

**EAST AYRSHIRE COUNCIL**

**PLANNING COMMITTEE 24TH APRIL 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 January 2015 and March 2015 with a summary of the annual position between April 2014 and March 2015.

**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. This report provides the operational activity

**PROGRESS/ UPDATE**

3. The Compliance Monitoring Officers (The Independent Mining and Environmental Consultants) have been carrying out regular inspections at the four active open cast coal surface mines and the Electrical Interconnector site along with an annual assessment of the quarries, landfill and operational wind farm. A progress report is provided for each development type within each of the appendices as noted in Table 1. The individual Compliance Monitoring Reports from the Independent Consultants are being made available on the Council Web site following formal sign off by the Operations Manager.

**Table 1**

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

- 4 It should be noted that Ironside Farrar secured the contract for assessing 2 quarry applications at Townhead of Greenock, Muirkirk and North Drumboy, Floak as well as the contract for compliance monitoring of energy infrastructure and onshore wind projects. In addition, Dalgleish Associates Ltd (DAL) secured the contract for compliance monitoring of surface mining operations at the four active opencast sites at Netherton, Duncanziemere, House of Water, Greenburn and future sites; for the provision of specialist expertise in relation to the other opencast coal sites subject to bond calls; and compliance monitoring of the active quarries at Tincornhill, Sorn and Clawfin Farm, Dalmellington.
- 5 Table 2 below provides a summary of the year end position of the compliance monitoring visits undertaken at operational opencast mining complexes and Interconnector since April 2013, along with information on number of Technical Working Groups and Community Liaison Committee meetings that have been held over the reporting period.

**Table 2**

Complex	April 2014 to March 2015		
	Community Liaison Committees	Technical Working Groups	Compliance Monitoring Visits
Chalmerston (Hargreaves)	2	0 Site not operational	0
Duncanziemere (Hargreaves)	2	2	11
Garlaffen (Hargreaves)	2	0 Coaling Completed	0
Netherton (Hargreaves)	2	2	11
House of Water (Hargreaves)	2	2	11
Greenburn (Kier)	2	2	11
Interconnector	1	0	7
<b>Total</b>	<b>13</b>	<b>8</b>	<b>51</b>

**COMPLIANCE MONITORING VISITS**

- 6 Within the four operational opencast 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 either necessitate a variation of the Planning Consent or whether any potential issues arise from the operational activity. DAL produce a compliance monitoring report of the development which will be published following the assessment and sign off by the Operation Manager.

- 7 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.
- 8 Members will note that the scheduled compliance monitoring inspections of the sites are as detailed in Table 3 below for the annual period and also highlighting the next scheduled visit. No visits were undertaken to the environmental projects during January 2015 due to the sites being closed for 2 weeks over the Christmas period.

**Table 3**

<b>Site (Operator)</b>	<b>Date of Visits</b>	<b>Consultant</b>
<b>SWS Renewables Connection Project</b>	<b>29<sup>th</sup> May 2014 15<sup>th</sup> August 2014 1<sup>st</sup> October 2014 19<sup>th</sup> November 2014 17<sup>th</sup> December 2014 13<sup>th</sup> February 2015 10<sup>th</sup> March 2015 Scheduled for mid-April 2015</b>	<b>Ironside Farrar</b>
<b>Duncanziemere OCCS (Hargreaves)</b>	<b>8<sup>th</sup> April 2014 6<sup>th</sup> May 2014 10<sup>th</sup> June 2014 8<sup>th</sup> July 2014 5<sup>th</sup> August 2014 9<sup>th</sup> September 2014 7<sup>th</sup> October 2014 4<sup>th</sup> November 2014 9<sup>th</sup> December 2014 3<sup>rd</sup> February 2015 10<sup>th</sup> March 2015</b>	<b>Dalgleish Associates Ltd</b>
<b>Netherton OCCS (Hargreaves)</b>	<b>8<sup>th</sup> April 2014 6<sup>th</sup> May 2014 10<sup>th</sup> June 2014 8<sup>th</sup> July 2014 5<sup>th</sup> August 2014 9<sup>th</sup> September 2014 7<sup>th</sup> October 2014 4<sup>th</sup> November 2014 9<sup>th</sup> December 2014 3<sup>rd</sup> February 2015 10<sup>th</sup> March 2015</b>	<b>Dalgleish Associates Ltd</b>
<b>House of Water OCCS (Hargreaves)</b>	<b>17<sup>th</sup> April 2014 15<sup>th</sup> May 2014</b>	<b>Dalgleish Associates Ltd</b>

	<b>24<sup>th</sup> June 2014</b> <b>17<sup>th</sup> July 2014</b> <b>14<sup>th</sup> August 2014</b> <b>18<sup>th</sup> September 2014</b> <b>16<sup>th</sup> October 2014</b> <b>13<sup>th</sup> November 2014</b> <b>18<sup>th</sup> December 2014</b> <b>12<sup>th</sup> February 2015</b> <b>19<sup>th</sup> March 2015</b>	
<b>Greenburn OCCS (Kier)</b>	<b>17<sup>th</sup> April 2014</b> <b>15<sup>th</sup> May 2014</b> <b>24<sup>th</sup> June 2014</b> <b>17<sup>th</sup> July 2014</b> <b>14<sup>th</sup> August 2014</b> <b>18<sup>th</sup> September 2014</b> <b>16<sup>th</sup> October 2014</b> <b>13<sup>th</sup> November 2014</b> <b>18<sup>th</sup> December 2014</b> <b>12<sup>th</sup> February 2015</b> <b>19<sup>th</sup> March 2015</b>	<b>Dalgleish Associates Ltd</b>
<b>Tincornhill Quarry (Breedan Aggregates)</b>	<b>7<sup>th</sup> August 2014</b> <b>18<sup>th</sup> November 2014</b>	<b>Dalgleish Associates Ltd</b>
<b>Garlaffan Landfill (Barr Environmental)</b>	<b>23<sup>rd</sup> December 2014</b>	<b>Dalgleish Associates Ltd</b>
<b>Craignaught Landfill (LafargeTarmac)</b>	<b>11<sup>th</sup> November 2014</b>	<b>Dalgleish Associates Ltd</b>

#### **TECHNICAL WORKING GROUPS/ COMMUNITY LIAISON COMMITTEES**

- 9 Table 4 below details the Technical Working Groups and Community Liaison Committees which have taken place during the last year. All the Technical Working Groups and Community Liaison Committees which took place during the year 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 has been redesigned to accommodate all Compliance Monitoring data within a central location for public access.

**Table 4**

<b>Complex (operator)</b>	<b>Community Liaison Committee</b>	<b>Technical Working Group</b>
<b>Greenburn OCCS (Kier)</b>	<b>17<sup>th</sup> April 2014</b> <b>23<sup>rd</sup> September 2014</b> <b>14<sup>th</sup> April 2015</b>	<b>15<sup>th</sup> April 2014</b> <b>21<sup>st</sup> October 2014</b> <b>21<sup>st</sup> April 2015</b>
<b>Duncanziemere OCCS (Hargreaves)</b>	<b>5<sup>th</sup> November 2014</b> <b>20<sup>th</sup> May 2015</b>	<b>7<sup>th</sup> May 2014</b> <b>2<sup>nd</sup> October 2014</b> <b>8<sup>th</sup> May 2015</b>

<b>Garlaffen Coal Distribution Yard (Hargreaves)</b>	8 <sup>th</sup> May 2014 27 <sup>th</sup> November 2014 23 <sup>rd</sup> April 2015	N/A
<b>Netherton OCCS (Hargreaves)</b>	19 June 2014 8 <sup>th</sup> October 2014 14 <sup>th</sup> January 2015	16 <sup>th</sup> September 2014 17 <sup>th</sup> March 2015
<b>House of Water OCCS (Hargreaves)</b>	12 May 2014 5 <sup>th</sup> September 2014 27 <sup>th</sup> January 2015	28 <sup>th</sup> October 2014 27 <sup>th</sup> January 2015 24 <sup>th</sup> April 2015
<b>Chalmerston OCCS (Hargreaves)</b>	14 <sup>th</sup> January 2015 30 <sup>th</sup> March 2015	Not Scheduled until further commencement of the OCCS
<b>SWS Renewables Connection Project (SPEN)</b>	3 <sup>rd</sup> February 2015 Scheduled for 5 <sup>th</sup> May 2015 4 <sup>th</sup> August 2015 and 3 <sup>rd</sup> November 2015	N/A

- 10 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. No public site visit has taken place at the Interconnector project.
- 11 Members will be aware that the Community Liaison Meetings and Technical Working Groups have been working to an Agenda template previously agreed by the Planning Committee. Following suggestions from both the Chalmerston Community Liaison Committee and the Netherton Technical Working Group it is noted that the Agenda template previously agreed can be improved upon to meet the needs of both bodies. Therefore, to facilitate service improvements it is recommended that Planning Committee agree to allow for the improvement of the Standard Agenda without the need for refer to the Planning Committee for approval thereafter. For clarity, the improvements suggested include the imbedding of standard information about the operational sites within the Agenda, clearly defined outcomes from the previous TWG meetings and the opportunity for Agendas to be altered to allow more focused discussion on pertinent issues, while still addressing all items on the Agenda.
- ANNUAL ENVIRONMENTAL AUDITS (AEA)**
- 12 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

13 An Annual Environmental Audit was due October 2014 for the House of Water complex and whilst it was received in January 2015, it was withdrawn due to erroneous information being provided within the report. An updated report has not been received. This matter has been formerly raised with the operator who has advised that the Annual Audit is being revised for re-submission. An update will be provided within the next quarterly report. During the last 12 months, Annual Environmental Audits have been received and approved for the following sites:

Netherton Complex	April 2014
Duncanziemere Complex	June 2014
Greenburn Complex	January 2015

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

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

#### **PLANNING COMMITTEE SITE VISIT**

14 During the last quarter the Planning Committee had the opportunity to view progress of the Duncanziemere Surface Mine on the 29<sup>th</sup> January 2015 as part of the assessment of the extension application for the site which was approved by the Planning Committee on the 30<sup>th</sup> January 2015. Additionally, members of the Planning Committee visited the Netherton Surface Mine and the former Surface Mine at Dunstonhill on the 31<sup>st</sup> March 2015 as part of the assessment of the Enforcement Notices prior to the consideration and approval by the Planning Committee on the 2<sup>nd</sup> April 2015.

15 Therefore, over the last year, members of the Planning Committee have visited all of the active opencast sites as well as Clawfin Farm, Drumboy and Tincornhill Quarries and the former opencast site at Dunstonhill Surface Mine. Further all windfarms considered during the year were also subject to a site visit.

#### **MATTERS ARISING FROM COMPLIANCE MONITORING DURING THE LAST PERIOD**

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

#### **DUNCANZIEMERE OCCS**

17 On the 17<sup>th</sup> February 2015, Hargreaves Surface Mining Ltd produced their interim financial results for the six months June-November 2014. The figures reported a fall in profits compared with previous operating periods. As a result of this report,

the company implemented a full review of operations across all their sites, both in terms of employment levels and current/upcoming excavations and site extensions. The current position in terms of the Duncanziemere Surface Mining is that coaling is expected to be finished by mid-May 2015. Currently the operators are working to a scheme, 13/0865/PP (referred to as Scenario B), which results in the partial restoration of the site. In January 2015, the Planning Committee approved an extension to the site, under planning reference 14/0621/PP. This extension to the Duncanziemere site would provide restoration across the entire site upon completion of coaling of the extension area. Following the announcement of the interim financial results, Hargreaves have advised that when coaling of the current scheme is completed in mid-May 2015, the extension scheme would not be implemented at present and works to achieve the restoration of the site to the approved levels agreed under planning permission 13/0865/PP would be progressed.

### **GREENBURN OCCS**

18 In previous reports the site restoration liabilities for the Wellhill and Braehead Farm had been above the financial guarantee level. As a result of this additional progressive restoration work was carried out to reduce the liabilities on both sites. As a result of this work the bond value of £3.1m at Wellhill Farm is sufficient to cover the existing liability. Similarly, the Parent Company Guarantee for the Braehead Farm set at £9.3m remains above the liability level. 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. Kier have submitted a alternative restoration scheme for the development which will be reviewed by DAL to establish the remaining liability of the operations and this review will be submitted as part of the Planning Committee Report.

19 As reported in the previous quarterly report, the Council were advised by Kier that they were undertaking a full review of operations on site as a direct consequence of the falling price of coal. This included a review of operational activity and employee numbers. The workforce review has concluded that approximately 15 individuals have been redeployed voluntarily to the Kier operation at Hinkley in Somerset. A further 7 individuals decided to take early retirement/voluntary redundancy (4 of this number left for new jobs). Consequently 9 individuals are unfortunately facing compulsory redundancy and have been referred to PACE for redundancy support.

### **GLENMUCKLOCH CONVEYOR**

20 As indicated in both the October and January Reports, 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 convey 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 conveyor was paramount. Ongoing discussions have been progressing with Hargreaves for the removal of the conveyor. The final restoration plan for the track has yet to be approved where it impacts the SPA. These works will not commence until autumn in order to avoid working in the SPA during the bird breeding season.

**21 SOUTH WEST SCOTLAND RENEWABLES CONNECTION PROJECT (INTERCONNECTOR)**

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 October 2014 and January 2015 Compliance Monitoring Reports, 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. A number of reports and information has been submitted to Development Management for approval as required by the planning conditions and various bodies and experts are currently being consulted on those matters. The majority of the planning conditions require works to be undertaken throughout the life of the project therefore the conditions will not be fully



discharged until all the matters have been implemented on site as per the approved documentation.

**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, noise monitoring equipment has been installed at two properties, Meadowhead and East Collarie to monitor noise levels being experienced by local residents and Environmental Health are monitoring the data.

**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 Wind Power 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 major developments which are either in the final stages prior to operation or 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 the current and potential developments where compliance monitoring arrangements will be required. These developments are noted in Table 5 as follows:-

**Table 5**

**MAJOR RENEWABLE PROJECTS:- OVERVIEW**

<b>Operational Wind Farms</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Whitelee Wind Farm	W3	Section 36	
2	Whitelee Phase 1 Wind Farm	W4	Section 36	

3	Whitelee Phase 2 Wind Farm	W5	Section 36	
4	Harehill Wind Farm	W8	Planning application	4
<b>Wind Farms/Interconnector Under Construction</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Galawhistle Wind Farm	W6	Section 36	
2	Interconnector:- Part A	Green Line	Section 37	2
<b>Approved Wind Farm/Interconnector:- Discharging Planning Condirions</b>				
1	Sneddon Law Wind Farm	W2	Planning Application	
2	Interconnector:- Parts B,C and D	Dotted Green Line	Section 37	2
<b>Approved Wind Farm: Subject to Variation</b>				
1	Afton Wind Farm	W11	Section 36	1
<b>Minded to Approve Wind Farm: Subject to Legal Agreement</b>				
1	Hare Hill Extension Wind Farm	W9	Planning Application	1
<b>Appealed and with the DPEA</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Whitelee Phase 3 Wind Farm	W19	Section 36	
2	Kiers Hill Wind Farm	W18	Section 36	
3	South Kyle Wind Farm	W17	Section 36	
4	Ashmark Wind Farm	W10	Planning Application	
5	High Cumnock Wind Farm	W14	Planning Application	5
<b>Wind Farms: Pending Assessment</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Pencloe Wind Farm	W12	Section 36	
2	Lethans Wind Farm	W16	Section 36	
3	Penbreck Wind Farm	W7	Planning Application	
4	Garlaffen Wind Farm	W15	Planning Application	
5	Polquhairn Wind Farm	W25	Planning Application	
6	Blair Farm Wind Farm	W27	Planning Application	6

<b>Proposed Wind Farms to be submitted</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Monquhill Wind Farm	W20	Planning Application	
2	Auchenlongford Wind Farm	W24	Planning Application	
3	Glenlouth Moor Wind Farm	W28	Planning Application	
4	Alton Muirhouse Wind Farm	W29	Planning Application	
			<b>Total</b>	<b>25</b>

## QUARRIES OVERVIEW

<b>Commencement Stage</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Townhead of Greenock-	Q3	Planning Application	
2	Clawfin Farm, Dalmellington	Q4	Planning Application	<b>2</b>
<b>Minded to Approve Quarry: Subject to Legal Agreement</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	North Drumboy by Fenwick -	Q5	Planning Application	<b>1</b>

## OPEN CAST COAL SITES

<b>Minded to Approve Quarry: Subject to Legal Agreement</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Duncanziemere extension	67	Planning Application	<b>1</b>
<b>Pending Assessment</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	House of Water OCCS restoration	17, 51,58, 60, 61,68	Planning Application	<b>1</b>
<b>Restoration Enforcement Notice</b>				
	<b>Project</b>	<b>Map Key</b>	<b>Application Type</b>	<b>Total</b>
1	Nethererton OCCS restoration	57	Planning Application	
2	Dunstonhill OCCS restoration	48	Planning Application	<b>2</b>
			<b>Total</b>	<b>4</b>

## **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 has been agreed in principle, with Hargreaves notified as being the preferred bidder for the restoration works. This was approved through the procurement process and evaluation panel which included representatives of the 3 landowners, Patna Community Council, DAL, SEPA, SNH and Planning Officers. A positive Enforcement Notice has been prepared in consultation with the landowners and was approved by the Planning Committee on the 2<sup>nd</sup> April 2015 to be served to secure the restoration works for Dunstonhill Surface Mine. These works are due to commence during May 2015.
- 29 The restoration of Nethererton Surface Mine has been agreed in principle, with an opportunity to achieve best value from money through utilising the onsite operators to undertake the restoration works. As the on-site operators, Hargreaves will undertake restoration works, as set out within the positive Enforcement Notice which was prepared in consultation with the landowners, DAL and Council Officers. The Enforcement Notice was approved by the Planning Committee on the 2<sup>nd</sup> April 2015 to be served to secure the restoration works for Nethererton Surface Mine. These works are due to commence during May 2015.

### **SCOTTISH MINES RESTORATION TRUST/MINES RESTORATION LTD**

- 30 Mines Restoration Ltd (MRL), a wholly owned subsidiary of Scottish Mines Restoration Trust (SMRT), retain responsibility for all the Health and Safety aspects at Dunstonhill, Dalfad/Powharnal, the Ponesk/Spireslack complex and Shiel 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 MRL in relation to these sites.
- 31 On the 28<sup>th</sup> January 2015, a report was provided by SMRT/MRL that a Burn from Powharnal/Gasswater had been causing erosion to the Welltree Bridge area of the A70 over a period of time and due to the inclement weather, the matter significantly deteriorated resulting in the disturbance of an underground 11kV underground power cable. The erosion potentially threatened the stability of the A70.
- 32 A partial road closure was put in place and Emergency works were undertaken, with approximately 200 tonnes of armour stone (from the Ponesk opencast site) being used to buttress the embankment and secure the stability of the embankment/land adjacent to the A70. The watercourse was channelled away from the eroded area to ensure the long term stability of the banking. The upper surface of the stone was capped with clay and soil with a shallow trench to allow Scottish Power to reinstall the power cable. All works were completed within a week and the

## POTENTIAL INFRACTION PROCEEDINGS

33. As noted in the Steps to Recovery Report to Council dated 19<sup>th</sup> 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.
34. 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.
35. The Council continues to be a key member of the Scottish Government working group to identify solutions to mitigate this issue and a project plan is being developed coordinated by the Scottish Government. 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.

## CURRENT EMPLOYMENT ACTIVITY

36. Table 6 below details the approximate levels of employment on each of the operational opencast, quarry and landfill sites within East Ayrshire.

**Table 6**

<b>Complex (operator)</b>	<b>Number of employees *</b>
Greenburn OCCS (Kier)	125
Duncanziemere OCCS (Hargreaves)	56
Garlaffen Coal Distribution Yard (Hargreaves)	24
Netherton OCCS (Hargreaves)	71
House of Water OCCS (Hargreaves)	86
Killoch Rail Yard (Hargreaves)	2
Tincornhill, Sorn (Breedon Aggregates)	7
Garlaff Landfill (Barr Environmental)	12
Moorfield Kilmarnock (Breedon Aggregates)	8
<b>Total</b>	<b>391</b>

**\*Figures supplied by operators**

## 37 **LAND USE MAP REGISTER**

The Land Use Map Register is maintained and updated to reflect the current status of all environmental projects on a monthly basis (or where a development status is updated). These maps are on public display within the Planning Service pages within the Council's web page and Appendix 6 illustrates the overall location of all major environmental developments within the Council area.

### **RECOMMENDATION**

38 It is recommended that the Planning Committee:

- (i) Agree to allow the Planning Officers to improve the standard agenda without the need for referral to the Planning Committee for approval;
- (ii) Notes the progress reports and status of each of the Environmental Projects detailed in the Appendix 1 to 5;
- (iii) Notes the numbers of Technical Working Groups and Community Liaison Committees and Compliance Monitoring visits which have taken place during the period January to March 2015;
- (iv) 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;
- (v) Notes the updated Land Use Map which has been updated on the Council Website; and
- (vi) Otherwise note the report.

**David McDowall**

**Acting Head of Planning and Economic Development**

**16<sup>th</sup> April 2015 (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: The Past, The Present And The Future Report submitted to the meeting of East Ayrshire Council on 27 June 2014.
7. Opencast Coal Mining in East Ayrshire – Compliance Monitoring Update on 27 June 2014

8. Opencast Coal Mining in East Ayrshire – Compliance Monitoring Update on 14<sup>th</sup> October 2014
9. Opencast Coal Mining in East Ayrshire – Compliance Monitoring Update on 30<sup>th</sup> January 2015

Anyone wishing to inspect the above papers should contact Craig Iles on 01563 553503.

**Implementation Officer: - Craig Iles, Acting Operations Manager**

## Appendix 1: Open Cast Coal Sites

<b>Site</b>	Greenburn Complex
<b>Operator</b>	Kier Mining
<p>As reported in the previous quarterly report, the Council were advised by Kier that they were undertaking a full review of operations on site as a direct consequence of the falling price of coal. This included a review of operational activity and employee numbers. Initially 104 individuals were involved in the job consultation process. It was considered that the workforce would need to be reduced by around 35 individuals. Since December 2014, 15 individuals have been redeployed voluntarily to the Kier operation at Hinkley in Somerset. A further 7 individuals decided to take early retirement/voluntary redundancy (4 of this number left for new jobs). Consequently, 9 individuals are unfortunately facing compulsory redundancy and have been informed individually. These individuals are currently undergoing individual meetings with Kier staff and being supported by PACE. Coal operations across the Wellhill and Braehead sites remain suspended, with an emphasis on increasing focus on restoration works throughout the Dalgig Farm site.</p>	

<b>Site</b>	Greenburn Complex:- Wellhill Farm
<b>Operator</b>	Kier Mining
<b>Application Ref No.</b>	12/0066/PP
<b>Date Approved</b>	2 <sup>nd</sup> February 2013
<b>Site Commenced</b>	March 2013
<b>Site duration</b>	5 years
<b>Expiry Period</b>	March 2018
<b>Approved Estimate Coal Reserves (tonnes)</b>	500,000
<b>Estimated Coal Reserves remaining (tonnes)</b>	225,000
<b>Site Status</b>	Works suspended.
<p>During the period of January 2015 – March 2015, coaling was suspended in the Wellhill Farm area of the overall Greenburn Complex. General care and maintenance of the site has been carried out, with monthly compliance visits to the site on-going. Whilst not coaling, the development is not currently in breach of the Planning Permission.</p>	

<b>Site</b>	Greenburn Complex:- Braehead Farm
<b>Operator</b>	Kier Mining
<b>Application Ref No.</b>	10/0491/PP & 13/841/PP
<b>Date Approved</b>	22 February 2011
<b>Site Commenced</b>	June 2012
<b>Site duration</b>	5 years
<b>Expiry Period</b>	June 2017
<b>Approved Estimate Coal Reserves (tonnes)</b>	1,500,000



<b>Estimated Coal Reserves remaining (tonnes)</b>	710,000
<b>Site Status</b>	Works suspended
<p>During the period of January 2015 – March 2015, coaling was suspended in the Braehead Farm area of the overall Greenburn Complex. General care and maintenance of the site has been carried out, with monthly compliance visits to the site on-going. Whilst not coaling, the development is not currently in breach of the Planning Permission.</p> <p>The site was subject to a review of the financial quantum of the Parent Company Guarantee for the site restoration which was been concluded and indicates that the Parent Company Guarantee is adequate to fully cover the restoration liability of the site.</p> <p>Kier had 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>	

<b>Site</b>	Greenburn Complex:- Dalgig Farm
<b>Operator</b>	Kier Mining
<b>Application Ref No.</b>	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
<b>Date Approved</b>	19 August 2008
<b>Site Commenced</b>	June 2009 (Dalgig)
<b>Site duration</b>	Original site 10 years
<b>Expiry Period</b>	March 2015
<b>Approved Estimate Coal Reserves (tonnes)</b>	0
<b>Estimated Coal Reserves remaining (tonnes)</b>	0
<b>Site Status</b>	Active - Restoration
<p>Coaling was completed at Dalgig Farm in December 2014. The expiry period of the application has been confirmed to Kier as the end of March 2015. Kier have submitted a S42 variation of revised mining phasing plans to extend the life period. This will be assessed by DAL who will review the mining phasing plans and quantify the restoration liability based on the proposals. Kier have been in discussions with EAC and statutory bodies regarding a potential revised restoration scheme to the Dalgig Farm area and a revised restoration scheme was submitted on the 18<sup>th</sup> March 2015 and is currently under consultation.</p>	

<b>Site</b>	Duncanziemere and Laigh Glen Muir
<b>Operator</b>	Hargreaves Surface Mining Ltd on behalf of OCCW (Duncanziemere)
<b>Application Ref No.</b>	05/0232/FL, 06/0291/PP, 09/0511/PP 09/0770/PP, 12/0837/PP – 24hr working & 13/0578/PP
<b>Date Approved</b>	13 May 2011
<b>Site Commenced</b>	May 2011
<b>Site duration</b>	5.5 years
<b>Expiry Period</b>	March 2016
<b>Approved Estimate Coal Reserves(tonnes)</b>	800,000
<b>Estimated Coal Reserves remaining(tonnes)</b>	35,000
<b>Site Status</b>	Active
<p>The Coaling and restoration operations continue at the Duncanziemere site, in line with the Scenario B scheme approved by Committee on the 29<sup>th</sup> November 2013 with current operations expected to finish in May 2015. It should be noted Planning permission 12/0837/PP was issued on the 7<sup>th</sup> January.2015. The operations are inspected monthly by DAL and Planning 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 29<sup>th</sup> November 2013. For clarity it is noted that the OCCW (Duncanziemere) have deposited the £320,000 restoration security with the Planning Authority.</p> <p>Planning Application 14/0621/PP was approved at the Planning Committee of the 30<sup>th</sup> January 2015 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. The decision notice will be issues upon completion of the legal agreement. However, Hargreaves have indicated that they are unlikely to take this development forward at this time due to current market conditions.</p>	

<b>Site</b>	Netherton
<b>Operator</b>	Hargreaves Surface Mining Ltd on behalf of OCCW (Netherton)
<b>Application Ref No.</b>	09/0891/PP & 11/0535/PP
<b>Date Approved</b>	19 October 2010
<b>Site Commenced</b>	October 2011
<b>Site duration</b>	10 years
<b>Expiry Period</b>	October 2021
<b>Approved Estimate Coal Reserves (tonnes)</b>	4,100,000
<b>Estimated Coal Reserves remaining (tonnes)</b>	140,000
<b>Site Status</b>	Active

Coaling and progressive restoration is continuing within the Northern void while operations in the Southern void have ceased with progressive restoration works having been carried out. On the 2<sup>nd</sup> April 2015, the Planning Committee approved the serving of a positive Enforcement Notice on the Landowners to facilitate the spending of £3.96m of restoration bond monies within the site. Given Hargreaves are currently on site working for OCCW Netherton, the Council is negotiating with them regarding the carrying out of the enforcement restoration work, with works expected to commence during May 2015, with the monthly compliance visits reviewing the site as works progress.

<b>Site</b>	House of Water – Burnston Remainder
<b>Operator</b>	Hargreaves Surface Mining Ltd on behalf of OCCW (House of Water)
<b>Application Ref No.</b>	12/0022/PP, 13/0636/PP, 13/0638/PP & 13/0056/NMV
<b>Date Approved</b>	13 February 2013
<b>Site Commenced</b>	1 May 2014
<b>Site duration</b>	5 years coaling + 1 year for restoration.
<b>Expiry Period</b>	December 2015
<b>Approved Estimate Coal Reserves(tonnes)</b>	1,800,000
<b>Estimated Coal Reserves remaining(tonnes)</b>	1,620,000
<b>Site Status</b>	Active
<p>Mining operations are being carried out in general accordance with the current Planning permission. Works to-date involved the stripping of topsoils and removing overburden, with coaling commenced. 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 were concluded in December 2014 with the stone being delivered off site to the nearby Interconnector Project. A pile of rejected stone remains in-situ at Tappet Hill, with the proposal being to utilise the material through the site at restoration stage.</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 alternative restoration strategy was submitted 19<sup>th</sup> November 2014, and is currently under consideration.</p>	

<b>Site</b>	Tardoes
<b>Operator</b>	Law Mining
<b>Application Ref No.</b>	CD/96/0097/MIN
<b>Date Approved</b>	1996
<b>Site Commenced</b>	1996
<b>Site duration</b>	8
<b>Expiry Period</b>	2004
<b>Approved Estimate Coal Reserves (tonnes)</b>	0

<b>Estimated Coal Reserves remaining (tonnes)</b>	0
<b>Site Status</b>	Restored and subject to aftercare
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 30 <sup>th</sup> September 2014 the site will be subject to a final aftercare review prior to the completion of the site.	

<b>Site</b>	Broomhill Farm
<b>Operator</b>	Coal Contractors Ltd
<b>Application Ref No.</b>	CD/95/0187/MIN, 96/0401/FL, 08/0022/FL, 11/0221/PP & 14/0555/AMCPP
<b>Date Approved</b>	1995
<b>Site Commenced</b>	1995
<b>Site duration</b>	13 years
<b>Expiry Period</b>	2008
<b>Approved Estimate Coal Reserves (tonnes)</b>	0
<b>Estimated Coal Reserves remaining (tonnes)</b>	0
<b>Site Status</b>	Site restored and aftercare completed
The application for the approval of restoration works across this site was granted permission by the Planning Committee on the 30 <sup>th</sup> January 2015 as such, no further reporting of this site shall be provided in future Quarterly Reports.	

<b>Site</b>	Darnconner
<b>Operator</b>	VWM (Scotland) Ltd
<b>Application Ref No.</b>	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
<b>Date Approved</b>	1984
<b>Site Commenced</b>	1984
<b>Expiry Period</b>	Site subject to current Planning Application
<b>Approved Estimate Coal Reserves (tonnes)</b>	n/a
<b>Estimated Coal Reserves remaining (tonnes)</b>	n/a
<b>Site Status</b>	Partially restored.
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 and in the ownership of two different landowners. Planning application 11/0293/PP	

relates to the alteration to the restoration scheme of the original planning consent. The application was approved at the Planning Committee of the 27<sup>th</sup> February 2015, subject to revised plans being received to show the removal of the overburden mounds. The applicant has advised that they are in the process of preparing these plans for submission to the planning Authority. With regards to the second section of the site, the Planning Authority are in discussions with the landowner regarding the restoration of the site.

## Appendix 2:- Onshore Wind Farms

<b>Site</b>	Whitelee Windfarm
<b>Operator</b>	Scottish Power Renewables (SPR)
<b>Application Ref No.</b>	Whitelee windfarm Section 36
<b>Date Approved</b>	2007
<b>Site Commenced</b>	2009
<b>Site duration</b>	25 years
<b>Site Status</b>	Operational
<p>A full review is programmed of the Whitlee 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 are installing 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>	

<b>Site</b>	Harehill Windfarm New Cumnock
<b>Operator</b>	Scottish Power Renewables (SPR)
<b>Application Ref No.</b>	CD/94/0097/DPP
<b>Date Approved</b>	1996
<b>Site Commenced</b>	1997(approximately)
<b>Site duration</b>	25 years
<b>Site Status</b>	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

<b>Site</b>	Loudoun Hill by Darvel
<b>Operator</b>	LafargeTarmac
<b>Application Ref No.</b>	KL/FL/94/288A, 97/0032/FL, 97/0100/FL, 02/0524/FL, 02/0525/FL 02/0526/FL & 04/0681/FL
<b>Date Approved</b>	22.04.1995
<b>Site Commenced</b>	1995
<b>Site duration</b>	12 years
<b>Expiry Period</b>	2007
<b>Site Status</b>	Partially restored.
<p>A site visit undertaken on the 15<sup>th</sup> October 2014 by Planning Officers to view site and note the outstanding restoration issues around completion of the water lagoon area. The Operator confirmed that a revised restoration proposal is due to be submitted to the Planning Authority in the first quarter of 2015, however to date this has not been received. The Council has raised this matter with the operator and a final design submission is due imminently. 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>	

<b>Site</b>	Tincornhill by Sorn
<b>Operator</b>	Breeden Aggregates
<b>Application Ref No.</b>	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
<b>Date Approved</b>	28.07.2007
<b>Site Commenced</b>	28.07.2007
<b>Site duration</b>	15 year
<b>Expiry Period</b>	2022
<b>Site Status</b>	Active
<p>The Annual Site compliance visit was undertaken 18<sup>th</sup> November 2014. 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, the operators have submitted a revised restoration plan to tie in with the 15 year permitted consent. This application is currently under consideration, with a report expected to be submitted to the Planning Committee for the end of May 2015.</p>	

<b>Site</b>	Clawfin Quarries
<b>Operator</b>	Breeden Aggregates on behalf of Scottish Power
<b>Application Ref No.</b>	14/0269/PP
<b>Date Approved</b>	13.07.2007
<b>Site Commenced</b>	19.01.2015
<b>Site duration</b>	16 months
<b>Expiry Period</b>	19.04.2016
<b>Site Status</b>	Active

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.

<b>Site</b>	Townhead of Greenock
<b>Operator</b>	Hillhouse Quarries
<b>Application Ref No.</b>	12/0831/PP
<b>Date Approved</b>	23 <sup>rd</sup> April 2014
<b>Site Commenced</b>	Not commenced.
<b>Site duration</b>	21 years
<b>Expiry Period</b>	2036
<b>Site Status</b>	Active – Site clearance works underway.
The applicant has provided a comprehensive package of information relating to pre-commencement conditions. This information is under consultation with stakeholders and Ironside Farrar (the Council's appointed independent Compliance Monitors). The applicant has commenced site clearance in preparation for works commencing upon agreement of pre-commencement conditions.	



## Appendix 4:- SWS Renewables Connection Project

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

### **Coylton Sub-Station:**

All works have been completed extending the sub-station. The porta-cabins have been 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 a resolution to the issue 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. A number of the temporary road access routes have had to be altered by contractors due to the ground conditions encountered and 'as-built' plans have been submitted by the contractors. Road access has been joined up from north to south allowing clear access along the route from Tower 1 to 20. Checks are underway to confirm that there has been no works undertaken out with the corridor allowed for micro-siting. A number of the power lines have been strung at the Coylton Sub-Station end of the line heading south with machinery and preparations in place for towers to be strung from the Meiklehill Sub-Station end of the OHL heading north.

**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. Discrepancies between the delivery dockets recorded on site and the delivery records submitted by SPEN to Ayrshire Roads Alliance identified during the audit process have been significant enough to merit a closer review of non-recording of vehicle movements which may in turn be significant in terms of the Section 69 Bond remuneration. This matter has been taken up with SPEN.

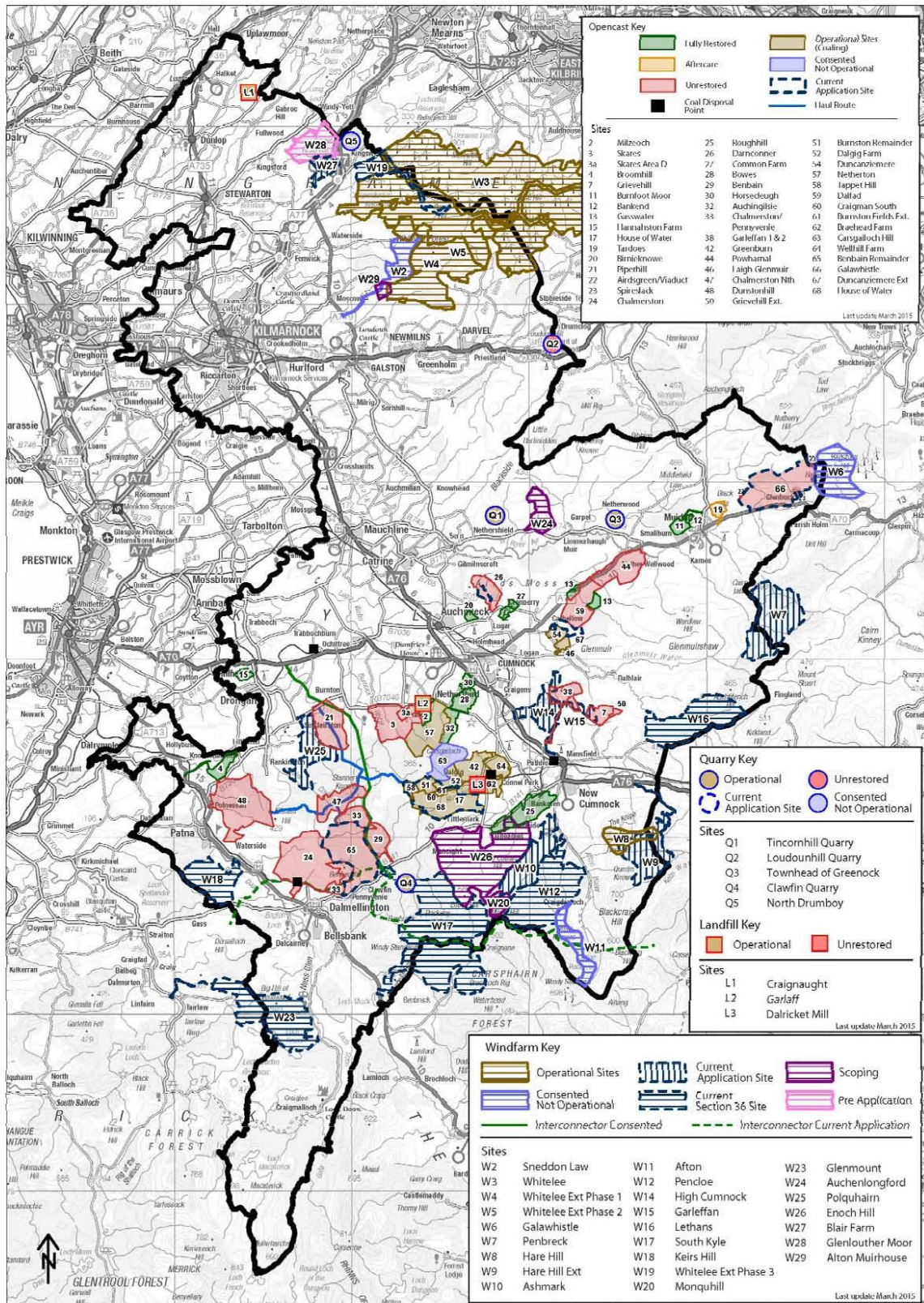
## Appendix 5: Landfill Sites

<b>Site</b>	Garlaff Landfill by Skares
<b>Operator</b>	Barr Environmental
<b>Application Ref No.</b>	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
<b>Date Approved</b>	26.06.1991
<b>Site Commenced</b>	1991
<b>Site duration</b>	On-going
<b>Expiry Period</b>	18.9.2022 (20yrs from 00/0685/FL approval)
<b>Site Status</b>	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 May 2015.</p>	

<b>Site</b>	Craignought By Lugton
<b>Operator</b>	LafargeTarmac
<b>Application Ref No.</b>	KL/W/77/018B, 98/0791/FL, 00/0038/FL 01/0493/FL, 07/0143/FL & 10/0463/PP
<b>Date Approved</b>	1976
<b>Site Commenced</b>	1976
<b>Site duration</b>	34
<b>Expiry Period</b>	2014
<b>Site status</b>	Under restoration
<p>DAL have reviewed all the permissions relating to the development and undertook a site visit the site during November 2014, with Planning 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. A revised schedule of works is due to be provided to the Council imminently.</p>	

<b>Site</b>	Dalricket Mill
<b>Operator</b>	East Ayrshire Council
<b>Application Ref No.</b>	CD/79/50/LA
<b>Date Approved</b>	20 <sup>th</sup> December 1979
<b>Site Commenced</b>	1984
<b>Site duration</b>	12 Year
<b>Expiry Period</b>	1996
<b>Site status</b>	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 potential leachate from the site to the adjacent watercourse. These works will be subject to compliance monitoring by DAL.</p>	

# Appendix 6- East Ayrshire Land Use Map- April 2015



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