

SECTION B – MATTERS FOR INFORMATION

Current Position Paper Regarding Margam Open Cast Coal Site (OCCS)

Enforcement Reference Number: E2013/0028

Background

As Members will be aware, Margam Open Cast Coal site ceased coaling in 2008 and since that time there has been no restoration of the site. Concerns have been raised by elected Members and residents within the local communities with regard to the lack of progress in relation to enforcing restoration.

Members will recall that a report was placed before this Committee in September 2015 which advised on the history of the site, the enforcement constraints and the options going forward. Four options were proposed at that time which were as follows:

Option One: Serve an Enforcement Notice

Option Two: Serve an Enforcement Notice requiring an alternative restoration scheme ('under-enforcing')

Option Three: Advise Celtic and Oak/Beech to seek planning permission for an alternative restoration scheme which **proposes** a new S106 agreement which would supersede the existing S106 agreement.

Option Four: Spend the money in the Escrow fund to undertake site safety and security works together with limited **landscaping** works.

After a significant debate, Members resolved to accept Option Three, however this would be subject to a strict timetable to ensure that all parties progressed towards restoration of the site as soon as reasonably practicable. The agreed timetable was as follows:

Action	Date
Commence pre-application discussions with all regulators	31 st October 2015
Commence partial dewatering of the void	31 st October 2015
Submit Planning Application to both Local Planning Authorities.	Beginning of January 2016
Submit all necessary consents to NRW	Beginning of January 2016
Determination of planning application (subject to all required information being submitted on time)	30 th April 2016
Work on a new Section 106 to run in tandem with the planning application. Signing of the S106 by all interested parties	30 th April 2016
Commence works on site	31 st May 2016
Complete site safety and alternative restoration works	No later than May 2017

Progress to date

Members should note that since this resolution was made, officers from the Council as well as other regulators and representatives from Celtic have been working together to ensure that sufficient information is compiled to enable for the submission of an application for the alternative restoration scheme.

As part of this process it was considered important to involve the Coal Authority who have substantial experience in designing, implementing and supervising large scale restoration schemes. As a consequence of the involvement of the Coal Authority, late alterations to the design of the restoration scheme were made. The application was subsequently submitted to both this authority and to Bridgend County Borough Council on the 2nd February 2016.

Whilst it is acknowledged that this is a delay of a couple of weeks, it should be noted that the role of the Coal Authority is key to the successful delivery of this scheme. Not only will we be able to draw down upon their wealth of experience in this field to ensure that only essential works are completed and costed from the escrow account, but they will

also ensure that sufficient funds are set aside to secure the delivery of the absolutely essential elements of the scheme. These include the creation of the drainage channel to maintain safe water levels within the void and the reinstatement of both Crown Road and Bedford Road, albeit to a lesser standard than was the case prior to the working of the site.

Whilst it is acknowledged that progress has slightly departed from the timescales previously identified, the submission of the application and the cooperation of all parties to get to this stage, demonstrates a commitment to secure an acceptable alternative form of restoration for this site.

Given the controversy and complicated history associated with this site regular updates will continue to be presented to Members. This will include the application for the alternative restoration scheme being reported to the Planning Committee for a decision

RECOMMENDATION

That Members note the contents of this information report