

**FFOS-Y-FRAN LIAISON COMMITTEE  
MEETING No. 010  
26th June 2008**

**MERTHYR TYDFIL COUNTY BOROUGH COUNCIL  
COMMITTEE ROOM 1, CIVIC CENTRE, MERTHYR TYDFIL**

**APPROVED NOTES**

**ATTENDEES:**

<b>Appointed Councillor Members</b>	<b>Office</b>	<b>Ward</b>	<b>Present</b>
Cllr Julian Amos	Chair	Dowlais	YES
Cllr Tony Rogers		Dowlais	YES
Cllr Amy Kitcher	Deputy Chair	Town	YES
Cllr Robert Griffin		Town	YES
Cllr Derek Games		Plymouth	YES
Cllr Brent Carter		Plymouth	-
Cllr Leighton Smart		Bedlinog	-
<b>Substitute Councillor Members</b>			
Cllr Ray Thomas		Dowlais	-
Cllr Phil Williams		Dowlais	-
Cllr Gareth Lewis		Town	-
Cllr Kurt Morgan		Town	-
Cllr Kevin O'Connor		Plymouth	-
Cllr ????		Plymouth	-
Cllr Gareth Jones		Bedlinog	-
<b>Caerphilly CBC</b>			
Cllr David Hardacre		Caerphilly	-
<b>MTCBC Officers</b>			
Mr Norman Davies	Head of Planning		YES
Mr Dave Dier	Head of Public Health		-
Ms Zoe Pieris	Principle Environmental Health Officer		YES
<b>Environment Agency</b>			
Mr Dave Griffiths			YES
Ms Laura Owen			-
Mr John Harrison			YES

<b>Resident Members</b>			
Mrs Alyson Austin		Bradley Gardens	YES
Mrs Mary Bradley		Fochriw	-
Mrs Jane Flower		Japonica	-
Mr Lyn Humphries		Dowlais	YES
Mr Phillip Murphy		Caerharris	-
Mr Alan Rees		Caedraw	-
Mr Bill White		Dowlais	-
Mr Ron Yandle		Mount View	-
<b>Miller Argent</b>			
James T. Poyner	Director		YES
Stephen Tillman	Director		-
Robert Jones	Operations Manager		YES
Bob Edwards	DP Manager		-
Kylie Jones	Environmental Liaison Officer		YES
Susan Allen	Secretary		-
Elizabeth Verrinder	Archaeologist		YES
<b>Invited Guests</b>			

<u>Item</u>	<u>Note</u>	<u>Action</u>
-------------	-------------	---------------

Before the meeting followed the Agenda Cllr. Amos referred to the letter sent to all members by Mr Stephen Tillman of Miller Argent highlighting his concern over the proceedings at the previous meeting. The Chair explained that he had had a subsequent meeting with Miller Argent to discuss its concerns and had also officially responded to Mr Tillman's letter (copies of the response were handed out at the end of the meeting).

Cllr. Amos summarised by saying that Miller Argent were concerned, based on previous experience, that certain of the information they are being asked to provide is being requested for purposes other than advising the committee of site progress and site issues. Miller Argent had reason to believe that some

<u>Item</u>	<u>Note</u>	<u>Action</u>
-------------	-------------	---------------

information is being sought for the purpose of future legal action against them.

Cllr. Amos asked all members of the committee for a "Declaration" whether they were in the process of preparing for legal action against Miller Argent or the Scheme, or whether such action was contemplated. Everyone present "declared" that they were not, but Cllr. Robert Griffin questioned the expression "whether such action was contemplated" stating that was not necessary.

James Poyner stated that it was very necessary from Miller Argent's perspective as they had been taken down this road before and that his legal advice was not to provide information to the liaison committee that could be misinterpreted or used as propaganda.

Cllr. Griffin asked for the raw noise data to be provided and James Poyner refused explaining that unless it is read and interpreted by a noise expert it is meaningless but lay people could latch on to particular data and reach erroneous conclusions but in doing so could cause untold and unnecessary mayhem.

The Chair stopped the discussion saying that Miller Argent's position was clear.

Cllr Julian Amos was duly elected as Chair of the committee and Cllr Amy Kicher was duly elected as deputy Chair.

The meeting was conducted to the Chair's Agenda issued in advance of the meeting.

**1.00 Apologies**

Apologies were received from: Cllr. Brent Carter, Cllr. Dave Hardacre, Mrs Mary Bradley, Mrs Jane Flower, Mr Phil Murphy, Miss Laura Owen, Mr Dave Dier, Mr Stephen Tillman, Mr Bob Edwards and Ms Susan Allen.

**2.00 Minutes of the Last Meeting**

2.01 The following typos were noted: there are two item numbers <8.2> and two item numbers <14>.

Also James Poyner pointed out that the comments recorded at items 9.4, 9.5 and 9.6 should be accredited to Ms Zoe Pieris.

<b><u>Item</u></b>	<b><u>Note</u></b>	<b><u>Action</u></b>
2.02	With those corrections (2.01 above) the minutes were confirmed as a true and accurate record of what took place. The Notes once amended can be published.	S. Allen
<b>3.00</b>	<b><u>Matters Arising</u></b>	
3.01	Mr David Griffiths reported that in accordance with the request contained in item 8.4 he had circulated copies of the map showing the relevant water courses. Mr Griffiths also confirmed that he had circulated graphs and comment on the water quality of samples taken by the EA, together with a report for the committee to consider.	
3.02	In relation to point 9.5 it was reported that all the information had now been given to the Welsh Air Quality Web Site and that shortly the data from the two TEOM meters located at Twynrodyn School will be accessible on the internet.	
<b>4.00</b>	<b>Reports</b>	
	<b><u>Miller Argent</u></b>	
4.01	Mr Robert Jones discussed his report which had circulated to all committee members ahead of the meeting. Mr Jones explained the temporary change to the working hours whilst noise reducing trials are being carried out.	
4.02	Cllr. Amos asked that the Committee be informed ahead of any decision to revert back to the permitted hours of work.	RJ
4.03	In answer to a question: Mr Jones explained that all of Tip 13 had now been treated and/or removed from site and that works were now progressing on the Hoover and Merthyr Tips. Very little hazardous waste had been encountered and what we had found had been taken to a licensed receptor in England. A small amount of Asbestos sheeting was currently being held on site ready for despatch to the same licensed receptor in England.  Only non inert material had been taken to Trecatti and the inert material from the tips had been recycled on site.	

<u>Item</u>	<u>Note</u>	<u>Action</u>
4.04	<p>Cllr. Derek Games stated that Miller Argent should be praised for its initiative regarding the temporary changes made to the working hours and its willingness to react to the comments of the community.</p>	
4.04	<p>Cllr. Robert Griffin stated that he had received 40 complaints about the site from his constituency.</p> <p>Cllrs. Amos, Rogers and Games reported that they had not received any since the last meeting.</p> <p>Cllr. Griffin said he kept a comprehensive log and would provide it if anyone disbelieved him. Cllr Amos said that was not necessary and no one was saying that they disbelieved him.</p> <p>Mr Robert Jones requested Cllr. Griffin to ask the people who complain direct to him to also register their complaints with Miller Argent as they are occurring. The source of complaints cannot be adequately investigated after the event. Also from a record keeping point of view we cannot tell whether or not these complaints have already been accounted for in the register.</p>	
4.05	<p>Cllr. Griffin stated that in his view Miller Argent should be more open with its noise results. James Poyner restated Miller Argent's position saying noise is a complex science and unless you understood the science the data would be meaningless.</p>	
4.06	<p>Ms Zoe Pieris stated that she was in contact with Miller Argent and had met with its noise consultants and that she was aware of the noise results. She agreed with Mr Poyner and stated that she would advise the committee whether the noise was becoming greater or less. She is taking a very keen interest in the trials that are ongoing and is involved in the monitoring process.</p>	
4.07	<p>Cllr. Griffin commented on the independence of Miller Argent's noise consultants saying that Miller Argent was paying the bills. Mr Poyner stated that this was a point he could not win, he would be very happy not to pay the bills but asked who else would?</p>	
4.08	<p>Mr John Harrison of the EA stated that this is a problem that the EA constantly face and pointed out that any consultants employed by Miller Argent have to act</p>	

<u>Item</u>	<u>Note</u>	<u>Action</u>
-------------	-------------	---------------

independent as they are open to audit and have strict standards to follow.

4.09 Ms Pieris stated that the MTCBC Environmental Health Department acted independently and that they would report on noise issues to the committee but she also confirmed that there would be no purpose served by reporting raw data – it is all about the interpretation of the data.

4.10 Mrs Austin asked if Ms Pieris could analyse the data together with the weather conditions and number of complaints received and report on any correlations she found. Ms Pieris agreed to do so. ZP

4.11 Mrs Austin stated that she had noticed an considerable improvement (reduction) in noise over the preceding two weeks.

4.12 Cllr. Griffin expressed concern that Miller Argent are the keepers of the data and they are not prepared to share the data with the committee. Mr Poyner asked Cllr. Griffin what he was suggesting and again pointed out Miller Argent's position. He also reminded Cllr. Griffin that it is not for the Liaison Committee to police the data – that is the job of the various enforcement authorities. The liaison committee will be given summaries. Cllr. Griffin was content once he appreciated that MTCBC had the raw data.

**Environment Agency**

4.13 Mr David Griffiths discussed his previously circulated report. Cllr. Robert Griffin asked Mr Griffiths about the surface water run off and explained that he had received a complaint from a resident in Incline Side (and the complainants brother) alleging that Miller Argent had cut off the supply of water to a stream that ran through the complainants property that he used for his animals. Mr Griffiths explained that he was well aware of the complaint that Cllr. Griffin was referring to and that he had personally investigated it on 26<sup>th</sup> May and found that there was no truth in the allegation. Cllr. Griffin stated that he had actually visited the property and had the situation explained to him and that he was of the opinion that the complaint was justified. Mr Griffiths repeated his

<u>Item</u>	<u>Note</u>	<u>Action</u>
	conclusion and it was agreed that Mr Griffiths would discuss the detail with Cllr Griffin after the meeting rather than take the further time of the committee.	DG
4.14	Mr Griffiths reported that when at the Trecatti Landfill Meeting the previous week comment had been made regarding the height of the overburden mounds and whether geotechnical assessments had been carried out regarding any possible affects on Trecatti. It was also questioned whether these overburden dumps would be seeded.	
4.15	Mr Robert Jones answered by explaining that the top of each the dumps have a maximum height above Ordnance Datum stipulated in the planning consent and that in respect of the dump being questioned (OB1) there is one more layer to go before the height is reached. That dump still has more material to be placed in it horizontally. It is anticipated that before the end of September the side slopes facing Dowlais will be dressed and then seeded. Mr Jones also reported that he had visited Cllr. Ray Thomas the previous week to discuss the same concerns. The other slopes will be seeded as and when they are completed.	
4.16	Mr Poyner explained that Miller Argent had been asked on a number of occasions what were the effects of the dumps and the site workings on Trecatti. He explained that MTCBC had asked for a report in 2003 and that Miller Argent had entered into detailed discussions with BIFFA (the operators of Trecatti) together with their respective consultants. Mr Poyner also pointed out that under Miller Argents obligations to the Health and Safety Executive Geotechnical assessments and Appraisals had to be carried out on all overburden dumps at regular intervals. Mr Norman Davies also explained that the matter was raised in the public inquiry and expert evidence was heard and reports given to the Inspector.	
4.17	Cllr. Rogers stated that he would continue raising the question as long as residents remained concerned. Mr Poyner said he had no problem with that.	
4.18	Mr Griffiths confirmed that all tests carried out on water samples had been within the consented discharge limits.	

<b><u>Item</u></b>	<b><u>Note</u></b>	<b><u>Action</u></b>
--------------------	--------------------	----------------------

4.19	Mr Griffiths reported that the EA had not received any complaints in the period through the official complaints line (RCC) but had received questions from two residents and gave their names and addresses to Miller Argent outside the meeting to follow up.	KJ
------	--	----

4.20	Cllr. Kitcher asked what RCC stood for. Mr Griffiths explained that it stood for Regional Communications Centre. Mr Griffiths confirmed that if the EA received any complaints that were outwith their remit they always pass them on to Miller Argent and MTCBC.	
------	---	--

**MTCBC Environmental Health Department**

4.21	Ms Pieris reported that she was not aware of any complaints being received by her department during the period. Cllr. Griffin commented that he has reports from complainants saying that when they phone MTCBC to register a complaint they are directed to Miller Argent. Ms Pieris stated that MTCBC has a procedure that is to be followed and that is to record all complaints. She said she would investigate and report back to the next meeting.	ZP
------	--	----

4.22	Ms Pieris stated that she still had concerns regarding noise levels and that she is meeting Miller Argent on a two weekly basis to monitor the situation. She is also to inspect the modification works to the plant and equipment and to enter into discussions with the various consultants to understand exactly what is being trialled.	
------	---	--

**5.00 Residents Reports/Concerns**

5.01	Mrs Alyson Austin reported that in the previous two weeks she had no complaints for either noise or dust.	
------	---	--

5.02	Mr Lyn Humphries stated that he had no complaints but did have questions regarding the overburden dumps but these had now been answered earlier in the meeting.	
------	---	--

**6.00 Elected Members Report**

**Dowlais Ward**

6.01	Cllr. Rogers requested that Miller Argent deliver the Blast Log presentation to the residents in Dowlais. Mr Poyner said Miller Argent would be pleased to do that and asked	
------	--	--

<u>Item</u>	<u>Note</u>	<u>Action</u>
	for date, time and a venue. Mr Rogers said he would come back to him with them.	TR

#### Town Ward

- 6.02 Cllr. Griffin stated that he intended to produce a written report for the next meeting which would include a list of the complaints he had received.
- 6.03 Cllr. Griffin repeated that he would encourage all complainants who contact him to also report direct to Miller Argent.
- 6.04 Cllr. Kitcher asked if Miller Argent were working a different shift pattern as when driving along the Bogey Road she had observed on a number of occasions that Dump trucks were parked up and the weather had been fine.

Mr Robert Jones explained that last week and this week were the "outage" weeks at Aberthaw Power Station when RWE carryout maintenance works at the Power Station.

Miller Argent had worked some of its staff during the Spring Bank Holiday period to ensure deliveries to Aberthaw and those operatives who had worked then were now taking their break and therefore he was working the site on a 12 hour shift for efficiency.

#### Plymouth Ward

- 6.05 Cllr. Games raised the issue of complaints about the gypsy camp but as this was not a Ffos-y-fran issue the discussion was halted.

#### **7.00** Correspondence Received

- 7.01 No correspondence had been received germane to the liaison committee other than Cllr. Amos's reply to Stephen Tillman.
- 7.02 Mr Norman Davies reported that he had received a letter regarding the seeding of mounds and berms. Mr Robert Jones explained that the berms in question had been seeded and that for health and Safety reasons he had the works completed during the time that the Bogey Road was temporarily closed. The rest of the seeding would be carried out at appropriate times and when weather conditions permitted. Mr Poyner confirmed that had been

<u>Item</u>	<u>Note</u>	<u>Action</u>
-------------	-------------	---------------

no delay in carrying out these works.

**8.00 Any Other Business**

8.01 Mr Poyner pointed out an error on his spread sheet detailing the coal tonnages recovered. The error was a totalling up of the column which detailed cumulative tonnages – the column should not have been totalled and the sheet is quite correct in all other respects.

8.02 Mr Lyn Humphries asked if monies were available from Miller Argent for community projects. Mr Poyner explained that Miller Argent are contributing significant sums into a Community Benefit Fund which is to be administered by the Council and any approaches for monies should be made to the Council.

**9.00 Date of Next Meeting**

9.01 The date of the next meeting is Thursday 24<sup>th</sup> July 2008. The meeting is to be held at Miller Argent's office at Cwmbargoed Disposal Point (DP) and is to commence at 6.30 pm prompt.

9.02 Miller Argent will provide one of its mini buses to transport and return anyone requiring a lift. The mini bus will be parked at the front entrance to the Civic Centre from 6.00 pm and will leave at 6.15 pm. It would be helpful (but not essential) if anyone wishing to avail themselves of this facility if they would let Ms Susan Allen know before hand either on telephone number 0870 111 5600 or by e-mail to <susan.allen@millerargent.co.uk>.

9.03 For those members who are making their own way to the DP but are not sure of its location a directions map is attached to these minutes.

There being no further business the Cllr. Amos thanked everyone for their attendance and closed the meeting.

### **Appendices**

1. Site Progress Report – Robert Jones
2. Environmental Report – Kylie Jones
3. Environment Agency's Report

### **CONTACT NUMBERS**

#### Miller Argent – Contact Details

Emergency Contact Number	0800 988 8444
Telephone during office hours	0870 111 5600
Web Site	<a href="http://www.millerargent.co.uk">www.millerargent.co.uk</a>
e-mail	<a href="mailto:maadmin@millerargent.co.uk">maadmin@millerargent.co.uk</a>