

FFOS-Y-FRAN LIAISON COMMITTEE
MEETING No. 017
Thursday 30th April 2009

Civic Centre, Merthyr Tydfil

ATTENDEES:

Appointed Councillor Members	Office	Ward	Present
Cllr Julian Amos	Chair	Dowlais	-
Cllr Tony Rogers		Dowlais	-
Cllr Amy Kitcher	Deputy Chair	Town	YES
Cllr Robert Griffin		Town	YES
Cllr Brent Carter		Plymouth	-
Cllr Derek Games		Plymouth	YES
Cllr Leighton Smart		Bedlinog	-
Substitute Councillor Members			
Cllr Ray Thomas		Dowlais	-
Cllr Phil Williams		Dowlais	-
Cllr Gareth Lewis		Town	-
Cllr Kurt Morgan		Town	-
Cllr Kevin O'Connor		Plymouth	-
Cllr Gareth Jones		Bedlinog	-
Caerphilly CBC			
Cllr David Hardacre		Caerphilly	-
MTCBC Officers			
Mr Norman Davies	Head of Planning		YES
Ms Zoe Pieris	Principle Environmental Health Officer		YES
Mr Dave Dier	Head of Public Health		YES
Environment Agency			
Ms Laura Owen			YES
Mr Dave Griffiths			-
Mr John Harrison			-
Resident Members			
Mrs Alyson Austin		Bradley Gardens	YES
Mrs Mary Bradley		Fochriw	-
Mrs Jane Flower		Japonica	-
Mr Ron Yandle		Mount View	YES
Mr Bill White		Dowlais	YES
Mr Lyn Humphries		Dowlais	-

Mr Phillip Murphy		Caerharris	-
Mr Alan Rees		Caedraw	YES
Miller Argent			
James T Poyner	Director		YES
Stephen Tillman	Director		YES
Brian Rostron	Project Controller		YES
Gwilym Llewellyn	Deputy DP Manager		YES
Robert Jones	Operations Manager		-
Bob Edwards	DP Manager		-
Kylie Jones	Environmental Liaison Officer		YES
Elizabeth Verrinder	Archaeologist		YES
Lisa Llewellyn-Williams	Secretary		YES
Invited Guests			

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1.00 Apologies

Apologies were received from Robert Jones, Bob Edwards, Cllr David Hardacre, Cllr Julian Amos, Phil Murphy, Jane Flower, Mary Bradley, Dave Griffiths and Cllr Tony Rogers.

As Cllr Amos was not present Cllr Amy Kitcher was nominated as Chairperson to oversee the proceedings.

2.00 Declaration of Interest

Cllr Griffin said as he was on the Planning Committee he will not discuss the coal by road planning application and would leave the room.

Norman Davies stated his report did not discuss the merits of the application in tonight's meeting, but was just a statement of facts.

3.00 Minutes of the last meeting

5.0 The question was asked if Miller Argent has a reserve list of potential new members if a member steps down. JTP confirmed MA has a list and we could select a

JTP

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	replacement for Lyndon Humphries. Amy Kitcher asked if all members happy with this – all were in agreement but in any event it is a matter for Miller Argent to decide.	
5.6	Cllr Griffin miss-spelt as Griffiths. LLW to correct	LLW
9.0	Norman Davies name to be corrected as it stated Norman Lewis, LLW to correct	LLW

4.00 Matters arising

JTP was asked the question if he had the updated figures of total monies given into the Community Benefit Fund. JTP stated he maintains a schedule which MA submits to Hugh O'Sullivan (MTCBC) every quarter year detailing the figures for the Community Benefit Fund and asked if everyone was happy to have the answer at the next meeting or alternatively he will email to everyone. Amy Kitcher asked if members were happy to have information another time, all in agreement.

Alan Rees asked would we have an up-to-date figure for June's meeting. JTP said yes.

JTP

5.00 Reports

Miller Argent Site & Environmental Report

5.01 Kylie Jones summarised reports for both March and April

5.02 Alyson Austin said there was an additional complaint that was not added as a number in the total of complainants. KJ explained to the committee that Mrs Austin had complained on behalf of her friend who was unable to ring Miller Argent directly as she suffered from a nervous disposition. The complaint had been recorded as an official complaint and was in the final complaint figure numbers under Mrs Austin's name. KJ explained that Miller Argent had not received any correspondence from the individual, Mrs Austin was happy with the response.

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5.03	<p>Derek Games said the number of complaints seem quite high and asked the question if all machines has been fitted with the noise kit? KJ stated that all dump trucks have been modified with noise attenuation measures; work continues to progress with the PC 3000 excavators. Cllr Bob Griffin asked if Miller Argent were complying with their planning conditions, which states that all machinery should be fitted with noise attenuation kits before they commence operation on site. ST replied that MA were complying with the planning condition, as all the machinery on site comes fitted with noise attenuation kits to meet the stringent European requirements, the extra work carried out by Miller Argent comprises additional kit in response from feedback and concerns from within small sections of the community to try and reduce noise even further.</p>	
5.04	<p>Norman Davies expressed an interest in the Lapwings and asked are they in the path of deep excavation.</p> <p>KJ said she is in discussions with RSPB for more monitoring on site and has set aside undisturbed areas for nesting purposes. Lapwings are breeding on site and RSPB are visiting on Friday to look at the other areas.</p>	
5.05	<p>ZP asked what the main noise source is, the dump trucks or the excavators? ZP asked, whether the majority of complaints come because of the position of the machinery? KJ replied that they had 2 different periods of easterly winds and this seemed to be the determining factor in receiving noise complaints on site. ZP said that complaints had been received from people with direct line of site to the machinery. ST asked were the complaints made during the times of the easterly winds? ZP replied yes.</p> <p>Alan Rees asked KJ if she noticed a difference in noise levels during her investigations into complaints off site? KJ said that her observations were made by standing in one position within the community and shutting down excavator by excavator to assess any improvements.</p>	
5.06	<p>Alyson Austin questioned planning condition 15 concerning dust and enquired what the situation was with the spray mist curtains, which were part of the planning condition? KJ replied that Miller Argent has three mist</p>	

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curtains but are not considered to be totally effective and that MA were looking into purchasing a fog cannon, JTP informed the committee that KJ and BR went to Italy to observe a fog cannon operating at various sites. , and a Fog Cannon had been on site for a trial which the EHO officer had witnessed. Alyson Austin said when tipping soil (overburden) into the dump trucks, it emits dust. ST replied that's where the fog cannon would come into use, producing a fine mist that drifts over the material as it is emptied into the dump truck from the excavator bucket.

Alan Rees asked whether MA keep a record of how much water is used in spraying? JTP replied we use a large amount per day in dry conditions and it's not a statistic we keep.

Miller Argent Site Progress Report

Liz Verrinder informed members of the site progress report. Miller Argent currently has a total of 232 people with 82% living within 15km of the site, 29 staff, 189 operatives, 14 Civil Engineering employees.

To date Miller Argent have excavated approximately 14 million m³. 528,000 tonnes coal mined with 515,000 despatched to market.

Seeding of the overburden mounds OB1 & OB2 is due to commence towards the end of August. A trial blast will take place some time in June; the date is to be confirmed.

Work to construct water treatment area F & G is due to commence the first week of May.

5.07 Derek Games asked what the likelihood was of Miller Argent employing more people as Merthyr has 500-600 people unemployed. JTP replied it makes no economic benefit for MA to employ outside the area if there are people with suitable skills or ability for training. JTP said that due to the continued legal challenges to the scheme brought by the minority group of protesters there was as much chance that jobs would be lost rather than more jobs being created. ST said the new coal washery

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	(currently under construction) will employ a small number of additional people.	
5.08	<p>Derek Games asked if Miller Argent is on course to finish in 15 years, he is concerned with the slow rate of production. ST said the weather conditions during 2008 had set them back last year but in the past 3 months production has improved. MA was confident they will catch up on last years lost production.</p> <p>JTP stated it had been a terrible year last year and that MA had been hurt financially with the effects of the adverse weather, the water main not being diverted on time and not working all the hours permitted (1 hour less a day), together with the time lost when the operations had been closed down as a response to some complaints received about noise and dust.</p>	
5.09	<p>Cllr Bob Griffin asked the question, is there an estimate on how loud the blasting will be for residents? Brian Rostron replied the noise will be minimal. JTP explained there is a huge difference between quarry & opencast coal mining blast, generally noise is not the issue, it is the vibration that is of more concern.</p> <p>Alyson Austin said in all fairness the blast is over in seconds so noise won't be a problem in this instance, it will be the warning alarm that creates the most noise. JTP said it is a requirement to alert people before a blast is carried out, therefore a siren will be used. ZP asked could she be emailed before the 1st blast takes place. ST confirmed MA will email ZP and the committee.</p>	
5.10	<p>Ron Yandle raised concerns of the methane leaking from the Biffa site at Trecatti, and asked if this had been considered? (relief vents) ST said methane is usually monitored in deep mines but as MA's is open it is not an issue. Ron Yandle was concerned that if methane was escaping from Biffa and collecting on site that blasting would ignite it. ST replied that was unlikely to occur. JTP stated he was asked this specific question previously by Cllr. Phil Williams and a letter was sent to him answering the same question. JTP said he would re-circulate the letter.</p> <p>Ron Yandle said he met with Blastlog at the weekend</p>	JTP

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	regarding the underground workings. He said that as he understood it if the old workings run in an opposite direction it creates an air pocket which will stop vibration, which way do our workings run? JTP said Blastlog had given a presentation to the LC, and whilst a void may stop vibration, they can still travel above and underneath the void. Amy Kitcher asked if there were any more questions.	
5.11	Amy Kitcher said that we were periodically receiving archaeological reports, and asked for an update of what was happening? LV stated that the archaeologists finished works on site in February this year. They are currently working on the post excavation assessment, which will provide Miller Argent with a programme and costs involved in the post-excavation process. Within this process specialists will be brought in to examine all the finds. The archaeological works on site lasted for 18 months in total and excavated and recorded post medieval pits, shafts including Dowlais pit one, which contained a boiler house, furnaces as well as a house. JTP said they found artefacts in under ground workings of the mines and pits, such as culverts, driveways and recently found a coal dram/cart. JTP stated that a conservation company were reconstructing the listed aqueduct. Derek Games stated he would be very interested if some of the finds could be kept and could be put in a Museum. MA also explained some will be put on display at the Education and Training Centre.	
5.12	ST stated that people were taking the stone from the old bridge on the Bogey Road. Norman Davies suggested that Miller Argent could use one of their machines to rip out the road so people cannot gain access to the old bridge.	

Environment Agency

- 5.13 Laura Owen stated that there had been 1 complaint received in March. 1 Site visit to Taff Bargoed diversion.

April – 1 complaint received regarding noise and this was passed to Miller Argent and the Environmental Health department at MTCBC. 1 site Meeting to Taff Bargoed,

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	consent sampling, no flow, and PH was within consent.	

MTCBC Environmental Health Department

- 5.14 ZP said they had received 10 complaints from 5 individuals. 7 complaints regarding noise and 3 complaints concerning dust. ZP informed the Liaison Committee that there had been a dust event from northern Europe and southern England for this period, which had affected dust levels in Wales. She had also received complaints that Miller Argent had been starting work before 7am. JTP asked for the dates of these occasions so that he could check. ZP replied 15th and 18th April and the other maybe the 19th April, she would check.

There were complaints made that the complainants only got through to the Security Guard. ZP said noise was clearly audible outside the property she visited but not noticeable from the inside.

Alyson Austin stated that there are reports from people in Dowlais that Miller Argent are working until 10.30pm and that they have heard the machinery working. JTP explained that MA is permitted to work until 11.00 pm. ST informed the committee that some of the dump trucks still have to dump their loads if full and that it can take a little bit of time for all the machinery to travel up the parking area and shutdown.

- 5.15 Norman Davies stated ref: planning applications currently before the council were: 1) for the exportation of coal via road. ND said his recommendation to the council would be to refuse. 2) The visual screen fence of 450 metres along the A4060 was going into planning on May 5th and his recommendation is to approve. The merits were not discussed.

ND said residents are concerned about the height of the overburden dumps OB1 & OB2. Work to the 3rd overburden dump will start soon. The council has a surveyor going to check the heights of both dumps and will report back to the committee.

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6.00	<u>Residents Reports/Concerns</u>	
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6.01 Alyson Austin said with regard to the noise that KJ says that Miller Argent are being pro-active, however, she claimed the residents feel that they are not. AA explained she didn't feel that MA were being proactive and that when they make decisions could they relay the information to her to demonstrate that they were being proactive. AA claimed that residents feel everyday is the start of a new battle with Miller Argent and the noise issues.

JTP replied that AA was not MA's representative and he did see how it could work as AA is not impartial. ST explained that in terms of shutting down operations, that it isn't a quick process but a process that takes a while. ST explained the shut down process.

Alyson Austin stated she was getting phone calls and texts and people saying Miller Argent were lying through their teeth. JTP objected to that statement adding that Miller do not lie and that he was aware that AA was in fact out in the community canvassing for complaints.

Bill White stated that he must be in a bubble as he is in direct line with operations and he doesn't hear a thing, he hears more noise from the motorists on the road.

7.00	<u>Elected Members Report</u>	
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	<u>Bedlinog Ward</u>	
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7.01 No one present to report.

	<u>Town Ward</u>	
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7.02 Amy Kitcher stated that 16-20th March, she received 8 complaints concerning noise, and on 26th March 1 Dust complaint from Fochriw as well as 2 queries on the height of the overburden mounds. AK said she gave the hotline number of Miller Argent to all those who has complained. ST asked if she received any complaints whether she could please email them to us. JTP said to email maadmin@millerargent.co.uk

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Dowlais Ward

7.03 Nothing to report

Plymouth Ward

7.04 Derek Games stated 2 residents asked about the coal by road application and referred the condition of our roads already and the impact this would have on them.

8.00 Correspondence Received

8.01 Amy Kitcher said there was no correspondence from Cllr Amos.

JTP – none from Miller Argent.

Environment Agency – none.

Dave Dier & Norman Davies - none.

9.00 Any Other Business

9.01 JTP informed of the legal situation and stated he and ST had attended the High Court in Cardiff that afternoon. There had been an application for a Judicial Review on the upgrading of the Disposal Point, the application for which was made late last year. The High Court in London had earlier robustly refused the application which was subsequently appealed and the appeal had taken place today at Cardiff Administrative Court.

JTP stated that the judge: Sir Jack Beatson informed and the court that due to the trial over running he would deliver his judgement following day.

10.00 Date of Next Meeting

Thursday June 25th 2009 at 6.00pm @ Cwmbargoed Disposal Point.

Derek Games asked for use of the Miller Argent Minibus to pick the Committee Members up at the Civic Centre,

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	but no one needed a lift. Therefore no mini bus is being provided.	

Appendices

1. Environmental Report
2. Environment Agency Report
3. Public Health Meeting Notes
4. Site Progress Report

CONTACT NUMBERS

Miller Argent – Contact Details

Emergency Contact Number	0800 988 8444
Telephone during office hours	0870 111 5600
Web Site	www.millerargent.co.uk
e-mail	maadmin@millerargent.co.uk