CLC;
- the provision of a site visit at each CLC meeting;
- the timetabling on a calendar year basis of CLC;
- provision of CLC Minutes and Agenda on the Council web site; and
- the Planning Authority will nominate the Chair of the CLC (excluding Greenburn).

ANNUAL ENVIRONMENTAL AUDITS (AEA)

13. Under the terms of MIN40 of the Opencast Coal Subject Plan 2003, the operators are required to submit an Annual Environmental Audit to the Planning Authority for assessment which considers the following matters:-
 - (i) The effects of the development on the environment including noise, vibration, dust and water impacts;
 - (ii) The measures taken to complement the operational, restoration and aftercare provisions of the consent insofar as they affect the environment; and
 - (iii) The effectiveness of mitigation measures promoted in Environmental Impact Assessments to reduce adverse environmental impacts
14. An Annual Environmental Audit was due October 2014 for the House of Water complex and has not been received. This matter has been formerly raised with the operator who has advised that the Annual Audit is being prepared for submission, following the recent Planning Application being received by the Council.

15. The schedule for the submission of the Environmental Audits over the next 12 months for each open cast coal site is noted as follows:-

Duncanziemere Complex	June 2015
House of Water Complex	October 2015
Greenburn Complex	November 2015
Netherton Complex	April 2015

PLANNING COMMITTEE SITE VISIT

16. During the last quarter, the Planning Committee visited the Greenburn Complex on 22 October 2014 to view progress of the three operational sites at Wellhill, Braehead and Dalgig Farm. As part of the review of this report, the Planning Committee have had an opportunity for view progress of the Duncanziemere Surface Mine on the 29th January 2015 as part of the assessment of the extension application for the site.

MATTERS ARISING FROM COMPLIANCE MONITORING

17. While the appendixes detail the current status of each of the development sites it is considered appropriate to highlight the following matters:-

GREENBURN OCCS

18. During the summer of 2014, a review took place of the current restoration liabilities for the three operational areas at the Greenburn Complex. These reviews indicated that the restoration bond coverage for Wellhill requires an increase of £293,000 to ensure it fully covers the restoration liability, while the Braehead development requires the Parent Company Guarantee to be increased by £921,173 to fully cover the restoration liability on the site. The operator indicated that they would either arrange for the restoration guarantee coverage to be increased as appropriate or they would carry out works to reduce the restoration liability on these areas of the site. Discussions are on-going between the operator and the Council to resolve this outstanding matter and provide the top up funding guarantees as necessary.
19. With regards to the original Greenburn Site, which includes the Dalgig Farm extension, the site retains a restoration bond of £2.5m which was agreed through the original planning consent which pre-dated the Opencast Coal Subject Plan 2003. The terms of the section 75 are that the financial guarantee is capped at £2.5m; there is no requirement for the introduction of any Compliance Monitoring arrangements during the life period of the site by Kier. Therefore, the Planning Authority commissioned DAL to review the overall liability of the current operations and this review is currently ongoing. Discussions are also currently ongoing with Kier regarding the finalised restoration design for the site along with the associated completion of the restorations works to this part of the development. Once the DAL review has been completed and the discussions with Kier are also completed, the Planning Committee will be provided with a further report setting out the site options to deliver an agreed restoration scheme.

GLENMUCKLOCH CONVEYOR

20. As indicated in the October Report, the planning permission for the Glenmuckloch Conveyor Belt has expired and OCCW (Duncanziemere) indicated that they would not be utilising it to transport coal from the Glenmuckloch OCCS to Crowbandsgate Coal depot due to the cost of bringing the redundant conveyer belt up to operational standards. Therefore, given a section of the Conveyor is located within the Special Protection Area (SPA) and is subject to a complaint to the European Commission relating to the breach of Habitats Regulations, the removal of the unauthorised conveyer was paramount. Hargreaves has now commissioned removal of the conveyer. Final restoration of the track has yet to be agreed where it impacts the SPA.

SOUTH WEST SCOTLAND RENEWABLES CONNECTION PROJECT

21. Operations on the Southwest Scotland Renewables Connection Project are progressing to complete the extension to Coylton Sub-Station, install the infrastructure for the overland pylons; the Meiklehill Sub-Station construction and Ironside Farrar are carrying out compliance inspections for the Planning Authority on a monthly basis. As discussed in the Octobers Compliance Monitoring Report, compliance issues have been raised with the developer, Scottish Power Energy Networks (SPEN) in relation to transport, peat management, environmental and ecology issues. The developer has been working towards addressing those issues however significant non-compliance issues remain particularly in relation to peat management and ecology. Those matters have been raised with both SEPA and SNH.
22. Further consent has been issued by the Energy and Climate Change Directorate for further parts of the Southwest Scotland Renewables Connection Project namely:
- Part B 132kV lattice steel tower, double circuit transmission line between the Meikle Hill Substation and the proposed Black Hill Substation (OS Ref NS612048). Includes construction of Black Hill Substation 1.7km west of Afton Reservoir.
 - Part C 132kV lattice steel tower, double circuit transmission line between the proposed Black Hill Substation and the proposed Glenglass Substation (OS Ref NS721067). Includes construction of Glenglass Substation 5km south of Kirkconnel (outwith EAC).
 - Part D2 132kV wood pole, single circuit transmission line between the proposed pole No 1 (OS Ref NS515082) and proposed pole No 138 (OS Ref NS433053) between the Meikle Hill substation and the proposed Dersalloch wind farm substation.
23. Some initial site surveying and peat probing has been undertaken across Part B, C and D2 but no initiation of development notifications or planning conditions to discharge have been submitted to date by the developer. An initial meeting took place with SPEN and Development Management in early January in order to engage in early discussion regarding their envisaged timetable for the newly consented parts of the project, to discuss the discharge of conditions and mechanism for further compliance monitoring.

WHITELEE WINDFARM

24. In line with all other consents of this nature a full review of the Whitelee windfarm consents and operations within the development site is ongoing and Ironside Farrar are reviewing the Bond provision over the entire development for East Ayrshire, East Renfrewshire and South Lanarkshire Councils. Discussions are currently ongoing with the windfarm operator, Scottish Power Renewables (SPR), in relation to the continued maintenance of the restoration guarantee for the windfarm. The windfarm has been the subject of noise complaints from local residents which have been submitted to both the Planning Authority and Environmental Health. The SPR noise monitoring data was reviewed by the council's noise consultants who advised that the methodology that SPR has been adopting is acceptable and that following this investigation the noise generated was within the agreed limits. However, the Planning Authority continue to receive noise complaints from local residents and through the Environmental Health section have agreed to install a local noise monitoring system at an agreed receptor property which will allow further investigation of this matter to establish the noise levels being experienced by local residents.

SNEDDONS LAW

25. While the windfarm at Sneddon Law has not yet officially commenced operations, as several planning conditions and legal obligations remain to be discharged, the operator, Community Windpower Ltd had commenced certain works on site to fell trees within the site. Following investigation and intervention from the Planning Authority, these operations ceased pending discharge of the outstanding pre commencement conditions and obligations. Work continues to progress the applicants submission to discharge the pre-commencement Planning Conditions.

FUTURE COMPLIANCE MONITORING

26. There are a number of developments which if approved either by East Ayrshire Council, as Planning Authority, the Energy Consent and Deployment Unit (ECDU) on behalf of Scottish Ministers or the Division of Planning and Environmental Appeals (DPEA), following appeal, will result in a significant additional increase in the compliance monitoring workload. Below is a list of potential developments where compliance monitoring arrangements may be progressed over the next 4 months. These developments are noted as follows:-

QUARRIES

- Townhead of Greenock- Work is expected to commence in early March 2015 subject to the discharge of all pre commencement conditions and obligations;
- North Drumbo by Fenwick:- Approved by Planning Committee, subject to S75 legal agreement;

WINDFARMS

- Whitelee Phase 3:- Appeal pending with the ECDU;

- Ashmark:- Refused by Planning Committee, appeal lodged 14th November 2014;
- Afton:- Approved by ECDU – awaiting submission to discharge all pre-commencement conditions;
- Keirs Hill:- Awaiting consideration by ECDU;
- Glenmount:- Awaiting consideration by ECDU;
- South Kyle:- Awaiting consideration by ECDU; and
- Harehill Extension:- Application approved by EAC and awaiting pre-commencement conditions.

OPEN CAST COAL SITES

- Duncanziemere extension – application pending; and
- House of Water restoration – application pending.

FORMER OPEN CAST COAL SITES UPDATE

27. As members will be aware, significant efforts by the Coal Team in relation to the former SCCL and ATH sites has resulted in several bond calls having now been settled and in these instances the Council is progressing with the relevant procurement processes with an aim of getting best value for the bond money retrieved in the delivery of the strategy, Make Safe, Make Good, Make New set out in the "Steps To Recovery" Report of September 2013.
28. The Council has worked with the relevant land owners to finalise tender briefs to devise an alternative restoration design for the specific sites. The restoration of Dunstonhill OCCS is presently out for tender following a site visit for all registered interested parties being carried out on 8th January 2015. The deadline for the Tender Submission is the 26th January 2015. The alternative restoration scheme will be reviewed through an evaluation panel which will include representatives of the 3 landowners, Patna Community Council, DAL and Planning Officers. The governance around the procurement process for each site will be brought before Cabinet for approval followed by the instigation of the relevant planning process.
29. In general, the relevant planning process will be determined by the Planning Authority and may involve either: the issuing an enforcement notice in relation to the alternative restoration scheme or in some instances a revised planning application would be required. Where the Planning Authority undertakes planning enforcement action to secure a revised alternative scheme, the terms of the Notice will be subject to consultation with the statutory agencies, Community Council and Community Liaison Groups and approval of the Planning Committee prior to implementation. Any planning application for a revised restoration scheme would go through the normal planning procedures with determination by the Planning Committee.

SCOTTISH MINES RESTORATION TRUST/MINES RESTORATION LTD

30. Mines Restoration Ltd (MRL), a wholly owned subsidiary of SMRT, retain responsibility for all the Health and Safety aspects at Dunstonhill, Dalfad/Powharnal, the Ponesk/Spireslack complex and Shields Farm. In addition it is noted that where MRL are the owners of a site in which the Council has received restoration bond money then negotiation will take place with MRL as the relevant land owner to

secure a suitable alternative restoration scheme. The Council continues to work with Scottish Mines Restoration Trust (SMRT) in relation to these sites.

POTENTIAL INFRACTION PROCEEDINGS

31. As noted in the Steps to Recovery Report to Council dated 19th of September 2013, a complaint has been made to the European Commission (EU) in relation to a potential breach of the Special Protection Area (SPA) Habitat Directive, following the loss of habitat from the Muirkirk and North Lowther Uplands SPA due to the unrestored opencast mining in the area.
32. If the EU has evidence that a Member state has failed to transpose a directive properly, or is not enforcing legislation correctly, then it may begin legal proceedings to rectify the situation, known as Infraction Proceedings.
33. The Scottish Government has set up a working group involving all the key Agencies, including East Ayrshire Council, to identify solutions to mitigate this issue. It should be noted that discussions continue between the Scottish Government and the European Commission in relation to this potential breach, as well as the legal and financial implications of the Infraction proceedings. Once final details of the work programme are agreed with the Scottish Government the action plan will be implemented.

34. EMPLOYMENT

Table 4 below details the approximate levels of employment on each of the operational opencast, quarry and landfill sites within East Ayrshire.

Complex (operator)	Number of employees
Greenburn OCCS (Kier)	145*
Duncanziemere OCCS (Hargreaves)	66
Garlaffen Coal Distribution Yard (Hargreaves)	22
Netherton OCCS (Hargreaves)	80
House of Water OCCS (Hargreaves)	80
Killoch (Hargreaves)	2
Sorn (Breedon Aggregates)	7
Garlaff Landfill (Barr Environmental)	12
Kilmarnock	8

*Subject to a 30 day consultation period with employees

RECOMMENDATIONS

35. It is recommended that the Planning Committee:
1. Notes the progress reports and status of each of the Environmental Projects detailed in the Appendix 1 to 5;
 2. Notes the numbers of Technical Working Groups and Community Liaison Committees and Compliance Monitoring visits which have taken place during the period October to December 2014;
 3. Notes that discussions continue between the Scottish Government and the European Commission in relation to the potential breach of the Habitats Directive and the potential legal and financial implications of the Infraction proceedings thereof; and
 4. Otherwise note the report.

David McDowall
Acting Head of Planning and Economic Development
26rd January 2015 (DMcD/SA)

FV/DMcD

BACKGROUND PAPERS

1. Opencast Mining in East Ayrshire – Steps to Recovery: Report submitted to the meeting of East Ayrshire Council on 19 September 2013.
2. Opencast Mining in East Ayrshire – Compliance Monitoring: Report submitted to the meeting of East Ayrshire Council Planning Committee on 29 November 2013.
3. Update on Operational Opencast Coal Sites in East Ayrshire: Report submitted to the meeting of East Ayrshire Council Planning Committee on 12 November 2013.
4. Independent Review of the Regulation of Opencast Coal Operations in East Ayrshire: Report submitted to the meeting of East Ayrshire Council on 28 January 2014.
5. Opencast Mining in East Ayrshire - Compliance Monitoring update: - Report submitted to the meeting of East Ayrshire Council Planning Committee on 4 April 2014
6. Opencast Coal Mining in East Ayrshire – Compliance Monitoring Update on 27 June 2014
7. Opencast Coal Mining in East Ayrshire – Compliance Monitoring Update on 14th October 2014

Anyone wishing to inspect the above papers should contact Craig Iles on 01563 576749.

Implementation Officer: - Craig Iles, Acting Operations Manager

Appendix 1: Open Cast Coal Sites

Site	Greenburn Complex
Operator	Kier Mining
<p>Outwith the time period to which this report covers, the Council has been advised by Kier that they are currently undertaking a full review of operations on site as a direct consequence of the falling price of coal. This includes the review of operational activity and employee numbers. As such, it is likely that coal operations across the Wellhill and Breahead sites are to be temporarily suspended, with an emphasis on increasing focus on restoration works throughout the Dalgig Farm site whilst this review is carried out. A further update shall be provided once there is clear direction provided by Kier Mining following the employee consultation period.</p>	

Site	Greenburn Complex:- Wellhill Farm
Operator	Kier Mining
Application Ref No.	12/0066/PP
Date Approved	2 nd February 2013
Site Commenced	March 2013
Site duration	5 years
Expiry Period	March 2018
Approved Estimate Coal Reserves (tonnes)	500,000
Estimated Coal Reserves remaining (tonnes)	225,000
Site Status	Active
<p>During the period of October 2014 – December 2014, coaling continued within the void and progressed northwards in accordance with the approved scheme. Screening bunds have been installed around the northern perimeter of the workings. All overburden mounds are in place and all overburden material currently being excavated is being placed below ground level within the void. The road diversion to the U719 has been constructed and is operational. Restoration work is being carried out at the southern section of the site. Mining operations are being carried out in general accordance with the current Planning Permission.</p> <p>It should be noted that the review of the financial bond quantum carried out in August 2014 has yet to be updated and the next six monthly review of the financial bond quantum for the site restoration is due to be carried out during January 2015. These reviews have been discussed with representatives of Kier and the Council is pursuing the matter with the operator.</p>	

Site	Greenburn Complex:- Braehead Farm
Operator	Kier Mining
Application Ref No.	10/0491/PP & 13/841/PP
Date Approved	22 February 2011
Site Commenced	June 2012
Site duration	5 years
Expiry Period	June 2017
Approved Estimate Coal Reserves (tonnes)	1,500,000
Estimated Coal Reserves remaining (tonnes)	710,000
Site Status	Active
<p>Coaling is continuing eastwards within the site, utilising progressive restoration techniques. It is considered that mining operations are being carried out in general accordance with the current Planning permission. The site is subject to a review of the financial quantum of the Parent Company Guarantee for the site restoration which was been concluded during August 2014 and indicates that the Parent Company Guarantee requires an increase to ensure it fully covers the restoration liability of the site. These reviews have been discussed with representatives from Kier and the Council is pursuing the matter with the operator.</p> <p>Kier have been in discussions with EAC and statutory bodies regarding a potential revised restoration scheme to the Braehead Farm area. At present, the scheme is in the process of being assessed by consultants appointed by Kier to determine the viability of such an amendment, with formal consultation to be undertaken prior to any scheme being determined.</p>	

Site	Greenburn Complex:- Dalgig Farm
Operator	Kier Mining
Application Ref No.	00/0793/FL, 03/0726/FL, 04/0263/FL, 04/0717/FL, 05/0452/FL, 05/0583/FL, 07/0211/FL, 07/0745/FL, 07/0908/FL
Date Approved	19 August 2008
Site Commenced	June 2009 (Dalgig)
Site duration	Original site 10 years
Expiry Period	March 2015
Approved Estimate Coal Reserves (tonnes)	0
Estimated Coal Reserves remaining (tonnes)	0
Site Status	Active
<p>Coaling has been completed at Dalgig Farm in December 2014. With regards to the restoration guarantee for Dalgig excavations this matter is under review and will be fully reported to the Planning Committee in a future Compliance Monitoring Report. Notwithstanding, the expiry period of the application has been confirmed to Kier as the end of March 2015 who have been advised to submit a S42 variation of revised mining phasing plans to extend the life period. Kier have been in discussions with EAC and statutory bodies regarding a potential revised restoration scheme to the</p>	

Dalgig farm area. At present, the scheme is in the process of being assessed by consultants appointed by Kier to determine the viability of such an amendment, with formal consultation to be undertaken prior to any scheme being determined.

Site	Duncanziemere and Laigh Glen Muir
Operator	Hargreaves Surface Mining Ltd on behalf of OCCW (Duncanziemere)
Application Ref No.	05/0232/FL, 06/0291/PP, 09/0511/PP 09/0770/PP, 12/0837/PP – 24hr working & 13/0578/PP
Date Approved	30 March 2011
Site Commenced	October 2010
Site duration	5.5 years
Expiry Period	March 2016
Approved Estimate Coal Reserves(tonnes)	800,000
Estimated Coal Reserves remaining(tonnes)	68,000
Site Status	Active
<p>The Coaling and restoration operations continue at the Duncanziemere site, in line with the Scenario B scheme approved by Committee on the 29th November 2013 with current operations expected to finish in May 2015. It should be noted Planning permission 12/0837/PP has been issued on the 7th January.2015. The operations are inspected monthly by DAL and Council Officials and it is considered that the current operations are being carried out in the appropriate manner in-line with the proposals approved by the Planning Committee on 29th November 2013. For clarity it is noted that the OCCW (Duncanziemere) have deposited the £320,000 restoration security with the Planning Authority.</p> <p>Two blasting complaints were received in relation to the on-going operations and these matters have been investigated, though have not resulted in any enforcement action being taken.</p> <p>As part on an on-going monitoring programme Council monitoring equipment has been located at two properties in the area to assist in gathering further information about noise readings in the locality. These continuous recordings are being collated and reviewed by Environmental Health.</p> <p>Planning Application 14/0621/PP is currently with the Planning Authority to extend the site to the east and continue coaling for an additional 21 month period, with an additional 12 months restoration, taking the likely completion of the site to 2018. Public consultation has taken place in relation to this scheme and will be considered by the Planning Committee on the 30th January 2015.</p>	

Site	Netherton
Operator	Hargreaves Surface Mining Ltd on behalf of OCCW (Netherton)
Application Ref No.	09/0891/PP & 11/0535/PP
Date Approved	19 October 2010
Site Commenced	October 2011
Site duration	10 years
Expiry Period	October 2021
Approved Estimate Coal Reserves (tonnes)	4,100,000
Estimated Coal Reserves remaining (tonnes)	205,000
Site Status	Active
<p>Coaling and progressive restoration is continuing within the Northern void while operations in the Southern void have ceased. Discussions are on-going between OCCW (Netherton) and the Council regarding proposals for a revised restoration scheme utilising the restoration bond money.</p>	

Site	House of Water – Burnston Remainder
Operator	Hargreaves Surface Mining Ltd on behalf of OCCW (House of Water)
Application Ref No.	12/0022/PP, 13/0636/PP, 13/0638/PP & 13/0056/NMV
Date Approved	13 February 2013
Site Commenced	1 May 2014
Site duration	5 years coaling + 1 year for restoration.
Expiry Period	December 2015
Approved Estimate Coal Reserves(tonnes)	1,800,000
Estimated Coal Reserves remaining(tonnes)	1,680,000
Site Status	Active
<p>Mining operations are being carried out in general accordance with the current Planning permission. The Current works have involved the stripping of topsoils and removing overburden to allow coaling to commence. These operations have resulted in overburden material being placed in the existing A5 void and the Burnston Fields Extension void in line with the recently approved amendment. The stone crushing operations at Tappet Hill have been concluded with all the stone being delivered off site to the nearby Interconnector Project.</p> <p>A revised restoration plan for the entire site has been subjected to public consultation in September 2014 by OCCW (House of Water) and a formal application setting out the restoration proposals was submitted 19th November 2014, with an and is currently under consideration, with an expected determination date of March 2015.</p>	

Site	Tardoes
Operator	Law Mining
Application Ref No.	CD/96/0097/MIN
Date Approved	1996
Site Commenced	1996
Site duration	8
Expiry Period	2004
Approved Estimate Coal Reserves (tonnes)	0
Estimated Coal Reserves remaining (tonnes)	0
Site Status	Restored and subject to aftercare
<p>This site is fully restored in its final year of aftercare. The aftercare is being carried out by the Landowner financed through the restoration bond. The site is generally in compliance with the approved restoration scheme. Following a site visit on the 30th September 2014 the site is currently under review by DAL and Planning Officers to determine the final aftercare work necessary prior to the completion of the site.</p>	

Site	Broomhill Farm
Operator	Coal Contractors Ltd
Application Ref No.	CD/95/0187/MIN, 96/0401/FL, 08/0022/FL, 11/0221/PP & 14/0555/AMCPP
Date Approved	1995
Site Commenced	1995
Site duration	13 years
Expiry Period	2008
Approved Estimate Coal Reserves (tonnes)	0
Estimated Coal Reserves remaining (tonnes)	0
Site Status	Site restored and aftercare completed
<p>The application for the approval of restoration works across this site will be considered by the Planning Committee on the 30th January 2015.</p>	

Site	Darnconner
Operator	VWM (Scotland) Ltd
Application Ref No.	CD/84/0081/Q, CD/85/0148/Q, CD/87/0153/Q, CD/89/0241/Q, CD/91/169/Q, CD/95/0058/MIN CD/95/0230/DPP, 00/0118/FL 06/0480/FL, 08/0932/FL & 11/0293/PP
Date Approved	1984
Site Commenced	1984
Expiry Period	Site subject to current Planning Application
Approved Estimate Coal Reserves (tonnes)	n/a
Estimated Coal Reserves remaining (tonnes)	n/a
Site Status	Partially restored.
<p>A large majority of the original open cast mine has been restored, however the remainder of the site contains a water filled void and two overburden mounds. Planning application 11/0293/PP relates to the alteration to the restoration scheme of the original planning consent. The determination of this application was continued by Southern Local Planning Committee in August 2011 pending the submission of further restoration information. The information has been reviewed by DAL and the overall restoration scheme is presently under consideration, with a report expected to be submitted to the Planning Committee in February 2015.</p>	

Appendix 2:- Onshore Wind Farms

Site	Whitelee Windfarm
Operator	Scottish Power Renewables (SPR)
Application Ref No.	Whitelee windfarm Section 36
Date Approved	2007
Site Commenced	2009
Site duration	25 years
Site Status	Operational
<p>A full review is programmed of the Whitelee windfarm consents and operations on site is progressing. Discussions are currently ongoing with the windfarm operator, Scottish Power Renewables, in relation to the continued maintenance of the restoration guarantee for the windfarm. The windfarm has been the subject of noise complaints from local residents which have been submitted to both the Planning Authority and Environmental Health which were investigated and identified as being unsubstantiated during the period of the investigation</p> <p>However, the Planning Authority continue to receive noise complaints from local residents and through the Environmental Health section aim to install a local noise monitoring system at an agreed receptor property which will allow further investigation of this matter to establish the current noise levels</p>	

Site	Harehill Windfarm New Cumnock
Operator	Scottish Power Renewables (SPR)
Application Ref No.	CD/94/0097/DPP
Date Approved	1996
Site Commenced	1997(approximately)
Site duration	25 years
Site Status	Operational
<p>This windfarm has been operational since 1997. A review of the Planning consent is in the workplan which will be considered in line with the recently granted Harehill extension. The Planning Authority is not aware of any current compliance issue with this development at this current time.</p>	

Appendix 3:- Quarries

Site	Loudoun Hill by Darvel
Operator	LafargeTarmac
Application Ref No.	KL/FL/94/288A, 97/0032/FL, 97/0100/FL, 02/0524/FL, 02/0525/FL 02/0526/FL & 04/0681/FL
Date Approved	22.04.1995
Site Commenced	1995
Site duration	12 years
Expiry Period	2007
Site Status	Partially restored.
<p>A site visit undertaken on the 15th October 2014 by Council Officers to view site and note the outstanding restoration issues around completion of the water lagoon area. The Operator has confirmed that a revised restoration proposal is due to be submitted to the Planning Authority by the end of February 2015. The proposal seeks to utilise existing materials on-site to restore the landform and address the existing water management systems between the various lagoons.</p>	

Site	Tincornhill by Sorn
Operator	Breeden Aggregates
Application Ref No.	A/971/Q, CD/91/27/Q, CD/91/28, 02/0889/FL, 02/0890/FL, 03/1135/FL, 12/0066/PP & 14/0554/PP
Date Approved	28.07.2007
Site Commenced	28.07.2007
Site duration	15 year
Expiry Period	2022
Site Status	Active
<p>Site compliance visit undertaken 18th November 2014 with Council Officers in attendance to review the site following the change in ownership from Barr Quarries to Breeden Aggregates. There is currently an issue with the approved restoration plans, in that the plans are for works programmed for 30 years, however consent was only granted for a 15 year period. Therefore, there is a disparity which needs to be rectified through the submission of an application to either regularise the time limits for excavations or to amend the approved restoration scheme. An application is expected within the first quarter of 2015. A tour of the site demonstrated that the site is operating generally in accordance with the approved conditions in all other respects.</p>	

Site	Clawfin Quarries
Operator	Breeden Aggregates on behalf of Scottish Power
Application Ref No.	14/0269/PP
Date Approved	13.07.2007
Site Commenced	19.01.2015
Site duration	16 months
Expiry Period	19.04.2016
Site Status	Active
<p>The use of Clawfin quarry is to provide stone for the SWS Interconnector Project. All pre-commencement conditions have been agreed and the initial setup and drainage works are progressing on-site.</p>	

Appendix 4:- SWS Renewables Connection Project

Site	SWS Renewables Connection Project – Part A Meiklehill to Coylton
Operator	Scottish Power Energy Networks (SPEN)
Application Ref No.	09/0131/EB
Date Approved	December 2013
Site Commenced	January 2014
Expiry Period	N/A
Site Status	Under construction

Coylton Sub-Station:

All works have been completed extending the sub-station. The portacabins are being removed but the temporary hardstanding will be retained as re-stringing the WA tower will happen next year. SPEN have been informed that this retention of the hardstanding is a change from the approved scheme and will require to be regularised. The screening bund will require ripping to ease compaction & top soiling prior to any landscaping works taking place. Landscaping is planned after the WA route has been completed. Waste material south of sub-station is still to be removed and the relevant Waste Transfer Notice provided to PMO's. Excess material has been generated on site, mainly consisting of subsoils and stone. This is still being stored in bunds to the south of the sub-station.

Meiklehill Sub-Station:

All main excavation work has ceased. Works completed on the control building, with interior fit-out ongoing. The 400kv section of the sub-station (western side) all concrete bases cast and ariel parts being assembled. The 132kv section (eastern edge) is still under construction with foundations being poured. The access road within the sub-station for transformer delivery (due March 2015) was nearing completion at the last site visit.

The compliance monitoring process highlighted that peat bunds around the Meiklehill sub-station were significantly different to those approved in the Peat Management Plan. The developer is currently in discussion with SEPA and Development Management regarding this matter and how best to achieve this with minimum effect on the environment.

OHL Route:

Works are progressing, with towers being erected along the route and inspections being undertaken. A number of environmental issues have been noted and brought to the attention of the developer. Further inspections will be undertaken to ensure that they are resolved.

Project wide:

A number of ecology issues have been raised in particular the developer's failure to carry out the necessary ecology pre-commencement surveys across the project. This matter has been raised with the developer and SNH. Further discussion will be required to determine what course of action will be taken to remedy the situation. The deliveries of concrete and stone to the site are now being audited by Ironside Farrar.

Appendix 5: Landfill Sites

Site	Garlaff Landfill by Skares
Operator	Barr Environmental
Application Ref No.	CD/90/362/Q, CD/95/0273/DPP, 97/0596/FL, 00/06/85/FL, 01/0077/FL 02/0307/FL, 03/0723/FL, 09/0555/PP & 13/0708/PP
Date Approved	26.06.1991
Site Commenced	1991
Site duration	On-going
Expiry Period	18.9.2022 (20yrs from 00/0685/FL approval)
Site Status	Active
<p>DAL have reviewed all the permissions relating to the development and following this review a visit to the site was undertaken during December 2014. An existing application is under consideration for the revised size of the waste management facility comprising manual and mechanical treatment plant equipment and associated ground enabling works (13/0708/PP). This application is expected to be presented to be determined by the end of February 2015.</p>	

Site	Craignought By Lugton
Operator	LafargeTarmac
Application Ref No.	KL/W/77/018B, 98/0791/FL, 00/0038/FL 01/0493/FL, 07/0143/FL & 10/0463/PP
Date Approved	1976
Site Commenced	1976
Site duration	34
Expiry Period	2014
Site status	Under restoration
<p>DAL have reviewed all the permissions relating to the development and undertook a site visit the site during November 2014, with Council Officers to complete the Compliance Monitoring assessment. Under planning permission 10/0463/PP infilling works was scheduled to have been completed by August 2013 with final restoration operations completed by August 2014. The Compliance Site visit demonstrated a number of aspects which require further works to be undertaken prior to a formal acknowledgement that the works have been completed to an acceptable standard. These matters are subject to on-going discussions between the Council, DAL and Lafarge Tarmac to finalise the outstanding matters to achieve the approved restoration scheme</p>	

Site	Dalricket Mill
Operator	East Ayrshire Council
Application Ref No.	CD/79/50/LA
Date Approved	20 th December 1979
Site Commenced	1984
Site duration	12 Year
Expiry Period	1996
Site status	Restored, subject to further capping
<p>The site which extends to approximately 6 hectares was formerly operated as a landfill site by Cumnock and Doon Valley District Council between 1984 and 1996 for the disposal of domestic waste. The site is currently restored with a works package being prepared by East Ayrshire Councils Corporate Infrastructure Section to undertake further capping works to encapsulate the site and prevent leachate from the site to the adjacent watercourse. These works will be subject to compliance monitoring by DAL as they review the Braehead OCCS.</p>	