

**BRADLEY SURFACE MINE
LIAISON COMMITTEE MEETING**

Held on Thursday 14 June 2018 at 6.30pm in Dipton Jubilee Centre.

MINUTES

PRESENT:	Lewis Stokes	Banks Group
	Andrew Heron	Banks Group
	Colin Bell	Medomsley Residents Assoc.
	David Marrs	Dipton Partnership
	Christine Hogarth	Banks Group
	Insp Keith Wardle	Police
	Michael Jones	Dipton Resident
	Cllr Ivan Jewell (VC)	Durham County Council
	Andy Plant	Leadgate Partnership
	Steven Hanlon	Banks Group
	Claire Teasdale	Durham County Council Planning
	Cllr Alan Shield (Chair)	Durham County Council
	Fr John Bagnall	Brooms Church
	Julia Triston	Resident
	Carol Roche	Resident
	Mike Twedde	Durham County Council
	Jill Lomax	Banks Group
	Jim Donnelly	Banks Group
	Jamie Drysdale	Banks Group
	Emma Heenan	Laura Pidcock MP Office
	Brenda Surtees	Resident
	Liam Carr	Medomsley Resident
1	APOLOGIES:	
	Paul McNally	Resident
	Derek English	Medomsley Ward Partnership

ACTION / DATE

2 **Minutes of Previous Meeting**

- 2.1 The Minutes were a true and accurate record of the meeting.
- 2.2 J Triston commented that J Lomax was in attendance but was not recorded as so on the Minutes.
- 2.3 A Shield commented that he had complained to officers at Durham County Council (DCC) in relation to the poor engagement around closure of the footpath along the A692 during the road works and has agreed better levels of communication.

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- 2.4 A Shield advised the committee of discussions he had had with DCC planners and Legal in relation to a number of matters. These included the implementation of the planning permission prior to the completion of the highway works which DCC considers does not impact upon the development being lawfully commenced. He had sought clarification on the costs of the road re-surfacing and other S278 works. C Teasdale advised that the resurfacing works were part and parcel of the S278 works and that the only monies payable to DCC was for the inspection of the works. A bond was in place to cover the costs of the highways works.
- 2.5 C Teasdale commented that although the highway works had not been completed prior to the development commencing, Condition 14 requires that no coal is taken from the site until the access has been formed in accordance with the agreed details. Banks has extracted 40 tonnes of coal to commence winning and working but this had not been exported from the site.
- 2.6 C Teasdale confirmed that a bond for the full amount detailed in the S106 including indexation has been put in place prior to the commencement of soil stripping and the winning and working.
- 2.7 A Shield advised that DCC planning and legal officers have offered to meet with members of the local community and if people were interested then they should advise him accordingly.
- 2.8 A Shield advised the committee of the importance of advising if they were unable to attend a meeting and of identifying substitutes in their place.
- 2.9 Matters Arising;
- AP1 – Complete
 - AP2 – Complete
 - AP3 – Complete
 - AP4 – Complete
 - AP5 – Complete
 - AP6 – Complete
 - AP7 – Complete
 - AP8 – Complete
 - AP9 – Complete
 - AP10 – Complete

3 Environmental Presentation

- 3.1 C Hogarth delivered her environmental presentation and L Stokes agreed to make this available as a download from

the Bradley page on the Banks website. This can now be viewed at www.banksgroup.co.uk/bradley.

AP1 – L Stokes

- 3.2 D Marrs asked if there is any independent environmental monitoring scheduled for the site. C Teasdale replied that the requirement for monitoring lies with Banks and results are submitted to DCC however DCC could undertake additional monitoring if it was deemed necessary. D Marrs commented that Dipton is experiencing high levels of dust but believes this may be from the forestry site and queried if dust was being monitored from the felling operation. C Teasdale replied these operations are taking place under the terms of a Forestry Commission licence and as such Local Planning Authority have no controls over this activity. There is no dust action plan or monitoring taking place. However, DCC Environmental Health Officers are currently investigating this and Neil Lawes is the best person for residents to contact on this matter along with a log of when problems arise.
- 3.3 J Triston said that she and other residents felt that the dust monitor installed at High Stables is located in a quiet corner which does not get much wind and asked if it could be relocated. C Hogarth replied that safety issues had to be considered when installing the monitor so it is out of reach of children and the electricity cable can be quite long. J Triston was present when the location for the kit was agreed however this could potentially be moved should J Triston be able to agree another property to move it to. She did say that this would be closer to the main road which could influence the readings thus not offering a true reflection of the dust climate. C Teasdale advised that dust action plan is required to be reviewed every 6 months and queried whether relocation is considered at the time of the review or now. She commented that the Environmental Health Officer (EHO) would need to agree to a relocation as all monitoring locations had previously been agreed with the DCC. J Triston wanted the monitor to be relocated now and agreed to speak to residents and provide C Teasdale with potential alternative locations and she will then discuss with the EHO.
- 3.4 C Hogarth added that noise monitoring was being carried out at various locations including the top and bottom properties at High Stables.
- 3.5 J Triston mentioned that she had made a complaint about noise from the site. L Stokes confirmed that he had received the complaint but following investigation, it was confirmed that the complaint related to activity at 11.00pm and that no site personnel (other than security) were on site and that no activity was taking place at that time. I Jewell mentioned that he was aware of complaints made in relation to tree felling

AP2 – CT & JT

taking place early on mornings and also late at night. A Shield advised that if noise is heard again then details should be recorded and evidence provided. Complaints should be directed to Banks in the first instance and then can be passed to DCC.

- 3.6 J Triston queried where monitoring was taking place to which C Hogarth advised it was at the garden fence against the field at the bottom of Douglas Terrace. Readings were also being taken at the Church although there is no requirement to.
- 3.7 A Plant asked if a complaint had been received from Watling Bungalows which LS replied no.
- 3.8 J Triston also complained about light from the site. L Stokes replied that several lighting towers had been removed from the site but some lighting was required to ensure the site is safe and secure and this was directed downwards and into the site. However, cabins had recently been relocated and this may have resolved the issue.

4 Site Update by Banks Mining Staff

- 4.1 J Donnelly delivered a presentation which would also be made available as a download from the Banks website.
- 4.2 D Marris asked if it was the five quarter coal seam. J Donnelly said that he believed it was.
- 4.3 A Shield asked when would the road be fully finished and signed off by DCC. C Teasdale replied that the lighting columns lanterns are to be installed then work will be inspected before being able to be signed off by DCC. A Heron added that there is a 2 weeks delay for the lanterns due to limited availability.
- 4.4 A Shield asked when would the site be fully operational and coal be removed from the site. J Donnelly replied circa the end of July. A Shield asked when it could be that the 32 laden lorries could be leaving the site every day and A Heron answered potentially end of August / beginning of Sept.
- 4.5 D Marris said that it had been acknowledged that birds are nesting around 40 days later this year and asked if Banks were aware of this. J Donnelly replied that yes Banks are aware of this and measures were in place to protect any nesting birds on all of their sites including Bradley and that they are marked out until fledged. A Plant asked if Banks had found any ground nesting birds on Bradley. J Lomax answered yes, nests had been found, had been left and were being regularly checked. Records are being kept and regularly updated by the ecologist. C Teasdale advised that

the County Ecologist had visited the site and raised no concerns. A Shield asked if he would be visiting again and she replied that although not a requirement of the planning permission he may visit again. J Triston asked what species of ground nesting birds had Banks found on Bradley. J Lomax replied that species including Meadow Pipit, and Skylarks. (JL subsequently checked ecological records and confirm willow warbler, yellow hammer and chaffinch nesting activity has also been recorded).

- 4.6 D Marrs asked if Banks could share the archaeological report. L Stokes agreed to do so.
- 4.7 E Heenan asked about the jobs created by the site. L Stokes replied that Banks currently have around 60 of their staff in Laura Pidcock MP's Constituency. J Drysdale confirmed that 13 staff are currently on site and 11 of these are from the local area. A further recruitment drive will take place once the site prep works are complete and the site becomes fully operational. C Teasdale advised that as required by the S106 training and recruitment/employment opportunities had been agreed with DCC.

5 Planning Update

- 5.1 J Lomax confirmed that all pre-development conditions had been met including the bond, S39 agreement (relating to the Gifted Land Area) and that the site had formally commenced winning and working of coal as of 17 May 2018 and that C Teasdale and M Tweddle were in attendance. There are ongoing planning requirements as set out in the planning conditions and approved documents which Banks will adhere to. She advised of the community archaeology days held on 13 and 15 June which involve local people and children from Colliery Primary School.
- 5.2 C Teasdale reiterated points made by J Lomax. She also advised that the Council undertook the first scheduled chargeable monitoring visit on 17 May 2018 and there would be 7 more this financial year as provided for by the regulations and further visits would take place over the life of the site. Notwithstanding this unannounced none chargeable visits can also take place. M Tweddle confirmed that as monitoring officer he is regularly visiting the site and the maximum number of visits (eight) are being undertaken. A report has been produced for the first official visit which he can share upon request. Please email Mike direct at mike.tweddle@durham.gov.uk for details. C Rocke asked if DCC felt they could fulfil their duty to monitor this site. C Teasdale replied that DCC are fortunate to have a monitoring officer especially one that is very experienced in dealing with minerals and are well placed and positioned to monitor this and the other mineral sites in the area.

- 5.3 D Marrs asked what the position is relating to the land to be gifted to a wildlife organisation and had this agreement been made yet. A Heron answered that discussions had been held but no agreement reached at this stage. L Stokes agreed to include Restoration Management plan on the Agenda of the next meeting. C Teasdale advised that restoration details are required to be submitted within 6 months of the commencement of the development. She also highlighted that the required submission would be based on the approved concept restoration plan given the Planning Inspector placed weight on the benefits of the restoration scheme.

AP4 – L Stokes

6 Policing Issues

- 6.1 Insp Keith Wardle commented that circa 27 arrests had been made to date with regards to the direct action taken on the site for offences including obstruction of the highway, aggravated trespass and assault. A large scale joint operation with DCC had taken place on the same day that Banks executed the writ on their land. Since then, the level and duration of the direct action taken since then had resulted in a detrimental impact on policing in the local area over the last eight weeks or so. K Wardle said that he was unable to comment further as several of these were going to court and a trial date had been set.
- 6.2 A Shield asked if it was a DCC or police led operation. K Wardle confirmed that it was a joint operation to remove protestors from the public highway and land owned by DCC and this was separate to the action taken by High Court Enforcement Officers on Banks behalf.
- 6.3 A Shield said that he had concerns about vehicles using roads around the site including Stoney Heap road and that roads to Stanley at school drop off times are very busy. L Stokes said that around 14,000 vehicles use that stretch of the A692 every day and the impact of the 32 laden Lorries from Banks would be minimal. S Hanlon added that it is not in their interest for Banks lorries to be sat waiting in traffic and the busiest times would be avoided wherever possible. C Teasdale advised that although Condition 15 specifies vehicle movement numbers the Condition goes onto say that these are an average when calculated over any four week working period. The number of vehicle movements could therefore be greater or less per day. S Hanlon again said that he was working on the basis of a maximum of 32 loaded lorries per day from the site. S Hanlon added that all drivers are issued with a control of vehicle movement's sheet which details all restrictions etc. C Teasdale added that the S106 includes an approved haulage route that sets out penalties

to be applied should any vehicle not adhere to the approved route which is A692, A693 then down to jct 63 on the A1(M).

- 6.4 J Triston asked how many people were released without charge. Insp K Wardle replied one.
- 6.5 Insp K Wardle said that the A692 is difficult to police but a suggestion was made that a temporary weight restriction could be placed on the Stoney Heap to Greencroft road. C Teasdale to investigate.
- 6.6 Insp K Wardle said that a meeting to discuss the policing matters could be arranged should people want one.
- 6.7 A Plant said that he had received three complaints about traffic light failure on the road and asked who was responsible for that. L Stokes added that the traffic management on the road today was not connected to the Bradley project however the lights had failed today. A Heron said that he was aware of people jumping the red lights which had resulted in traffic meeting halfway down and causing a blockage. A Heron confirmed that traffic management might be required for a few hours whilst the lanterns are installed however they would try to avoid the key busy times.

AP5 – C Teasdale

7 Views of Local Residents

- 7.1 J Triston asked of the boundary trees were being retained. J Lomax confirmed that trees along footpath 26 were being retained wherever possible and that the DCC Public Rights of Way Officer has allowed some flexibility with the route of the new Alternative Ways to facilitate this. J Triston asked about the translocation of the holly trees. J Lomax said this work would be carried out in autumn and a site visit will take place with DCC officers prior to this to agree suitable trees.
- 7.2 J Triston asked what the notifications would be for the blasting on the site. J Donnelly replied that a test blast would be done on the site and liaison committee members and residents living closest to the site could be invited to attend this. A Shield asked if airborne dust would peak during / after a blast. J Donnelly answered that dust is minimised using water. A Heron said the first blast for the site is not likely to be until spring 2019. The approved blast monitoring scheme states that blasts will not be carried out during church services at Brooms Church and no blasting shall take place with 500m of Douglas or Hedley Terrace, the latter also being covered by Condition 36.
- 7.3 J Triston asked if the site would be landfilled to fill the hole. J Donnelly replied definitely not and the material extracted

would be used to fill the void and that bulkage means there will be enough material without landfill.

- 7.4 J Triston said that footpaths were stony and who is responsible for clearing them. The responsibility of the footpaths along the A692 actually falls with DCC but the handover inspection will clear up these issues. A Heron advised that if there were obstructions on the alternative ways that these would be addressed.
- 7.5 J Triston queried when the translocation of the holly trees would take place. J Lomax advised that she is going out with DCC landscape officer to agree the best ones to translocate to the new Billingside ponds area and this would occur in early September.
- 7.6 J Triston said that one resident had experienced noise at 6.58am one morning. L Stokes asked J Triston to confirm dates and details and he would investigate. J Triston also said another resident had commented about noise a couple of days ago. L Stokes again asked that J Triston to confirm details and he would investigate.
- 7.7 J Triston asked what make cameras are being used for the CCTV and what the lenses are used as no signage has been installed notifying residents who are operating them. L Stokes commented that signage is installed showing Steadfast as operating the cameras. D Marrs requested that Banks check that they are not looking at residents homes. L Stokes to find out the make and focal length of the equipment.
- 7.8 L Carr asked what commitment Banks could give about complying with S106 requirements for the site. J Lomax answered that Banks had faced an extremely unusual set of circumstances beyond their control on this site that had resulted in non-compliance with the specific clause of the S106 relating to programme. However, the roadworks were now complete in accordance with the S106 and all other commitments are being met. C Teasdale added that Condition 14 would not allow coal to be removed from the site and all other matters had been addressed. Other S106 requirements to be fulfilled prior to soil stripping had been and ongoing S106 requirements will be monitored.
- 7.9 Fr John Bagnall asked if security had been using their car park. A Heron replied that it had previously been used periodically but the car park for Banks staff and contractors by all parties has been in place for weeks.
- 7.10 C Bell asked if residents could have a site visit once the site is fully operational as he had received a lot of interest in the

AP6 J Triston

AP7 L Stokes

site. J Donnelly said that would not be a problem and could be arranged.

8 Any Other Business

8.1 L Stokes commented that the next meeting would include discussions on the restoration management plan and also the community fund. It was suggested that subgroups could be set up. A Heron said that Banks would be happy to invite their landscape advisors to discussions regarding restoration.

AP8 – L Stokes

8.2 A Shield commented that other applications for coal sites in the area had expired.

8.3 A Shield commented that the A694 at Shotley Bridge road was being closed temporarily next week for repairs over a 4 day period.

8.4 A Shield reiterated that he would arrange a meeting with Legal and Planning Officers from DCC and anyone wishing to attend should contact Alan Shield. Insp Wardle also advised that he would be happy to facilitate a community meeting with the police.

AP9 – ALL

8.5 L Stokes again offered members the opportunity to come to one of their operational sites and look at some of their restored sites at the same time. Members to contact L Stokes if they are interested.

AP10 – ALL

8.6 J Triston said that point 3.18 in the Minutes from February was in correct. C Teasdale confirmed the site working times as follows;

- a) 7am – 7pm Mon – Fri (site working)
- b) 7am – 12pm Sat (site working)
- c) 7am – 6pm Mon – Fri (coal haulage)
- d) 7am – 12pm Sat (coal haulage)
- e) 7am – 7pm Mon – Fri (maintenance)
- f) 7am – 4pm Sat (maintenance)

8.7 J Triston asked if someone else could take Minutes other than L Stokes to allow him to comment in the meeting. L Stokes replied that anyone is welcome to take their own notes during the meeting however he would continue to take Minutes. The Minutes are never meant to be a verbatim record of the meeting however were comprehensive enough to gather key points and comments.

8.8 C Rocke asked what Banks were doing to dispel myths circulating on social media. L Stokes said that Banks do not have a Facebook account so were not able to comment on that at all. J Triston said that several threats had been made

to protestors and people supporting them by people connected to Banks and asked what Banks would do about that. L Stokes replied that they would never condone threats made to anyone regardless of who they were made by or where they worked and if anyone had felt threatened then they should report that to the appropriate authorities. If they had evidence to submit to Banks then they could do so via L Stokes or the feedback@banksgroup.co.uk address. Insp K Wardle added it is the responsibility of the social media platforms to monitor their sites and any threats should be reported to the Police if appropriate. J Triston agreed to send the information she has to Insp K Wardle.

AP11 J Triston

8.9 C Rocke commented that several people had accused others of cutting down trees and hedgerows. A Heron confirmed Banks had cut down the hedgerows needed for their access however would retain trees and hedgerows wherever possible including the tree which the illegal protestors chose to put a treehouse in.

8.10 L Stokes circulated the newsletter and confirmed this would be distributed to around 5,000 properties in the wider community from w/c 18 June 2018.

9 Date & Time of Next Meeting

The next meeting will be held on Monday 10 September at 6.30pm. A Shield to book Leadgate Methodist Chapel. Food will be provided.

AP12 – A Shield

Minuted by Lewis Stokes
14 June 2018