

**FFOS-Y-FRAN LIAISON COMMITTEE
MEETING
28 February 2008**

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

APPROVED NOTES OF MEETING

ATTENDEES:

A.N Davies	MTCBC Head of Town Planning
Cllr. Ian W. Clark	MTCBC Councillor Town ("ED") Deputy Chairman
Cllr. Phil Williams	MTCBC Councillor Dowlais Ward
Cllr. Mark Elliott	MTCBC Councillor Town ED
Cllr. Tony Rogers	MTCBC Councillor Dowlais Ward
Cllr. Helen Thomas	MTCBC Bedlinog ED
Cllr Derek Games	MTCBC Plymouth Ward
Zoe Pieris	MTCBC Public Health
Dave Dier	Public Health MTCBC
Lyn Humphries	Dowlais Ward
Phillip Murphey	Dowlais Resident
Mrs Alyson Austin	Bradley Gardens
Alan Rees	Merthyr Resident
Mr Ron Yandle	Mountain Hare Resident
Laura Owen	Environment Agency Wales
Bill White	Dowlais
Mr James Poyner	Miller Argent (South Wales) Limited
Ms Kylie Jones	Miller Argent (South Wales) Limited
Mr Robert Jones	Miller Argent (South Wales) Limited
Mr Bob Edwards	Miller Argent (South Wales) Limited
Mr Stephen Tillman	Miller Argent (South Wales) Limited
Ms Sue Allen	Miller Argent (South Wales) Limited
Emily Valance	Blastlog
James Heather	Miller Argent (South Wales) Limited
David Mason	Miller Argent (South Wales) Limited

1. Introduction

- 1.1. The Chairman confirmed that a quorum existed

2. Attendance

- 2.1. Attendees were asked to sign the attendance register

3. Apologies

- 3.1 Apologies were received from the following: - Cllr Ray Thomas, Mrs Jane Flower, and David Griffiths.
- 3.2 The Committee congratulated David Griffiths on the birth of his baby boy.

4. Blastlog Presentation

- 4.1 Miller Argent had requested if at this point of the meeting an extra item could be added to the agenda. An in-depth PowerPoint presentation was shown by Emily Valance from Blastlog Limited a specialist company commissioned by Miller Argent to carry out a survey of houses in the location in advance of any blasting being carried out.
- 4.2 The presentation to the committee highlighted how Blastlog would carry out the survey and the random selection of houses in the location and explain why they had been chosen e.g. location, structure and age. After the presentation James Poyner introduced David Mason and James Heather who were a part of the Miller Argent Team who were, available to assist Miss Vallance in answering any questions regarding the presentation or relating to blasting generally. The committee didn't have any questions to put to these members of staff therefore the committee thanked Emily Valance for her informative presentation. At this point Emily Valance, David Mason and James Heather left the meeting. Mr Ron Yandle asked if it would be possible for him to have a copy of the presentation, it was explained that this was a specialist subject and it would need the explanation of an expert to interpret the presentation otherwise it could be misinterpreted.
- 4.3 The committee thought that it would be a good idea if Emily Valance, from Blastlog, gave a presentation to the residents who may be interested in volunteering their homes to be surveyed which would help them understand the process nearer the time.
- 4.4 James Poyner passed round to the committee a draft letter that was to be hand delivered to residents in the area explaining Miller Argent intention to carry out a survey of houses in the area and asking for residents to volunteer their house to be surveyed. It was explained that a selection of houses in the area had been highlighted and it was hoped that residents would allow Miller Argent to carry out this pre blasting survey and conduct inspections at agreed intervals. The letter also explained the process. The Committee gave suggestions how the letter could be modified and ideas of where it should be distributed. (Appendix C)

5. Notes of the previous meeting

- 5.1 The Chairman asked if anyone had any comments relating to the notes of the previous meeting.
- 5.2 Alyson Austin asked for item 8.11 to be revised, she stated she said “the security guard said he couldn’t get hold of supervision unless he came face to face with them, she was not suggesting that supervision were not there”.
- 5.3 Item 11.1 should read ‘the dust storm at occurred in the previous 48 hours.

6. Matters arising from the Notes of the previous meeting

- 6.1 There were no matters arising from the previous meeting.

7. Site Progress Report

- 7.1 Mr Robert Jones handed out a site progress report (Appendix A) and read its contents. He highlighted the changes from the previous report.
- 7.2 The following comments were made from the report.
- 7.3 It was asked why the percentage of labour employed locally was lower than previous month’s, Robert Jones explained that Blackwell who employed local hired plant and drivers had finished on site and Dawnus who are Swansea based are now the main subcontractors on site and had brought their own operatives.
- 7.4 Another question asked was where did the spoil from Tip 13 go and how was it transported? Robert Jones explained that the inert material had been segregated and recycled on site and the non-inert material had been taken to Biffa site and had been transported by public roadway.

8. Environmental Report

- 8.1 Kylie Jones presented the environmental report (Appendix B) and explained that there had been of the following complaints received in the period: 7 noise, 2 dust and 1 attributed to the water main.
- 8.2 Kylie Jones explained that Miller Argent were carrying out trials with rain guns on site as a potential dust suppression tool, targeting the specific working areas.
- 8.2 The question was asked would it not be more informative if the complaints were presented in a report and gave more information a) list what time of day e.g. early evening, night, b) what areas e.g. Bradley gardens, c) noise in the house or garden etc.
- 8.3 It was reported that there had been an increase in noise noticed by residents in the Pant area and Calluna Close.

9. Environment Agency Update.

- 9.1 It was reported that no complaints were received via the 24 hour or complaints line. Samples had been taken from tip 13 for analysis. James Poyner was also thanked for the presentation that he had given to the Environment Agency.

10. Environmental Health Department (MTCBC) Update

- 10.1 Had received 3 complaints which had already been included in Kylie Jones report.
- 10.2 Mr Dier stated that the main complaint appeared to be about the hours of operation, in particular working between 10.00 p.m. and 11.00 p.m. Residents were not happy that planning consent had been given to work these late hours. MTCBC Environmental Health team had spoken to the noise consultant and confirmed that they were happy with the mitigation measures already in place and with those proposed regarding the level of noise and that Miller Argent were doing everything they could to reduce the noise level.
- 10.3 It was asked if Miller Argent could stagger the trucks during these hours, Robert Jones explained that from 10.30 p.m. the trucks were already staggered as it was coming to the end of the shift.
- 10.4 Alyson Austin questioned the noise of the Komatsu excavators and asked whether it could not be shut down earlier, the committee stated that residents were more sensitive to the noise during the early and late end of the production because of the still mornings and evenings in addition Miller Argent had been using a machine to increase the height of the baffle.
- 10.5 James Poyner informed the committee that Miller Argent was considering extending the muck shift operation on a Saturday to 5.00 p.m., which is in full compliance with the permitted hours of work.

11. Complaints Received and Investigations

- 11.1 It was reported that a complaint had been received by e-mail about the noise in Penydarren. Malcolm Jones complained about the noise on a Saturday morning, staff had called at his house. It was noted that although staff called at residents homes the residents were not always available.
- 11.2 It was suggested that Kylie Jones, in addition to the present reporting structure on complaints should include a table format, clearly stating who responded and how it was resolved or noted if it was still outstanding, then it would be useful for a report to be produced and the findings brought to the committee meetings and also placed on the Miller Argent web site for everyone to be able to access. This report should also be made available for people who don't have access to computers.

- 11.3 It was suggested that baffle mounds may have alleviated noise in close proximity to the site but residents could still hear the site in Pant. No complaints had been received from residents in the Pant area.
- 11.4 Robert Jones informed the committee that Miller Argent had plans to divert the temporary haul road once the water main works are complete. The plans are to dig the haul road at a lower level and this should help mitigate the haulage noise. Alyson Austin said that it was not the haulage noise that she could hear from her home.
- Mr Ron Yandle stated that noise was not a problem for the residents at Mount View.

12. Correspondence Received

No extra correspondence relating to the liaison committee had been received.

13. Community Presentations/Communications

- 13.1 Welsh Water had made a presentation to Bedlinog community it was noted that James Poyner and Dave Dier had also attended the meeting, although there were no public issues raised relating to Miller Argent.

14. Any Other Business

- 14.1 James Poyner told the committee that Miller Argent had been served with another letter before action (in accordance with the CPR pre action protocol) from Mrs Condrón's solicitor seeking a Judicial Review against Merthyr Tydfil County Borough Council alleged refusal to enforce planning conditions. This is in addition to the one previously reported relating to The Welsh Assembly Government. James Poyner pointed out that the planning consent was not for an open cast scheme but a land reclamation scheme incorporating the extraction of coal by opencast methods. It was noted that Miller Argent were waiting to be advised if Mrs Condrón would be granted further legal aid to pursue this action.
- 14.2 James Poyner also highlighted that there was also a reference to Mrs Condrón seeking injunctive proceeding to stop work until the judicial review had been determined. If successful this could result in the loss of 200 jobs, and millions of pounds worth of coal supplies. It would also threaten the £60 plus million pounds of investment in the scheme that Miller Argent had already made.
- 14.3 There was further discussion relating to the draft letter that was proposed to be sent to local residents and ideas given how to improve or clarify the contents. It was agreed that the last paragraph should be amended. It was also suggested that it may be useful if a presentation was given to the residents who were interested in having a survey done.
- 14.4 The list of complaints that Terry Evans had passed to Ron Yandle last month was reported on.

- 14.5 Mr Ron Yandle referred to the letter that Terry Evans had referred to when talking to him in which he stated that he was not allowed to make complaints direct to Miller Argent, which has subsequently been shown not to be true. To date there are been no further complaints made by Mr Terry Evans.

14. Date of next meeting

It was agreed the next meeting would take place Thursday 27 March 2008 at 7.00 pm at the Merthyr Tydfil Civic Centre. At which point it would be discussed to move the meetings to every 2 months after the Council elections had been concluded.

There being no other business, the Chair thanked everyone for their attendance and closed the meeting.

Appendices

1. Site Progress Report – Robert Jones
2. Environmental Report – Kylie Jones
3. Blast Survey letter

CONTACT NUMBERS

Miller Argent – Contact Details

Emergency Contact Number
Telephone during office hours
Web Site
E-mail

0800 988 8444

0870 111 5600

WWW.millerargent.co.uk

maadmin@millerargent.co.uk