

Bent David

From: Paul Dempster
Sent: 14 August 2012 11:22
To: Mackay Duncan; Bent David; Lomas John; Peter Robinson
Subject: BFL meeting notes
Attachments: Minutes-Tearsal!Planning-31-7-12.doc

Dear All

Please find attached a copy of my meeting notes from our recent meeting regarding the various ongoing planning related matters at BFL. I trust that you find them an accurate reflection of our discussions but feel free to add any comments as you feel appropriate.

I apologise for the delay in issuing the attached but I have been away on holiday and I am just trying to catch up. Any queries give me a call.

Regards

Paul Dempster
Director



LRM Projects

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TEARSALL PLANNING AND PROGRAMMING MEETING

31 JULY 2012

AT ALDERN HOUSE

MINUTES

Paul Dempster	LRM	
David Bent	PDNPA	
Duncan Mackay	PDNPA	
John Lomas	PDNPA	(part)
Peter Robinson	BFL	(part)

PART ONE – TEARSALL

1.0 Progress to Date

- 1.1 PD stated that progress so far had mainly focused on getting general matters at BFL back onto an even keel since the takeover. This was now well in hand and attention is now focusing on taking the business forward in a coherent and coordinated manner.
- 1.2 With regard to Tearsall the surface and land leases are close to being executed. Issues relating to the Waste Management Licence are being investigated and clarified.
- 1.3 The appropriate level of survey work for GCNs has been undertaken at the appropriate time. This has allowed the submission of a licence application to NE for approval. The anticipated date for issue of the licence is 13 August 2012.
- 1.4 A survey to record the condition of the site prior to commencement of works and execution of the leases has been commenced. A full topographic survey has also been completed.

2.0 Professional Team

- 2.1 BFL has retained a professional team to provide specialist services that are required for the management and delivery of the Tearsall Planning Consent. These are as follows:

LRM – Project Management, Coordination, Landscape and Planning Services
 Wardell Armstrong – Geotechnical engineering and Archaeology
 Visiongeomatics – Topographic Survey and Computer Modelling
 TEP- Ecology

- 2.2 These services will be supplemented with BFL in-house professional resources.

3.0 Programme

- 3.1 A programme was issued entitled Tearsall Precommencement Planning Conditions and Preparatory Works dated 17/07/12 Rev A (A copy is attached).



3.2 The programme has been prepared to allow for the release of the pre-commencement planning conditions and other preparatory works in a coordinated manner that meets seasonal restrictions and planning timescales.

4.0 Pre-commencement Conditions

A brief discussion regarding each pre-commencement condition was had. It was not regarded as a full technical meeting, more an assessment of progress and key issues that have arisen.

4.1 Archaeology

WA and PDNPA archaeologists are in dialogue to agree the scope of works and appropriate methodology. There is an issue relating to the extent of underground exploration and recording of these workings. It is expected that the respective archaeological teams will come to a practical agreement on this. However, any agreement must have due regard for Health & Safety issues and Statutory Legislation.

4.2 Geotechnical Investigations

WA has submitted proposals for geotechnical investigation works which have been accepted by PDNPA subject to minor clarifications and amendment. A formal application to discharge the pre-commencement condition will be issued in the near future.

It is anticipated that the SI works will commence in the second week of August.

4.3 Geotechnical Assessment

This condition cannot be progressed until the results of the SI are known.

4.4 Spoil Mounds

A strategy for dealing with the spoil mounds is being prepared by TEP and will be issued in the near future.

4.5 Great Crested Newts

A copy of the licence application has been forwarded to PDNPA ecologists. This has been accepted with an additional requirement to undertake minor remedial works to the mitigation area. A formal application to discharge the pre-commencement condition will be issued in the near future.

4.6 Bats

A Bat survey has been recently undertaken and it is understood that nothing of note was recorded. An appropriate strategy is being developed which will include updated survey details. This will be forwarded in the near future by TEP.

4.7 Fencing

It was understood that the fencing details had been previously submitted to PDNPA and found to be acceptable. Unfortunately no record of this can be found at Cavendish Mill. PDNPA to forward copies of previous correspondence. LRM will then coordinate a formal application to discharge the pre-commencement condition.

4.8 Waste Treatment

Detailed topographic survey work has now been completed allowing landform modelling and quantities of material to be moved to be calculated. These works will be implemented onsite in accordance with the attached programme.



5.0 S106 Agreement

5.1 A S106 Agreement is in place, a bond requirement for £100,000 is set out within the document. At present it has been assumed that the bond will not be required until the operational works commence. It is currently assumed that this will coincide with soil stripping operations (March 2013). DB to confirm that this timing is correct.

5.2 Arrangement for bonds between BFL and PDNPA are currently being finalised and it is anticipated that the bond for Tearsail will conform to these arrangements.

5.0 Any Other Business

6.1 An outlying badger sett has been discovered onsite. Survey work has commenced and appropriate liaison and mitigation procedures will be put in place as required.

6.2 The diversion order for footpath and bridleway has been submitted and it is anticipated that this process will be completed by the end of December 2012. To date no objections, but progress will be monitored.

6.3 DM to forward the application to discharge conditions document.

PART TWO

7.0 Arthurton West Extension

7.1 It is intended to commence the restoration of Arthurton West Extension at the end of August/beginning September. The void is considerably larger than anticipated and therefore restoration works will take proportionally longer. It is intended to complete backfilling of Arthurton West Extension by the end of January 2013. Backfill material will be predominantly generated from Longstone Edge. This is considered the quickest means of achieving the restoration landform.

Tailings from TD4 will also be used as part of the restoration process. DB to confirm if PDNPA regard there to be any restrictions on the rock/tailings backfill mix composition. The restoration profiles and landscape works will be in accordance with the approved planning consent with topsoiling and landscape works being completed in Spring/Summer 2013 dependent on weather conditions.

Once the restoration landform has been completed this will form the access to Longstone Moor and the subsidence voids will be backfilled and subsequently landscaped at the same time as Arthurton West Extension.

5.0 Cavendish Mill

There is a significant ongoing programme of review and redesign at Cavendish Mill. Space is being created within the existing buildings by the removal of redundant plant and space is gained by rationalising plant and operations. A major review and rationalisation of water usage is also being undertaken. This will reduce the volume of water required in the processing operation and increase water recycling opportunities.

The overall intention is to move the processing operation to produce dry sand that can be taken by dumper directly for placement as restoration fill. This will replace the current requirement to pump tailings to TD4. In the short term TD4 will need to remain operational but it is hoped that decommissioning of TD4 will commence as soon as the belt press system becomes operational.

The scale and extent of a planning application that may be required to support the reconfiguration of Cavendish Mill is not yet known. However, as the results of the redesign become clearer the PDNPA will be informed and a planning strategy



evolved. The provisional target is to submit a planning application, if required, in January 2013.

9.0 Milldam Mine

9.1 A maintenance programme at the mine is now underway with a view to getting the mine operational as soon as possible. The existing consent expires in 2014 and therefore it is anticipated that a new consent will need to be submitted during 2013. BFL will work with PDNPA to develop a planning timetable/strategy.

9.2 DM to forward a copy of the outstanding planning application for minor changes to the compound area. It is the intention of PDNPA to approve this application. PD to check nothing has altered and inform PDNPA accordingly.

10.0 Longstone Edge

10.1 It is intended to work Longstone Edge for approximately 6 months in a localised area to retrieve ore and generate fill for Arthurton West Extension.

10.2 A geotechnical assessment of Longstone Edge has been undertaken by Wardell Armstrong.

10.3 A new planning consent will be required in due course. DB raised the possibility of reviewing the restoration scheme to create a feature that responds to the change of circumstances and natural colonisation. It was confirmed that BFL would in principle be receptive to look at revised restoration options that integrate operational requirements with landscape/ecological considerations. When a better understanding of the Cavendish Mill operations is complete it will be possible to start considering restoration options for discussions with PDNPA.

11.0 Tailings Dam 4

11.1 The introduction of a belt press system will mean that TD4 will become redundant and that decommissioning and restoration works can commence.

11.2 TD4 will still be required in an operational capacity until the belt press system becomes operational. At this stage it is considered that TD4 will remain operational for a further 2 years. This will be kept under review.

11.3 A detailed assessment and understanding of how the water management system can be amended will be an integral part of the decommissioning process for TD4 and the other tailings dams.

12.0 Long Term Maintenance

12.1 It is understood that elements of the long term maintenance requirements have been undertaken on an ad hoc basis under the previous management regime. The extent of this work has not yet been verified.

12.2 BFL are in the process of recruiting a 2 man estates team and they will take responsibility for undertaking long term maintenance works.

12.3 The window for undertaking the ecological reports has been missed for this year.

13.0 Any Other Business

13.1 The Watersaw Mine compound will be cleared as part of site improvement works within the next 8 weeks.

13.2 Water management of TD1, TD2 & 3 will be incorporated as part of a comprehensive review of water and drainage systems in association with works on TD4.



- 13.3 It was confirmed that the main tributor supplier is anticipated to be Furness Brothers. However, other suppliers may come forward on an ad hoc basis.
- 13.4 Wardell Armstrong have been appointed to undertake engineering services in relation to the tailings dams.

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Your ref: JC/LB/H110
Our ref: ABN/M2382&P5940&P5941
Date: 20th February 2012

Dear Mr Church

Potential Development Proposals at Backdale Quarry, Wagers Flat & Calver Park (Red Rake Sough), Longstone Edge East, Haddon Road, Calver

I refer to you recent meeting with Jim Dixon (Chief Executive), David Bent (Minerals Team Manager) and Sarah Foster (Planning Team Manager – South) regarding two potential development proposals on behalf of your client, Mr Peter Hunt.

I have been asked to co-ordinate a response to you regarding the proposals for the Longstone Edge East area; I understand that Sarah Foster will be writing to you regarding the former Cintride Premises in Bakewell which was also covered in the meeting.

I have also had regard to the discussions I had on site at Backdale quarry on the 21st December when my colleague Anthony Northcote and I met Peter Hunt to discuss the restoration and employment proposals in broad terms.

Your proposals for Longstone Edge can be described as follows, using the project references on the material produced by Oasis Architecture:

- **Project A (Backdale Quarry)** – Cessation of mineral extraction; restoration of the quarry; provision of new employment use and employment accommodation on the frontage of the quarry floor
- **Project C (Calver Park)** – Creation of Ponds; provision of eco-holiday complex
- **Project D (Wagers Flat)** – Cessation of mineral extraction; restoration of the quarry; provision of new agricultural buildings in the quarry; reinstatement/replacement of the farm complex at Bleaklow Farm

Backdale Quarry (MPA File Ref: M2382)

The Authority would welcome the cessation of mineral extraction at Backdale quarry which is a highly sensitive and prominent site in the landscape. As you are aware this site has had a long and complex planning history and achieving a satisfactory planning resolution to mineral extraction across the whole of the Longstone Edge East area would present the Authority with an opportunity for environmental enhancement.



The Authority would of course welcome proposals to regrade/landscape and restore the Backdale quarry, although it is understood that the existing topography and nature of the quarry faces impose a number of restoration limitations.

Policy MIN1 of the Peak District Core Strategy would support in principle any necessary planning application to achieve the restoration of this quarry. It would also represent an enhancement of the National Park in line with Policy GSP2 of the Core Strategy.

It appears from the brief details on the Oasis Architecture design board that the quarry face and main part of the quarry floor would be restored to amenity/nature conservation use in line with the priorities set out in Policy MIN1.

You then propose to remove the existing plant and buildings from the site entrance and erect an unspecified number of new employment buildings on the hardstanding of the site frontage behind the roadside tree belt. Whilst the sketches are only illustrative it is noted that this shows some 11 new buildings in a low traditional building style.

Policy GSP1 of the Core Strategy seeks to ensure that all development looks to achieve the conservation and enhancement of the National Park. The scale of the employment use proposed is likely to result in the proposals being classified as 'major development' under the definition in the Development Management Procedure Order by virtue of the site area and/or floorspace created. Policy GSP1 indicates that major development should not take place within the National Park other than in exceptional circumstances and that major development will only be permitted following rigorous consideration of the criteria in national policy.

Policy GSP1 does also go on to indicate that: *"Where a proposal for major development can demonstrate a significant net benefit to the National Park, every effort to mitigate potential localised harm and compensate for any residual harm to the area's valued characteristics would be expected to be secured."*

As discussed this scheme would need to weigh the benefit of the restoration of Backdale quarry against the impacts arising from the proposed new employment development and the Planning Committee would need to determine whether the proposals provide a sufficient net benefit to the overall National Park to outweigh the new development proposed. The proposal has merit and is worthy of being explored further, whilst the employment element would be contrary to the provisions of the development plan, there are also other material planning considerations to take into account in this case. We would need to see greater detail on the scale and type of buildings proposed to be able to provide a more definitive pre-application response.

The Authority would be keen to try and resolve the issue of mineral extraction across the whole of the Longstone Edge East area as an integral part of any development scheme. A resolution of that nature would represent a significant net benefit to the National Park which would weigh in the balance of any planning application. I believe you are aware that the Review of Mineral Permission (ROMP) for the 1952 planning permission for the Longstone Edge East area is stalled and the planning permission is therefore currently in Automatic Suspension, meaning that no mineral extraction can be undertaken under that consent at present.

There has been an ongoing issue with which party can carry forward the stalled ROMP, the Authority consider that the right to pursue the stalled ROMP lies with Bleaklow as appointed agents for RMC. If Mr Hunt acquires Bleaklow's interests then he would presumably acquire the right to act as agent. You should also be aware that the Automatic Suspension has been in

M2383 – Mr John Church

place since October 2010, after a period of 2 years in Automatic Suspension the Authority will be under a duty to consider making a Prohibition Order seeking to prevent future mineral extraction and waste disposal.

In general principle when mineral extraction ceases, all buildings and plant need to be removed and new built development on former mineral sites is not generally supported, the Authority would need to ensure that if it were to support your proposal it was for exceptional circumstances that did not establish a precedent for other mineral sites within the National Park, including other controversial mineral sites.

Policy DS1 of the Core Strategy seeks to focus major employment in Bakewell and focus other business uses of an appropriate scale into settlements or on the edge of those settlements. The site lies in the countryside in planning terms where in general Policy DS1 does not support the provision of new built employment development unless it is for a rural enterprise requiring a rural location.

Policy E2 of the Core Strategy sets out the strategy for businesses in the countryside; it supports the conversion of existing buildings and farm diversification proposals along with the growth of existing businesses. The policy states: *"Business use in an isolated existing or new building in the open countryside will not be permitted."*

The proposal would therefore constitute a departure from the development plan and would need to be advertised and considered as such. You have not asked us to consider a screening opinion for environmental assessment; however it is likely that the Authority would require an environmental statement for a development of this scale and type indicated in the outline proposal.

Policy LE8 of the Peak District Local Plan sets out the development management criteria for the design, layout and neighbourliness of employment sites. This would require the proposal to be assessed for issues including visibility, landscaping and screening and access. The site access is directly onto the B6001 and existing visibility is poor. The proposal to utilise the site frontage for employment use may be seen by the Highway Authority as an intensification of use of the existing access and they may therefore seek enhancement of the visibility splays. You can seek further guidance on the visibility requirements by consulting the Highways Design Guide at <http://www.leics.gov.uk/htd> which covers Derbyshire, Derby City, Nottinghamshire, Nottingham City, Leicester City and Leicestershire.

To the south-west of Backdale quarry near Brightside Cottage lies the Brightside Lead Mine Scheduled Ancient Monument (SAM). Your restoration and development proposals do not cover the area of the SAM but you should be aware of its presence. There is also the issue of the Public Right of Way that bisects the site and was temporarily diverted for the mineral extraction. The Highway Authority will be seeking either the reinstatement of this Right of Way on its original alignment or its permanent diversion.

Calver Park (Red Rake Sough) (LPA File Ref: P5941)

This area is referred to as Calver Park in your proposals but is known as Red Rake Sough in our planning records. This is part of the 1952 mineral planning permission area but has also been put forward for other uses over the years. Your proposal involves the creation of ponds, retention of the mature woodland, creation of a site access and the development of eco-tourism accommodation. This would involve 15 low impact new buildings providing two and three

bedroom accommodation, with the accommodation being carbon neutral through the use of sustainable design.

Pre-application advice was sought in 1995 to operate the site as a fish farm; it was advised at the time that permission was unlikely to be granted as it was considered contrary to policy on tourism and landscape grounds and for substandard access.

In August 1992 an enforcement notice was served on this site alleging the unauthorised erection of 3 dams and the creation of ponds on the land. An appeal against this enforcement notice was allowed on the 7th September 1993 and planning permission for the erection of 3 dams and the creation of ponds was allowed. This permission did not allow the ponds to be put to commercial use. The former tailings ponds which were utilised for the washings from the lead mining operations were actually removed during previous mineral extraction works permitted by the 1952 consent.

Red Rake Sough contains a Scheduled Ancient Monument (SAM) in the north-west corner of the site, approximately where you illustrate the site centre and car parking. Obviously the SAM would need to be retained undisturbed in any development proposal and it would appear that you are unaware of its presence on site. The site also has a public right of way across its north western corner and along the eastern boundary. There are historical records of Newts being on the site as well.

Policy RT2 of the Peak District Core Strategy indicates that new built holiday accommodation will not be permitted, except for a new hotel in Bakewell. The target for holiday accommodation provision is for the change of use of traditional buildings. The eco-tourism nature of the designs you propose do not change the principle that the Core Strategy seeks to resist development of this nature. All new development has to have regard to sustainable building techniques by virtue of Policies GSP3 and CC1 in any event.

Policy DS1 of the Core Strategy does allow for the potential for tourism proposals in the countryside but Policy RT2 amplifies this approach in relation to holiday accommodation specifically.

It is therefore considered that this proposal is unlikely to attract planning support given that it is contrary to the provisions of the development plan. In this scheme there are unlikely to be other material planning considerations that might pull in support of the proposal and as the Authority has previously advised, development in this area is unlikely to be supported.

The proposal would therefore constitute a departure from the development plan and would need to be advertised and considered as such. You have not asked us to consider a screening opinion for environmental assessment; however it is likely that the Authority would require an environmental statement for a development of this scale and type indicated in the outline proposal.

I do not consider that this proposal has any functional connection to the proposals that you are putting forward for Beckdale quarry and whilst it is part of the same 1952 planning permission area they represent two different proposals in the view of the Authority. I do not envisage any circumstance where a proposal of this nature would be likely to attract officer support in any recommendation to the Planning Committee.

Wagers Flat (MPA File Ref: M2382)

As you are possibly aware the quarry at Wagers Flat currently has no operational permission for mineral extraction in force and as such the existing mineral on site cannot be removed from site. The material currently on site should be utilised as part of the infilling and restoration of the Wagers Flat quarry.

The Authority would of course welcome proposals to regrade and restore the Wagers Flat quarry with a return of the area to productive and beneficial agricultural use. Policy MIN1 of the Peak District Core Strategy would support in principle any necessary planning application to achieve the restoration of this quarry. It would also represent an enhancement of the National Park in line with Policy GSP2 of the Core Strategy.

In broad terms quarries should be restored to amenity/nature conservation use ahead of agricultural/forestry use, but it is recognised that this site lies within an agricultural landscape. It would not generally be the case that restored quarries would be re-used for the siting and erection of buildings.

Whilst I can understand your arguments about the prominence of the Longstone Edge area and the exposure to the prevailing weather and the potential merits in erecting new agricultural buildings within the remaining depression left by the restored quarry this would not be the preference of the Authority. The Authority would prefer any new buildings to be located at Bleaklow Farm itself. If any buildings were to go in Wagers Flat it is likely that additional tree planting may also be required to ensure that buildings in this location do not pose a landscape impact and that restoration reflects the landscape character of the area.

If you were to want to take this matter forward then Policy CS1 of the Core Strategy would support new agricultural buildings in the countryside in principle. It would however be necessary to demonstrate that additional agricultural buildings were necessary for agricultural purposes and that for operational reasons they were best located and necessary in the Wagers Flat area, rather than being located at Bleaklow Farm itself. Policy LC13 of the Peak District Local Plan seeks to focus new agricultural buildings close to the main groups of buildings wherever possible and in all cases relate to and make best use of existing buildings, trees, walls and other landscape features. You may therefore wish to reconsider this proposal as part of the overall replacement and refurbishment of Bleaklow Farm.

From the illustrative material produced by Oasis Architecture it would appear that you are considering traditionally designed agricultural buildings which would better reflect the criteria of Policy LC13 rather than modern utilitarian type buildings. Care would need to be taken to ensure that any access track to these buildings does not itself become an intrusive feature in the landscape.

If you were looking to pursue this proposal further then a composite planning application dealing with the quarry restoration and the after-use including the agricultural buildings would probably be the most sensible option.

You have not asked us to consider a screening opinion for environmental assessment; however it is likely that the Authority would probably not require an environmental statement for a development of this relatively minor scale indicated in the outline proposal.

Bleaklow Farm (LPA File Ref: P5849)

You propose to rebuild or replace the existing farm complex at Bleaklow Farm, Policy DS1 of the Peak District Core Strategy will support in principle agricultural related development in the countryside.

If you were to want to take this matter forward then Policy CS1 of the Core Strategy would also support new agricultural buildings in the countryside in principle. It would however be necessary to demonstrate that the scale and nature of the replacement agricultural buildings were necessary for agricultural purposes and that for operational reasons they were best located at Bleaklow Farm itself.

Policy LC13 of the Peak District Local Plan seeks to focus new agricultural buildings close to the main groups of buildings wherever possible which this proposal does and in all cases relate to and make best use of existing buildings, trees, walls and other landscape features. This policy also seeks to encourage new development respecting the design, scale, mass and building traditions which are characteristic of the area. You do not indicate any illustrative details of this scheme for further comment but is likely to be acceptable in principle.

There is a Scheduled Ancient Monument (SAM) at Bleak Low Bowl Barrow to the east of the farm but this will not be affected by the development. There is also a public right of way running past the eastern side of the farm but again is unlikely to be affected by your proposals.

If you were wishing to take this element forward then it would be best to separate this application from the Wagers Flat quarry proposals for ease.

Conclusion

In summary it is my view that the proposals you have for Backdale quarry have merit to be explored further to determine whether the potential benefits can outweigh the development plan presumption against employment development in this location. I also consider that the proposals you have for Wagers Flat and Bleaklow Farm would attract in principle support. Unfortunately however I do not consider that support is likely to be forthcoming for your tourism proposal at Calver Park (Red Rake Sough).

Your proposals involve a mixture of mineral related restoration proposals and non-mineral development proposals and as such may be dealt with by different case officers. Officers in my team would deal with any proposal involving the restoration of Backdale quarry and Wagers Flat. Officers in our Northern Area team, under the leadership of John Keeley would deal with any applications relating to Bleaklow Farm and Calver Park.

Should you require any further information or clarification on this letter please do not hesitate to contact me on 01629 816235 or email david.bent@peakdistrict.gov.uk or you can contact John Keeley on 01629 816378 or email john.keeley@peakdistrict.gov.uk

Yours sincerely

David Bent
Minerals Team Manager
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My Ref: JC/LB/H110
Date: 8 January 2012

PEAK DISTRICT NATIONAL PARK AUTHORITY	
ALLOCATED GROUP OFFICER	JBD/CEO
DATE REC'D	9 JAN 2012
ACKNOWLEDGEMENT	
REPLY:	
FILE ALLOCATION:	
COPIED TO:	



Mr J Dixon
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ENCL 1-198

PERSONAL

Dear Mr Dixon

Former Cintride Premises, Buxton Road, Bakewell and Blackdale Quarry & Plant, Hassop Road, Calver

I am writing to you on a personal basis having recently been instructed in respect of what I believe will be two very important development proposals that I hope will be forthcoming in the near future. They are both, I believe, very significant in terms of long-standing environmental problems in the National Park.

The first is an opportunity to redevelop the site of the former Cintride works at Buxton Road, Bakewell. This prominent "gateway" site at Bakewell's entrance on the A6 from the Ashford-in-the-Water direction has long presented a very unsatisfactory visual approach to the town. Now that the proposals for the Riverside Works have been withdrawn at appeal, there is an opportunity, in my client's opinion, to take a fresh look at how the Cintride site might contribute to housing provision in Bakewell. My client, Mr Peter Hunt, has in mind a proposal that would include for a substantial proportion of affordable housing as well as some units that will be exclusively available as holiday lets. We think that a pre-application discussion with you about the merits of this approach will be extremely helpful.

The second opportunity, again on behalf of Mr Hunt, is to look at the future of Blackdale Quarry and its associated plant at Hassop Road in Calver. This very significant scar on the National Park's landscape is something that I am sure can be ameliorated if the will exists for a beneficial development to be carried out. Mr Hunt has in mind a proposal, albeit at its very early stages, to restore the quarry, abandon all proposals for mineral workings on the associated land and to carry out extensive landscape remodelling and intensive planting in order to provide a level platform for a redevelopment for a limited number of new employment users. The issues will be complex but I am sure that the opportunity can be taken to have meaningful discussions with the Authority.



Because I think that we can best be directed as to the future at the highest level, I am taking the liberty of writing to you to ask for a meeting. In September of this year it will be 50 years since I started my career in town planning at Aldern House in the days of the then Peak Park Planning Board. This journey has been a long and satisfying one and as I move towards the end of my career it will be extremely satisfying to be involved in two projects that I believe can bring real benefit to the area.

If you are amenable to a meeting, I shall be extremely grateful if you could suggest dates when I could arrange to meet you, if necessary taking a look at the sites to explain what we have in mind at this stage.

I look forward, therefore, to hearing from you in the very near future.

Yours sincerely

John Church

Site Meeting Wednesday 21st December 2011Backdale, Wagers Flat & the Eastern end of Longstone Edge**Present**

Peter Hunt
 Andrew Daiey
 David Bent
 Anthony Northcote

Apologies

John Keeley

We met Peter Hunt and Andrew Daley on site at their request to discuss the potential for the Backdale site. Peter is currently in negotiations to purchase the whole of the interests of Bleaklow Industries, including all of the farmland at Bleaklow, together with Wagers Flat, Backdale and Peak Pasture. The purchase also appears to include the acquisition of the Slaked Lime business. The purchase if it is completed would take place in late January 2012.

Peter does not appear to be interested in further mineral extraction, nor does he appear to have much appetite for continuing to run the Slaked Lime business. He wishes to utilise the Bleaklow farm enterprise more productively and as part of that he may want to discuss a replacement farm dwelling at Bleaklow with the Authority in due course.

The ambitions for the Backdale site are based around some restoration works, with the introduction of a handful of new B2/B8 employment units on the quarry floor to the south of the existing buildings. He would hope to re-vamp the existing buildings as a further B2/B8 unit. The restoration works would include the movement of the existing spoil on site to form a new lower bench platform at the 15m bench level on which to undertake new strategic planting. It would not be possible to create a higher bench at the next level due to insufficient material on site, but some limited planting may be possible. They would also propose to introduce some additional tree planting on the site frontage behind the existing trees to mitigate views of the industrial buildings from the footpath on the opposite hill.

We discussed the ideal viewpoint of the Authority, i.e. to see the Backdale site restored fully with the buildings removed and Wagers Flat filled in and restored to agriculture. There are no difficulties with achieving this on the Wagers Flat site. We also discussed the fact that the ROMP on the 1952 permission is in Suspension and come the end of October 2012 the Authority will need to consider a Prohibition Order. We also discussed what have been the ambitions of Glebe to work the Peak Pasture area. This purchase does not appear to include the purchase of any of the Glebe mineral rights.

We also discussed how employment units on the site would be contrary to policy, both in terms of national and local policy relating to minerals policies and our employment policies. We also talked about the difficulties and challenges that the eastern end of Longstone Edge has posed the Authority and the sorts of considerations the Authority would need to consider to any proposal being advocated as an exception to planning policy. The meeting was an exploratory meeting to help them understand the planning context and to allow us to understand what they are considering.

No indication was given on the merits or not of the scheme being posed, our discussion focussed on the generalities of the planning issues with the site. This includes the fact that the Authority does not consider that the Slaked Lime business has planning permission; the buildings only authorised use is for the processing of vein mineral from the Derbyshire orefield; that no B2 use is authorised on the site; the buildings are required to be removed on cessation of their vein mineral processing use; and that the parking of lorries on the site is unauthorised.

We also discussed the merits to the streetscene in the removal of the existing building complex in any restoration or new use scheme.

Plainly whilst Peter Hunt is looking to achieve some financial return from the Backdale site, the measures he was suggesting for restoration would be likely to cost in excess of the financial returns available from the development proposed. He did seem potentially keen on the public status of being seen to address this problematic site.

They will let us know in January if they do purchase the site, I got the impression that the purchase is likely to continue as I do not think anything we told them today was of surprise. They did not request any formal view of the Authority on their proposal at this stage.

Given the high profile nature of the site and the complicated planning issues involved, together with the competing material planning considerations this is an issue where a consensus view could helpfully be reached internally before we got asked for any formal view from Peter Hunt.

Anthony Northcote
21st December 2011

Circulation: John Lomas; Bob Bryan; John Keeley; David Bent; File - M2382

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Mr John Withinshaw
 Brabners Chaffe Street
 Horton House
 Exchange Flags
 Liverpool
 L2 3YL

Your ref: JPW.KW.1084B-005
 Our ref: BP/CP/M2382
 Date: 6 January 2011

Dear Mr Withinshaw

Longstone Edge – Review of Old Minerals Permission

As you will be aware, I wrote to you on 30 July 2010 in relation to the information required by the Authority to enable it to undertake a screening opinion. In that letter I made it clear that the deadline date for the provision of the required information was 31 October 2010. However, no information has to date been received from your clients.

In view of the fact that the information required was not received by the due date, the Authority considers that, by operation of law, minerals development under the 1952 permission was suspended on 1 November 2010 by virtue of Regulation 26A(17)(d) of the 1999 Environment Impact Assessment Regulations, as amended. The effect of this is that, in accordance with Regulation 26A(13), no minerals development may take place until the applicant has complied with all of the provisions referred to in Regulation 26A(17) which are relevant to the ROMP application.

You will be aware that after two years of automatic suspension the mineral planning authority has a duty under Paragraph 3 of Schedule 9 to the Town and Country Planning Act 1990 to make a prohibition order if the required information is not provided. However, this action can be avoided if the relevant information is submitted within the two year suspension period.

To give more certainty to the ROMP process the Authority would be grateful for confirmation as soon as possible as to:

1. Whether your clients are intending to continue to be involved in the ROMP process. Our understanding of the situation is that your clients have previously acted as agents for RMC Roadstone Limited in all aspects of the ROMP application. Please would you confirm that this is still the position.
2. Whether your clients intend to submit information in pursuance of the ROMP and in particular whether they have any plans to work Wagers Flat, Beacon Rod or Backdale.

If your clients are not intending to be further involved in the ROMP process, we would be grateful for a clear statement to that effect. Similarly, if there is no intention of any future working at Wagers Flat, Beacon Rod or Backdale, please could you confirm this.

Continued ...



Bremners Chaffe Street
4 January 2011

Meanwhile, in order for the suspension to be lifted before the 1 November 2012 the Authority will require compliance with all of the provisions referred to in Regulation 26A(17) which are relevant to the ROMP application.

For your information, the Authority has received a submission, including working plans, from Glebe Mines Limited in relation to the area of Peak Pasture. The Authority is not yet satisfied that Glebe have the necessary standing to be entitled to act as the applicant or agent for the applicant, and we have not formally registered the information they have provided as part of the ROMP application. We have informed Glebe that we require the necessary notice of agency from RMC Roadstone Limited before they can formally participate in the ROMP process.

I look forward to hearing from you.

Yours sincerely

Bev Primhak
Head of Law

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Hammonds LLP
 2 Park Lane
 LEEDS
 LS3 1ES

Your ref: RH2/GLE.98-23
 Our ref: BP/CP/M2382
 Date: 6 January 2011

Dear Sir

Glebe Mines Limited: Land at Longstone Edge – Review of Old Minerals Permission

I write in response to your letter to David Bent, dated 9 December 2010.

You will no doubt be aware that your clients met with John Lomas and David Bent from the Authority on 16 December to discuss the ROMP application and how it may be progressed. Issues discussed included:

1. Who is the 'applicant' for the purposes of progressing the ROMP and
2. What is the current status of the 1952 planning permission

In your letter you state that the ROMP application was a joint application by RMC Roadstone and Laporte and that for this, and other reasons, your clients as successors to Laporte should be entitled to take the ROMP application forward. Whilst the Authority accepts that the submission which accompanied the original ROMP application was made jointly between Laporte and RMC Roadstone Limited, it is clear on the face of the application that, as a matter of fact, RMC Roadstone Limited was the sole applicant. The Authority has consistently advised your clients that, in its view, Glebe Mines Limited is not an applicant with respect to the ROMP application and has invited them to submit evidence to the contrary, but to date, nothing to support Glebe's claim has been provided.

At this stage the Authority's view is that RMC Roadstone Limited and Bleaklow Industries Limited are the only entities capable of taking the ROMP application forward. This is because RMC Roadstone Limited, through their then agent RMC Aggregates (UK) Limited, gave written notice to the Authority by letter dated 2 July 2003 that "Bleaklow and their advisors are pursuing the application acting as agent for RMC, a simple arrangement established as a result of other legal obligations. ... further questions related to the application should therefore be directed at Bleaklow."

The Authority accepts that your clients acquired the assets from Laporte Minerals, and therefore have an interest in the continuation of the ROMP application, and for this reason they have been kept informed of the process. However, it is the Authority's view that unless or until the Authority is notified by RMC Roadstone Limited of any alternative agency arrangement it is not in a position to accept proposals regarding the ROMP scheme from third parties. Consequently it cannot formally register the information your clients have recently provided.

Continued ...



Hammonds LLP
4 January 2011

If your clients wish to formally participate in the ROMP process, we ask that they provide the Authority with the necessary notice of agency from RMC Roadstone Limited, thereby enabling the Authority to register their submissions as part of the ROMP process.

With regard to the status of the 1952 planning permission, on 12 August 2008 the Authority issued notification requiring information to enable the Authority to adopt an up-to-date statutory screening opinion under Regulation 5(3) of the 1999 Environmental Impact Assessment Regulations, as amended. This was served on Bleaklow Industries Limited and your clients. Due to legal uncertainty about the scope of the planning permission at the time, the Authority felt it was reasonable to agree extensions of time for the submission of the required information pending the final outcome of legal action taken by Bleaklow Industries Limited. Once the scope of the permission had been settled by the domestic courts, the Authority considered it was inappropriate for the ROMP process to remain on hold.

On 30 July 2010 the Authority wrote to both Bleaklow Industries Limited and your clients, requesting the information that was required to enable the Authority to undertake a screening opinion. In doing so it referred to the original Regulation 5(3) notification and granted a final extension of time for submitting the information until 31 October 2010. It was made clear in this letter that a failure to provide the information would lead to the automatic suspension of minerals development under the 1952 planning permission by virtue of the amended 1999 Regulations. It was also made clear to your clients that, in the Authority's view, they were not an applicant in respect of the ROMP application. However, they were sent notification in the event that, if they produced evidence to persuade the Authority to form a different view, the application might be able to proceed.

Bleaklow Industries Limited did not respond to the letter and the Authority has no information about their proposals for working the ROMP application site. Whilst your clients did provide some information with respect to part of the site, it was insufficient for the Authority's purposes and in any event, for the reasons set out above, the Authority was not able to register it.

In view of the fact the required information was not received by the due date, the Authority considers that, by operation of law, minerals development under the 1952 permission was suspended on 1 November 2010 by virtue of Regulation 26A(17)(d). In accordance with Regulation 26A(18), the development will remain in suspension until the applicant has complied with all of the provisions referred to in Regulation 26A(17) which are relevant to the application.

You will be aware that after two years of automatic suspension the mineral planning authority has a duty under Paragraph 3 of Schedule 9 to the Town and Country Planning Act 1990 (as amended) to make a prohibition order if the required information is not provided. However this action can be avoided if the relevant information is submitted within the two year suspension period.

In order for the suspension to be lifted before the 1 November 2012 and for the ROMP application to proceed, taking into account your clients' submission, the Authority will require:

Continued ...

Hammonds LLP
4 January 2011

1. written confirmation from RMC Roadstone Limited of the agent(s) acting on their behalf and the area(s) of land over which that agency extends and
2. compliance with all of the provisions referred to in Regulation 26A(17) which are relevant to the ROMP application.

The Authority has written to solicitors acting for Bleaklow Industries Limited in similar terms and has asked for clarification of the position with regard to their continued involvement with the ROMP process. Bleaklow have been informed of Giebe's recent submission, although it has been made clear to them that the Authority has not formally registered those proposals as part of the ROMP application.

We await your response.

Yours faithfully

Mrs B Primhak
Head of Law

GLEBE MINES LIMITED

Cavendish Mill, Stoney Middleton, Hope Valley, Derbyshire S32 4TH

Tel:

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243

Mr D Bant
Minerals Team Manager
Peak District National Park Authority
Aldern House
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5781

PEAK DISTRICT NATIONAL PARK AUTHORITY	
ALLOCATED GROUP OFFICER	DB/MINS
DATE RECD	13 DEC 2010
ACKNOWLEDGEMENT REPLY	<i>[Signature]</i> 16/12/10
FILE ALLOCATION: RECD TO:	2382

9 December 2010

Dear Sir

Longstone Edge – Review of Old Minerals Permission: NP/WED/0487/157

I refer to your letter of 19 November 2010 seeking further clarification relating to Glebe Mines' proposed working scheme submitted on 29 October 2010.

Please find attached (in pdf format for ease of viewing) a series of updated plans which address the issues and queries raised.

The issues raised relating to Glebe Mines entitlement to pursue the ROMP application are addressed in a separate letter from our legal team.

Please do not hesitate to contact me if you have any further queries.

Yours sincerely

Gary Goodyear
General Manager
Glebe Mines Ltd

Registered Office: Glebe Mines Limited, The Heath, Runcorn, Cheshire WA7 4QF
Email: info@glebeminest.co.uk Website: www.glebeminest.co.uk

Company Registration No. 3846248



Notes:

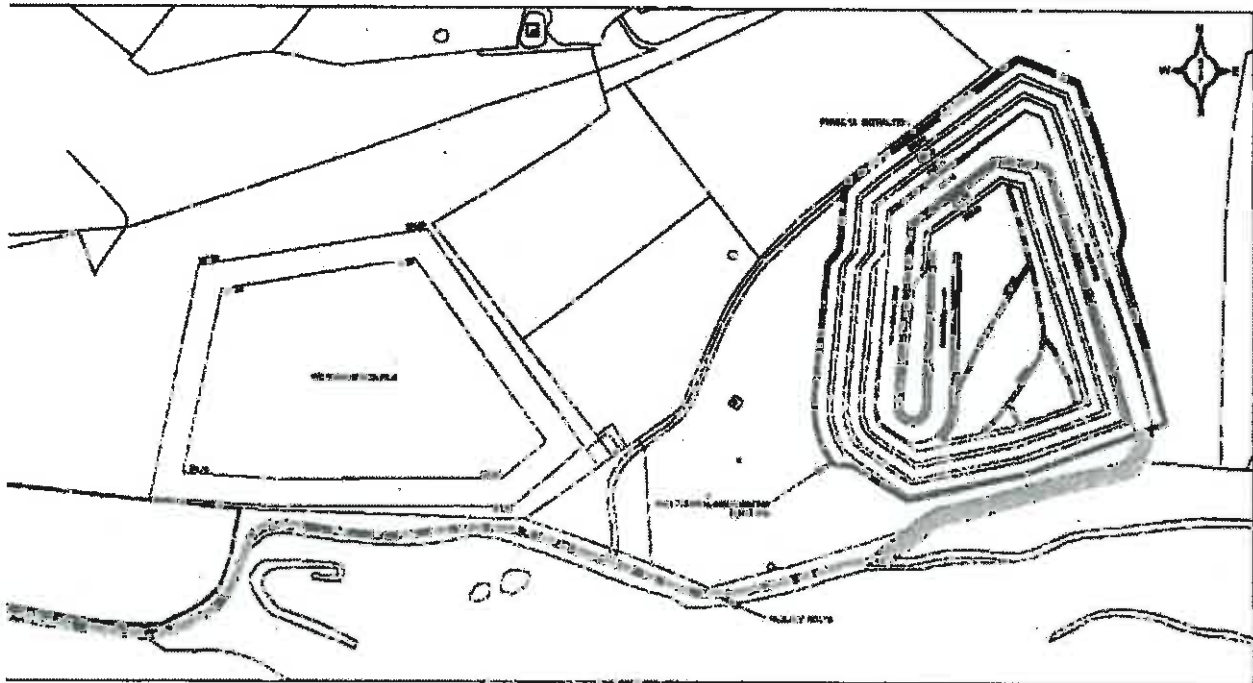
Notes:

- Area of Impediment as well as Glebe Mines' Consent
- Part of Right of Way within Glebe Mines Ltd. Mines' Consent
- Part of Glebe Mines Ltd. Mines' Consent

PROJECT:	PP_04_03.dwg	DATE:	AS
No.	Description	Class	By/Rev
Revisions:			
Rev:	DATE	BY	REASON
001	20.10.10	ET	1: 6,000
002	07/03	ET	1 of 1
TITLE: NEVEVAL CONSENT BOUNDARY			
SCALE: PEAK PACTURE			
PROJECT NO.	PP_04_03		

Glebe Mines Ltd.

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 High Valley
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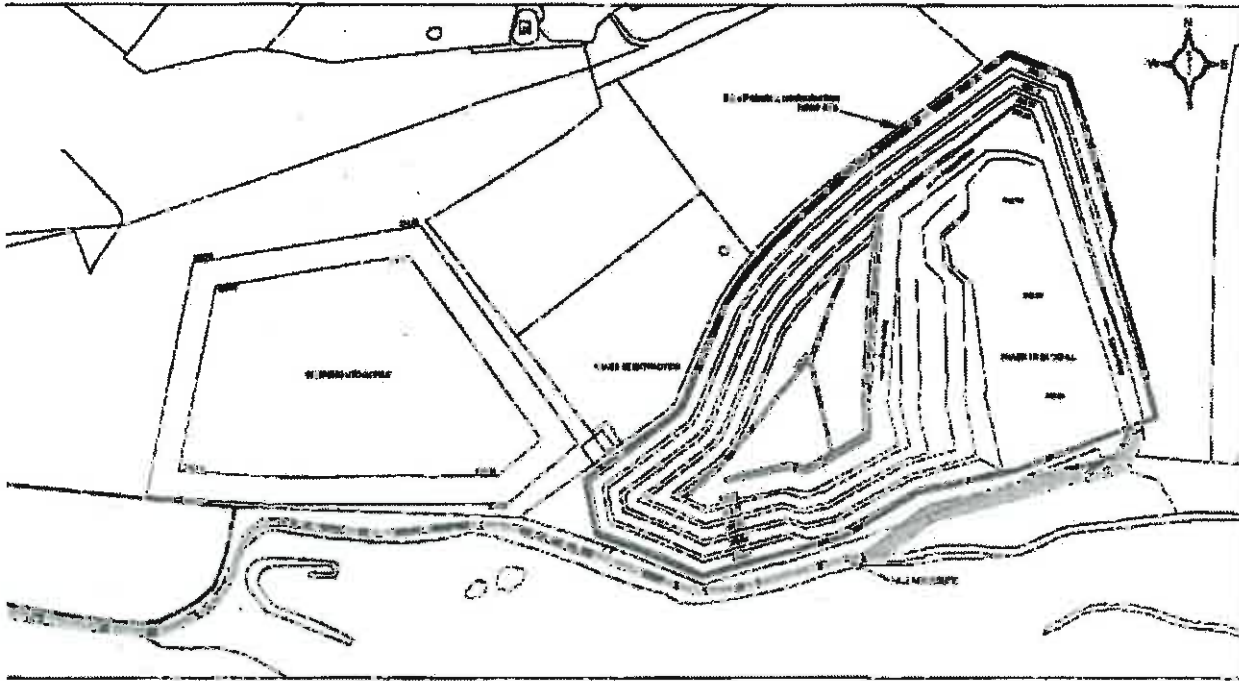
PHASE 1A PROFILE



PHASE 1A PROFILE	
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Scale: 1" = 100'



PHASE 1B PROFILE



NO.	DESCRIPTION	DATE	BY

PREPARED BY
 DATE
 CHECKED BY
 DATE
 APPROVED BY
 DATE

Hammonds

By First Class Post

Mr D Bent
 Minerals Team Manager
 Peak District National Park Authority
 Aldern House
 Baslow Road
 Bakewell
 Derbyshire
 DE45 1AE

Our ref RH2/GLE 98-23

Your ref BP/CP/M2382

Date 9 December 2010

Dear Sir

Longstone Edge – Review of Old Minerals Permission

We are in receipt of your letter to Messrs White and Goodyear dated 19 November 2010. We are instructed on behalf of Glebe Mines Limited and accordingly I would be obliged if you would ensure that all correspondence is copied to us for our information if not sent directly to us.

We note that in the second paragraph to your letter that you seek confirmation from my client that they are entitled to pursue the ROMP application. My client will provide the updated plans as also requested in your letter.

The planning permission in question and the ROMP application of 1997 cover a large area of land which is now in the ownership of, and operated by, two unrelated companies. In addition a third party owns the freehold surface of a smaller area of which the freehold ownership is unknown as this land is not registered.

With regards to the vast majority of the land the two companies owning and/or operating are Bleaklow Industries Limited and my client. The ROMP application was a joint application by RMC Roadstone and Laporte. Glebe Mines are the successor in title to Laporte only. Therefore the ROMP application is incorrect in terms of the land it covers and the operator(s) enjoying the benefit of the extant Planning Permission.

The Guidance published by DCLG at Paragraph 9.3 states that *"co-operation between, and a constructive approach by, mpas (sic) and operators will enable this objective to be achieved"* when discussing the supply of information in order to get stalled applications completed. I would suggest that a constructive approach is thus what is required here.

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20830581/6/L

Mr D Bent
Peak District National Park Authority
9 December 2010

As you are no doubt aware paragraph 3.13 of this guidance also recognises that MPAs may have informally agreed to those who are the successors to operators taking over stalled ROMP applications. The Authority seems to accept that my client has an interest in the continuation of the ROMP application as evidenced by your continuing correspondence and accordingly both parties seem amenable to cooperating in a practical way to conclude this process. As the overwhelming majority of the land contained in the 1997 ROMP application is controlled by my client I look forward to you confirming that my client is the applicant for the purposes of the ROMP application.

Unfortunately the relevant paragraphs (3.49 to 3.52) of the guidance presume that where there is one planning permission, but more than one operator, that all operators have a vested interest in completing the ROMP process so that the sanction of suspension of the permission is not applied. However, in this case although my client is keen to conclude the same may not automatically follow for the other operator (and the other party) benefiting from the extant planning permission. Paragraph 3.49 does refer to the situation where operators are not prepared to co-operate to produce a single ES in which case it is to be expected that each operator will produce their own information to show the effects of their development on the environment.

My client can only provide information in respect of land over which they have control. Going forwards if an EIA is required my client could only undertake this in respect of their own land and their proposals for it. The Guidance clearly allows for this situation and I suggest that this is the only practical way we can proceed.

If we can be of any assistance please do not hesitate to call the writer to discuss this matter otherwise we look forward to hearing from you by return.

Yours faithfully

Hammonds LLP

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NATIONAL PARK AUTHORITY

Glebe Mines Ltd
 Cavendish Mill
 Stoney Middleton
 Hope Valley
 Derbyshire
 S32 4TH

Your ref:

Our ref: Min 2382

Date: 19 November 2010

For the attention of Clint White/Garry Goodyear

Dear Sirs

Environment Act 1995 Section 96 Schedule 13 Review of old mineral planning permissions (ROMP): Stalled ROMP application ref NP/WED/0497/157 Longstone Edge.

I refer to your letter of 29 October 2010, providing information in response to the Authority's letter of 12 August 2008. Some of the information sought in the Authority's letter of 12 August 2008, and in a subsequent letter of 30 July 2010, has not been provided.

Information outstanding includes the provision of information confirming that Glebe Mines Ltd is entitled to pursue the ROMP application. Once we receive this information we shall consider it and advise you of our view as to the status of the submission.

The plan identifying the extent of the remaining area of the 1952 planning permission is incorrect in that it fails to include the area of Wagers Flat. As such this plan needs amending. The survey plan provided showing the extent of proposed working does not cover the whole of the site but is limited to part of the permission area around the Peak Pasture area, to the north and west of Backdale. To be certain as to the proposed extent of mineral development can you please provide a survey plan for the whole site into which the extent of the mineral working proposals are incorporated. The proposed working plans so far provided do not incorporate the extent of topsoil and subsoil removal and topsoil and subsoil storage areas, access arrangements between the phasing areas, or the access routes to and from the site, or the extent of any ancillary development required (e.g. location of processing plant, buildings or parking areas). As such, it remains unclear as to the full extent of disturbance that would arise as a result of the proposed workings. Can you therefore provide an amended survey plan incorporating the aforementioned issues.

In view of the above, the Authority is not in a position to undertake a screening opinion. The Authority may be in a position to provide a screening opinion once the outstanding information is provided. Can you please provide this information within the next 3 weeks.



David Bent
Minerals Team Manager
Planning Service
01629 816235

Mshared/planningaerviceletter/2010/minerals/Glob 9/3/11/10M2382

GLEBE MINES LIMITED

Cavendish Mill, Stoney Middleton, Hope Valley, Derbyshire S32 4TH

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Mr D Bent
 Peak District National Park Authority
 Aldern House
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 DE45 1AE

29th October 2010

PEAK DISTRICT NATIONAL PARK AUTHORITY	
ALLOCATED / GROUP	OFFICER
DATE	29 OCT 2010
REC'D	
ACKNOWLEDGEMENT	
REPLY	
FILE ALLOCATION	
COPIED TO:	

Dear Mr Bent

**Planning Permission Reference
 Review (RMP) Application**

**1898/S/09; WED/1177/464
 NP/WED/0497/157**

Further to your letter of 12th August 2008 requiring further information to enable the Authority to provide an up-to-date statutory EIA screening opinion please find attached Glebe Mines Ltd submission.

Please contact me if there is anything else you require.

Regards

Clint White
 Mines' and Technical Services Manager

Peak Pasture ROMP Scheme

October 2010

1 INTRODUCTION/ EXTENT/ TIMING

- 1.1 The following paper and attached plans describe the proposed scheme to extract the vein minerals and other associated minerals from the eastern end of Longstone Edge in the area known as Peak Pasture. The area of interest is shown shaded yellow on Drawing No. PP_04_SB, which also shows the extent of the mineral planning consent boundary marked red.
- 1.2 Glebe Mines temporarily suspended its right, through a legally binding s106 agreement dated 21 June 2010 with the Peak District National Park Authority, to extract those minerals in consideration of the grant of planning permission to extract vein minerals from land known as Tearsall.
- 1.3 On the basis of the s106 Agreement of 21 June 2010 the earliest that extraction can commence on Peak Pasture is 2014. Given that the Peak Pasture Consent is valid until 2042 the proposed scheme will have a duration of some 28 years with an estimated total output of 2.9Mt vein minerals and 5.9Mt limestone aggregates.
- 1.4 The proposal in respect of Peak Pasture is for the surface extraction of the minerals through the development of 3 separate open pits. Some 2 tons of limestone will be sold as aggregate for every ton of vein mineral extracted. The excess limestone generated during safety bench development will be stored in a temporary working stockpile above ground level prior to processing as aggregates.
- 1.5 This scheme is limited to the areas where Glebe Mines Ltd owns the vein mineral rights, shown on Drawing No. PP_04_SB and does not include any proposals for the extraction of minerals from Backdale, Wagers Flatt or Beacon Rod.

2 CURRENT AND PROPOSED DEVELOPMENTS**Current Situation**

- 2.1 The current status of the area (of which Glebe control) is that no vein mineral extraction has taken place during Glebe Mines tenure (post-1999). There are no active open pits or underground operations in the area and previous operations such as those on Deep Rake or Red Rake have been restored to ground level and returned to an agricultural after-use. The only area that has been subject to vein mineral extraction in modern times that remains open is an area to the east of Bramley Land and to the north west of Backdale Quarry but is of limited extent.

Geology/ Structure

- 2.2 The geology of the area is well known and the current assessment is based on surface trenching, grab sampling, deep boreholes, and aerial photographs, BGS Sheet No. SK27SW and production records from historical open pitting on the

site and adjacent areas. In addition to this underground mapping of mine tunnels and boreholes, has provided information to the west of the area for Red Rake and Gospel Rake at depth.

- 2.3 An underlying volcanic unit; believed to correspond to the Litton Tuff found in Sallet Hole underground mine; lies at between 115mAOD and 133mAOD across the area where the ground surface rises from near Dog Rake at 244mAOD to 271mAOD near Gospel Rake. Therefore the theoretical backs available for vein mineral extraction are up to 138 metres vertically. However, it is unlikely that the base of any of the proposed open pits will approach this depth and therefore the unit will have no bearing on either the extraction of vein minerals or on the geotechnical stability of the workings. The 2 principle vein systems of economic interest are Deep Rake and Red Rake. Deep Rake is considered to be the main feeder structure for the mineralization in the area with Red Rake being an important and significant branch to the north. Between these 2 veins there are numerous important "cross-cutting" offshoots that also contain vein mineralization. The veins are mineralized, vertical to sub-vertical fissures hosted in Carboniferous Limestone and exhibit a typical assemblage of fluorite-barytes-lead-calcite.

Status of Mineral Assessment

- 2.4 It is not the intention that this assessment should conform to the standards of the International Code for the Reporting of Resources and Reserves. It is clear that there is insufficient exploration data to support anything more than, at best, an Inferred Mineral Resource. It would be disadvantageous to the company at this stage to apply very strict application of the Code, as in doing so this would de-value, and restrict unnecessarily its rights to work the vein minerals on Peak Pasture for which there is already planning permission.
- 2.5 There is no doubt however, that there is sufficient evidence to support the contention that there are important resources located in the area and this is sufficient to support the principles of the excavation design. A summary of the parameters used to estimate the vein mineral tonnages that could be extracted from the Peak Pasture area is given in Appendix 1. The methodology used was to design open pits on the known and inferred veins present in the area (Drawing No. PP_002_OPD – sheets 1 to 4) and to generate long sectional profiles along those structures to calculate the area of mineral present within each pit. Width and assay data from trenches, boreholes and underground workings has then been used to generate volumes and tonnages for each of the open pits.

Mineralization

- 2.6 Three zones of mineralization have been identified for the purposes of open pit design in the area. These are (1) Gospel & Camm Rake (+offshoots), (2) Catlow Rake & parts of Dog & Red Rake (+offshoots) and, (3) Red Rake & Parallel Vein (+offshoots).
- 2.7 The mineralization is hosted in vertical and sub-vertical steeply dipping fissures within the limestone. The Red Rake and Deep Rake structures are the most significant ore-bearing veins in the area and are orientated approximately WSW-ESE and WNW-ESE respectively.

- 2.8 Gospel, Camm, Catlow, Dog Rake and numerous offshoots are believed to be sub-ordinate to Deep Rake and Red Rake and are orientated approximately SSW-NNE through to NNW-SSE.

Extractive Scheme

- 2.9 The mineralization in the area will be extracted from 3 discreetly separate open pits. These have been designed to allow safe access to the mineralization at depth by creating safety benches in the limestone host rock.
- 2.10 The vein mineralization will be excavated, blended and hauled to Cavendish Mill by private haul road incorporating for much of its length the existing Strawberry Haul road. The limestone host rock will be taken to a mobile primary and secondary crushing station with ancillary screening units and processed for sale as aggregate.
- 2.11 As the rate of extraction of rock will necessarily exceed the rate of sale currently allowed by the 2:1 ratio of limestone to vein mineral ore, it will be necessary to store the additional rock in a temporary stockpile on the ground surface in the area around Red Rake. It is estimated that this stockpile will have a capacity of some 400,00m³ (c.1Mt) and have average dimensions of 180m x 150m x 15m. This will be a working stockpile constructed during the first 10 years of operations and will be present for an estimated 20 years.
- 2.12 Once the stockpile has been created to its maximum designed capacity all further rock, until the stockpile is ultimately removed, will be tipped into exhausted open pit workings. Subsequently, all new rock generated will be either processed for sale as aggregate or used to restore levels in exhausted workings.
- 2.13 Extraction will initially commence on the Gospel and Camm Rake vein systems, and then move to the Catlow, Dog Rake and Red Rake East system and then the Red Rake (west) system.

Phase I - Gospel and Camm Rake Veins and Off-Shoots

- 2.14 The total volume at maximum extent of the open pit designed for the extraction of these veins is 1,836,143 m³ although progressive restoration means that it will never in reality all be open at any one time. The open pit will reach an average depth below surface of circa 65m (205mAOD), producing an estimated 1,111,161t of vein minerals at a ROM grade of 10% CaF₂.
- 2.15 In addition it will be necessary to drill, blast and liberate some 3,703,965t of host limestone to enable the creation of safety benches and access ramps. Of this some 2,222,323t will be sold from the site as limestone aggregate. As the rate of extraction will exceed the rate of aggregate sales it will be necessary to transport circa 400,000m³ of limestone to a temporary working stockpile over the Red Rake area (Phase Ia – Drawing No. PP_003_P1A).
- 2.16 Aggregates will be produced from this stockpile by mobile crushing and screening equipment located in the Deep Rake area over a period of around 20 years. The limestone extracted in subsequent years (Phase Ib – Drawing No. PP_003_P1B) will be used to restore the first half of the open pit, which by that time should be

fully depleted. Phase I operations are expected to have a duration of some 10-11 years.

Phase II - Catlow Rake, Dog Rake and Red Rake (east)

- 2.17 The total volume at maximum extent of the open pit is estimated will be 1,426,717 m³ and is shown in Drawing No. PP_003_P2. It is estimated that some 648,443t of vein minerals at a ROM grade of 10%CaF₂ will be produced along with some 1,296,887t limestone aggregate sales.
- 2.18 In addition it will be necessary to extract an additional 3,085,037t of host limestone that will be used to restore the Gospel open pit. The open pit will reach an average depth of 55m below surface (210mAOD). By the completion of Phase II of the operation the temporary working stockpile above Red Rake will be virtually fully depleted allowing the development of Phase III extraction. It is anticipated that Phase II will last some 6-7 years.

Phase III - Red Rake and Off-Shoots

- 2.19 The Phase III open pit has been designed to extract the vein system associated with Red Rake (west) vein and is shown in Drawing No. PP_003_P3. This will reach a maximum average depth below surface of 82m (200mAOD) and at its maximum extent have a volume of some 3,201,219 m³. It is estimated that some 1,173,666t of vein minerals will be produced at a ROM grade of 10% CaF₂ and that a total of 7,192,973t of limestone host will need to be extracted to allow access to the minerals at depth.
- 2.20 Of the limestone extracted some 2,347,331t will be crushed and sold as aggregates with the remaining limestone being tipped into the Phase II workings and any depleted workings associated with Phase III. Phase III is anticipated to have a duration of some 11-12 years.

Restoration/ Ecology

- 2.21 The exhausted open pits will be progressively restored using overburden rock from new developments in adjacent open pits. This will reduce the overall footprint of the developments certainly for the Gospel (Phase I) and Catlow (Phase II) open pits. It is anticipated that these open pits will be restored to near ground level or shallow valley features incorporating low cliffs on one or more sides.
- 2.22 When levels have been restored the topsoil stored around the perimeter of the pits will be spread and the land returned to agriculture. In the case of the Red Rake open pit (Phase III) it will not be possible to achieve similar levels due to a deficit of materials on the site. Therefore, in this instance it is proposed to leave a deep, steep sided valley with cliffs and scree to encourage bio-diversity. Soils would be spread around the base of the area to complete restoration. The final restored landform is shown in Drawing No. PP_003_P4.

Method of Working

- 2.23 In each case soils will be stripped ahead of extraction and stored around the perimeter of the individual open pits to provide screening and provide noise

attenuation. The soil will be seeded to prevent desiccation and wind blow, and will be safeguarded for use in restoration at the earliest opportunity.

- 2.24 Where possible the vein will be extracted ahead of drilling and blasting of the host limestone. This has been found to be the most efficient way to extract the vein minerals and maintain grade control. In most cases it is probable that the vein mineralization will not need to be drilled and blasted, being friable enough to be extracted directly using a 360' excavator. The host rock will be drilled and blasted, with blasting taking place approximately one or two times per week. Both vein mineral ore and broken rock will be dug at the face using large 360' hydraulic excavators and loaded into articulated dump trucks for haulage to either Cavendish Mill (ore) or the crushing station at Deep Rake.

Hours of Working

- 2.25 It is anticipated that working will take place between 07:00-17:00 Monday to Friday and from 07:00 - 13:00 Saturday. No working will take place on Sundays or Bank Holidays. It is not anticipated that any external lighting will be required on the site other than lights fitted as standard to operating plant.

Phasing/ Output/ Timing

- 2.26 There will be 3 main phases of operations associated with each of the individual open pits. Gospel open pit will necessarily have 2 sub-phases to allow for an initial period of working stockpile construction and then latterly for progressive restoration of the 1st half of the pit once it is exhausted. An overview of phasing output and duration is given in Table 1 below. An average rate of extraction is anticipated at this stage with a production rate of some 105ktpa vein minerals and 210ktpa limestone aggregates.

Table 1 – Output/ Timing

Phase	Open Pit	Vein Ore (t)	Lst Aggregate (t)	Lst Restoration (t)	Duration (a)
I	Gospel	1,111,161	2,222,323	1,481,642	10.6
II	Catlow	648,443	1,296,887	3,085,037	6.2
III	Red Rake	1,173,666	2,347,331	4,845,642	11.2
Total		2,933,270	5,866,541	9,412,321	28.0

Plant Requirements

- 2.27 It is anticipated that plant requirements for the scheme will be similar to those seen in recent years at the company's other operations on Longstone Edge in terms of the scale and number of equipment. The plant compliment is expected to comprise 4x40t ADT's, 2x40t 360' excavators, 2x966 FEL and 1xD9 dozer. In

addition to this there would be primary and secondary crushing units with ancillary screens.

Haulage

- 2.28 It is proposed that all vein mineral ore leaving the site would travel to Cavendish Mill by the company's private Strawberry Vein haul road in 40t ADT's. This would avoid having to put additional HGV traffic onto the local road system. All limestone aggregates would leave the site in a westerly direction along the restricted by-way to join the Longstone Moor tarmac road near to the restored Arthurton West open pit. From here it would travel to, and enter the A623 at Housley and be delivered to markets to the west and east of the National Park.

3 ENVIRONMENTAL IMPACTS

- 3.1 This section will attempt to identify the potential environmental impacts that may arise as a result of the proposed scheme.

Noise

- 3.2 Currently there is no mineral extraction taking place on Peak Pasture and any activities are related to agriculture or amenity use. There is no heavy equipment in the immediate area and noise levels are low.
- 3.3 The proposed equipment to be used for the development of the scheme will be to industry noise standards and only operate with all cowl and exhaust systems in place. Soil bunds around the perimeter of the open pits will provide baffling and as the site is fairly remote from centres of population it is anticipated that any noise generated will only have a low impact on residential and recreational amenity.
- 3.4 Additionally, much of the extraction activities, other than soil stripping and drilling and blasting on the upper benches, will take place below ground level resulting in low noise levels. It is anticipated that there will be an impact from the limestone crushing and screening operations and from the haulage vehicles used to remove aggregates from the site.

Vibration

- 3.5 There are currently no blasting operations taking place on the site and consequently no impacts from blast related vibration. Under these proposals it will be necessary to drill and blast the host limestone to liberate it prior to extraction. This will inevitably result in an increase in the perceptible level of blast vibrations locally and is anticipated will be comparable to levels associated with similar operations at Backdale and Bow Rake/High Rake. These will be maintained within accepted levels through appropriate blast design controls.

Dust

- 3.6 Currently there are no operations on the site that have the potential for significant/any dust generation. The site is farmed agricultural land and has a good soil and vegetative cover that precludes dust generation.
- 3.7 Under the proposals all crushing and screening will take place with the benefit of an Environmental Process Authorisation (EPA) issued by the Local Authority that will be subject to strict limits on fugitive dust emissions. Mobile crushers and screens will be fitted with spray bars fed from a water tank on-site whilst haul roads will be damped down in dry weather using a mobile dust suppression vehicle.
- 3.8 Monitoring of instantaneous dust levels will be undertaken on a regular basis using hand held equipment and on a monthly basis using static equipment ("frisbee") located around the perimeter of the site.
- 3.9 The impacts locally as a result of dust generated by the operations are considered to be minimal and it is anticipated that operations will not result in any significant increase to those seen during the operations at Bow Rake/High Rake or at Backdale. However, it is expected that dust levels will increase compared to the current situation.

Visual Impacts

- 3.10 The site is in an elevated position but overlooked principally from areas to the east. Currently, there are no workings in the area that present any visual intrusion in the landscape although to the south of the proposed workings, and outside the Glebe area, the Backdale Quarry has a significant impact.
- 3.11 During extraction the majority of operations will take place below ground level and have limited visual impact. However, the first phases of development will include soil stripping, drilling and blasting and the construction of a temporary working stockpile above ground along with crushing and screening units and various mineral product stockpiles. The most significant visual impact from the operations in the area is anticipated will be over a 20 year period from the temporary working stockpile that will be some 400,000m³ in volume and up to circa 15m high covering an area of some 30,000m².
- 3.12 Other impacts during operations are anticipated from the crushing and screening equipment and various items of plant (dumpers and dozers etc) that will be present above ground level on the site for the duration of the planning permission. Following extraction the restoration of the Phase I & II open pits will result in a return of those areas to landforms in keeping with the surrounding area although it is expected that some remnant cliff features will be retained.
- 3.13 There is likely to be a greater perceived visual impact following restoration of the Phase III open pit which will appear in the landscape as a fairly deep, steep sided valley feature with cliffs, roll-over and scree. During operations soils stripped from areas to be extracted will be stored around the perimeter of the individual open pits to provide screening from local public rights of way. However, these are likely to be of limited effectiveness to long distance views of the area.

Ecology

- 3.14 The area is currently farmed with the principal activity being that of sheep grazing. The area is characterised by areas of enclosed pasture with reasonably level fields separated by dry-stone walls. The proposals would see the temporary loss of some of those areas during extraction but ultimately the creation of a more diverse habitat following restoration with the retention of cliffs and scree. These types of area are known to have attracted raptor species in other areas of Longstone Edge.

Archaeology

- 3.15 Any archaeological interest within the areas of the proposed open pits will inevitably be destroyed during the extraction process. However, it is proposed that prior to extraction, soil stripping will be undertaken under a watching brief to record any archaeological finds that may be uncovered. During extraction any old workings encountered, that may constitute industrial archaeology, will be recorded.

Public Rights of Way

- 3.16 There are numerous public rights of way comprising Bramley Lane (restricted byway) to the south and other footpaths that cross the site and these are shown on Drawing No. PP_04_SB. It is not the intention, under these proposals, to divert or interrupt Bramley Lane. However, it will be necessary to permanently divert the footpath in the area of the Phase III open pit at Red Rake.

Tot Aggs (t)	Tot Sales (t)	Tot Restm Lat (t)	Tot Lit bulk (m3)	Rem Void (m)	OB: Sales (t)	Time (a)
2,222,323	3,333,484	1,481,842	789,314	1,066,829	0.4	10.8
1,298,687	1,945,330	3,885,037	828,463	498,254	0.9	6.2
2,347,331	3,520,987	4,845,642	2,516,806	688,213	1.4	11.2
5,868,341	8,799,811	9,412,521	4,133,783	3,253,296	1.07	28

Av Volume Extracted 230,880 m^{3a}

2043

4,816,126 t
1,111,181 t
2,222,323 t
3,333,484 t
3,783,965 t
1,481,842 t
3.3 t t
0.4 t t

Av Width	Vol (m3)	Est %OM	Influ t	Est Av. G	Est CaF2 t	Est ROM t	Comments
3.38	47,184	10%	114,899	72.88%	83,642	830,419	T1-1.5m rx; T2-1m rx; 2387-4.75m tw @ 73.54; 6/37-8.16m tw @ 72.55%; Surface= 1.25m-avg 5.48 av tw 3.385m. Ulg samples used = 72.88% CaF2
1.00	4,917	10%	11,948	72.88%	8,720	87,193	T1-1.5m rx; T2-1m rx; 2387-4.75m tw @ 73.54; 6/37-8.16m tw @ 72.55%; Surface= 1.25m-avg 5.48 av tw 3.385m. Ulg samples used = 72.88% CaF2
0.53	6,800	10%	16,038	50.68%	8,125	81,281	T4-0.3m @ 33.2%+T3-0.5m @ 46.5% = av tw 0.6m @ 50.63% CaF2
0.60	3,125	10%	7,583	50.68%	3,848	38,483	Use 0.8m tw from average of T3/T4 and same grade as from T3/T4=50.68%
0.60	854	10%	2,075	50.68%	1,051	10,515	Use 0.8m tw from average of T3/T4 and same grade as from T3/T4=50.68%
0.80	4,860	10%	11,300	50.68%	5,727	57,265	Use 0.8m tw from average of T3/T4 and same grade as from T3/T4=50.68%
0.62	87,376	10%	193,888	67.83%	111,116	1,111,181	

3,733,481 t
848,443 t
1,298,687 t
1,945,330 t
3,885,037 t
1,788,181 t
4.8 t t
0.3 t t

Av Width	Vol (m3)	Est %OM	Influ t	Est Av. G	Est CaF2 t	Est ROM t	Comments
0.80	13,332	10%	32,323	85.00%	21,011	210,111	T7-0.8m @ 85% CaF2
0.70	4,827	10%	11,872	40.80%	4,830	48,608	T5-0.5 m tw use T8 assay=40.5%
1.40	7,447	10%	18,076	40.80%	7,347	73,467	T6-1.4m @ 40.6%
2.00	9,320	10%	22,848	42.90%	9,825	98,252	Width from b/h near RR chert and assay from surface sample
0.60	2,984	10%	7,261	53.75%	3,871	38,707	Width from T7, assay av T7 (65%)+surface sample 42.5% = 53.75
0.50	2,121	10%	5,184	53.75%	2,770	27,703	nominal 0.5m width, av assay T7 (65%)+ surface sample 42.5%=53.75%
0.30	1,662	10%	4,013	53.75%	2,157	21,571	nominal 0.3m width, av assay T7 (65%)+ surface sample 42.5%=53.75%
0.30	9,447	10%	22,966	53.75%	12,339	123,390	width 0.8m T7, av assay T7 (65%)+ surface sample 42.5%=63.75%
0.60	761	10%	1,704	50.68%	894	8,828	use width/ assay from Calc Rate above
0.81	51,880	10%	126,238	51.64%	64,844	648,443	

16,638 t
 3,668 t
 17,331 t
 10,997 t
 12,973 t
 15,842 t
 61 t
 14 t

Width	Vol (m3)	Est %OM	Insitu t	Est Av. G	Est CaF2 t	Est ROM t	Comments
0.60	9,091	10%	22,992	50.50%	11,156	111,503	Use nominal 1m dia. grade from surface sample point v1=50.5
0.60	20,881	10%	50,741	50.50%	25,624	256,244	UIG mapping & bit's. Surface sample 50.6%CaF2
2.00	24,414	10%	66,326	72.20%	42,859	428,334	UIG mapping & bit's. Surface sample 72.2%CaF2
0.60	4,970	10%	12,378	61.35%	7,410	74,089	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	3,607	10%	8,764	61.35%	5,377	53,767	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	5,561	10%	13,756	61.36%	8,439	84,394	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	4,587	10%	11,146	61.35%	6,838	68,383	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	2,236	10%	5,433	61.36%	3,333	33,326	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	2,297	10%	5,581	61.36%	3,424	34,241	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.60	1,988	10%	4,778	61.35%	2,931	29,312	Use nominal 0.6m width seen in Coflow and other veins intersected in trenches. Use Av surface samples 50.5%+72.2% CaF2 sampled in Red Rake and RR PV
0.76	79,718	10%	199,535	60.50%	117,387	1,173,866	

*no sample




SB



Notes:

265

Notes:

-  Extent of Glebe Mines Ltd. Mineral Rights
-  Red line Boundary within Glebe Mines Ltd. Mineral Consent
-  Public Rights of Way within Glebe Mines Ltd. Mineral Consent

Digital File:	PP_04_SB.dwg	Original Size:	A3
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No	Description	Date	Signed
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Revisions

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Drawn:	ODW	Sheet:	1 of 1	Approved:	BT

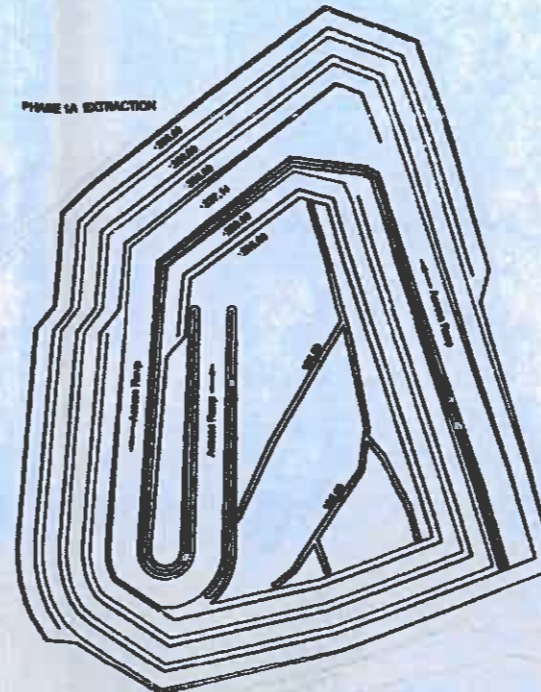
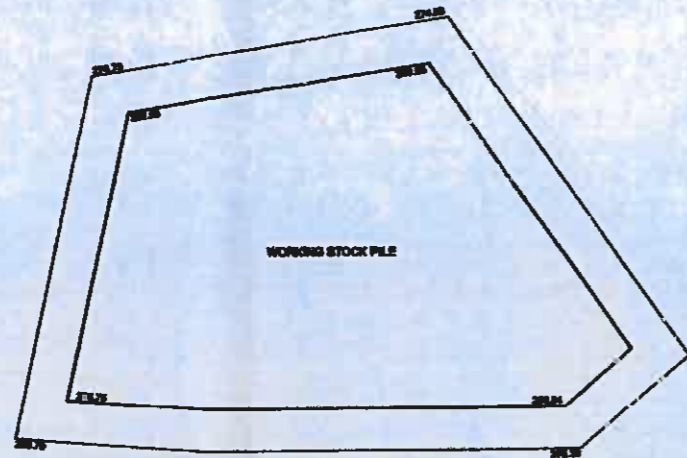
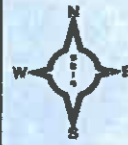
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Site: PEAK PASTURE

Drawing No.	PP_04_SB	Rev.	
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Glebe Mines Ltd.

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CURRENT PROFILE



PHASE 1A PROFILE



Notes:

1. All levels displayed are in mAOD.
2. Access ramp designed to a gradient of 1:10 (V:H).

Digital File:	PP_003_P1A.dwg	Original Size:	A3

No	Description	Date	Signed
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Drawn:	ODW	Sheet:	1 of 1	Approved:	BT

Title: PHASE 1A

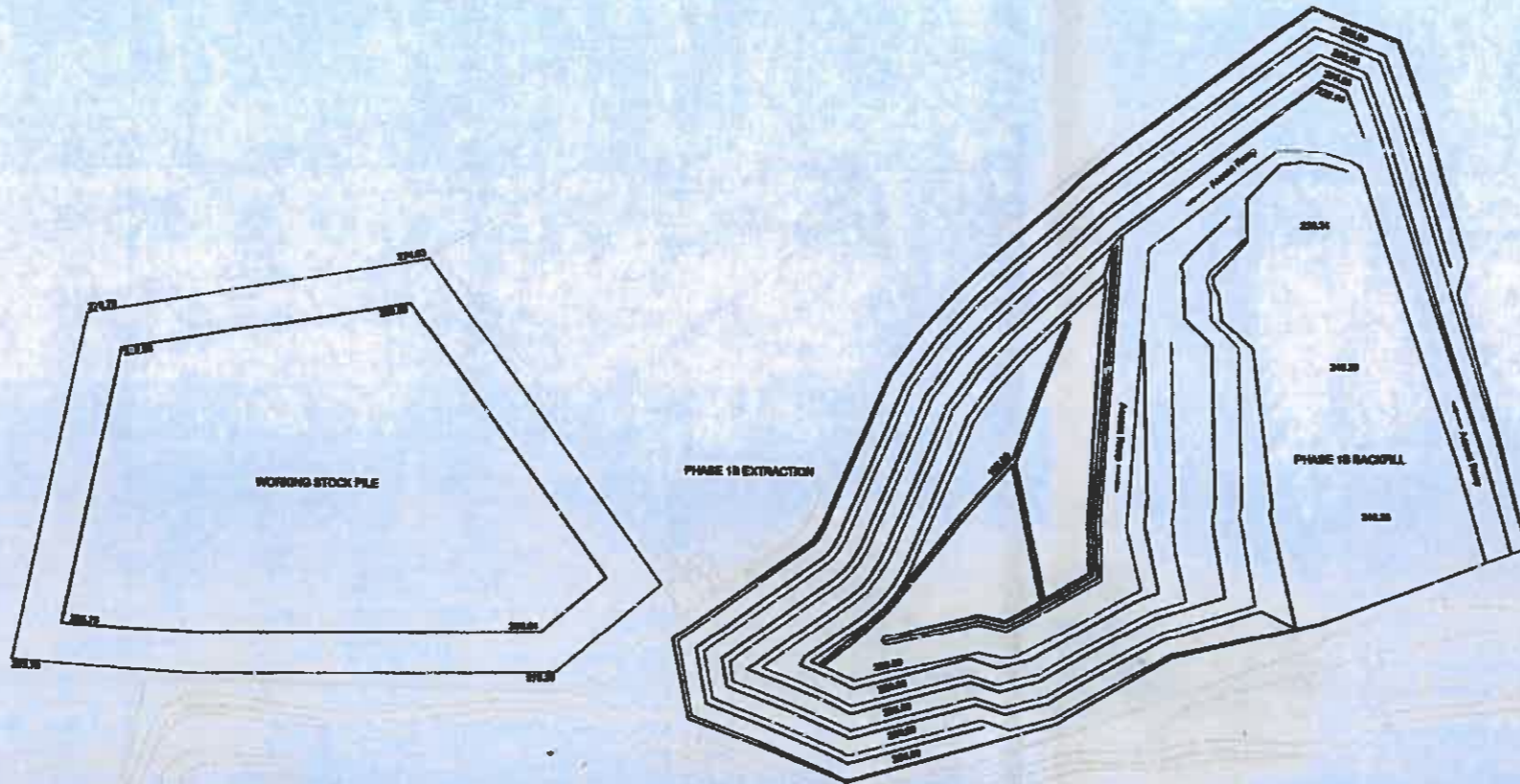
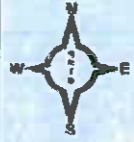
Site: PEAK PASTURE

Drawing No. PP_003_P1A Rev.

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P1B



PHASE 1A PROFILE



PHASE 1B PROFILE



Notes:

267

1. All levels displayed are in mAOD.
2. Access ramp designed to a gradient of 1:10 (V:H).

Digital File	PP_003_P1B.dwg	Original Size	A3
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No	Description	Date	Signed
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Revisions

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Drawn	ODW	Sheet	1 of 1	Approved	BT

Title: PHASE 1B

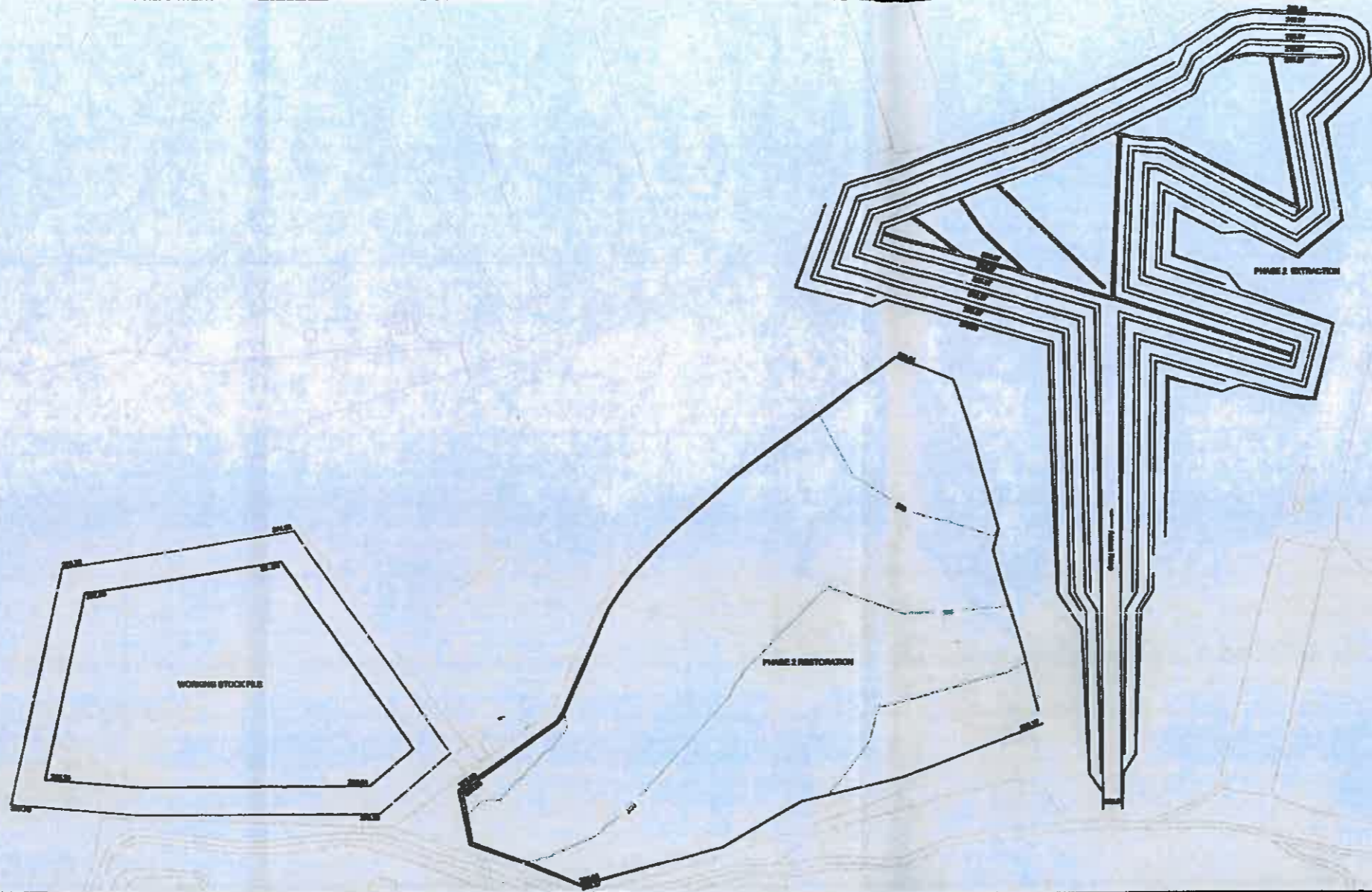
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Drawing No.	PP_003_P1B	Rev	
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P2



PHASE 1B PROFILE



PHASE 2 PROFILES



Notes:

1. All levels displayed are in mAOD.
2. Access ramp designed to a gradient of 1:10 (V:H).

Digital File:	PP_003_P2.dwg	Original Size:	A3
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No	Description	Date	Signed
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Revisions

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Drawn	ODW	Sheet	1 of 1	Approved	BT

Title: PHASE 2

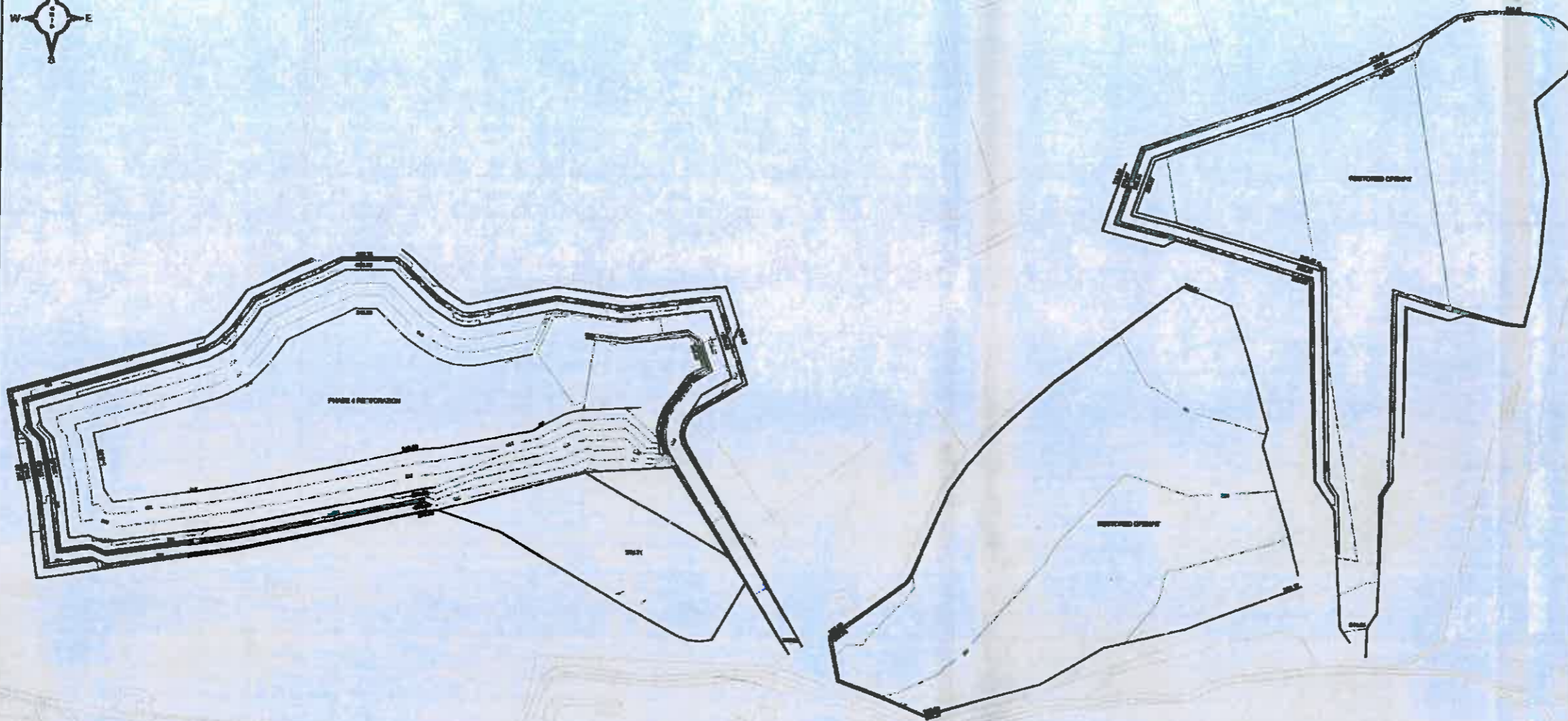
Site: PEAK PASTURE

Drawing No.	PP_003_P2	Rev	
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P4



Notes:

1. All levels displayed are in mAOD.
2. Access ramp designed to a gradient of 1:10 (V:H).

PHASE 3 PROFILE



PHASE 4 PROFILE



Digital File:	PP_003_P4.dwg	Original Size:	A3
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No	Description	Date	Signed
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Revisions

Surveyed	-	Date:	20.10.10	Scale:	NTS
Drawn:	ODW	Sheet:	1 of 1	Approved:	BT

Title: PHASE 4

Site: PEAK PASTURE

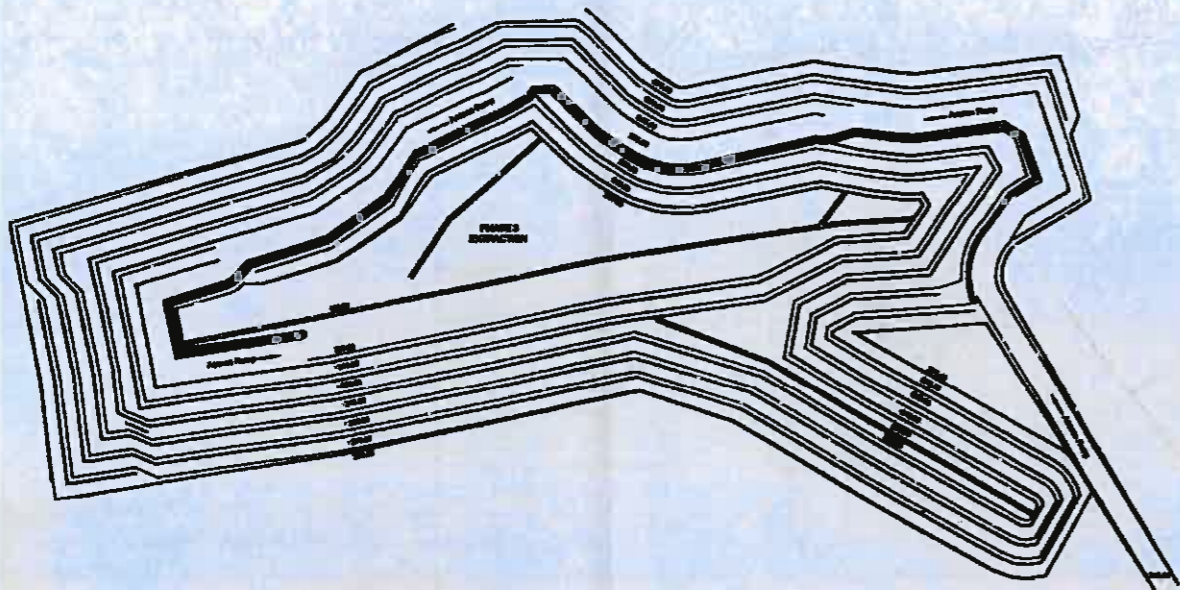
Drawing No.	PP_003_P4	Rev:	
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Glebe Mines Ltd.

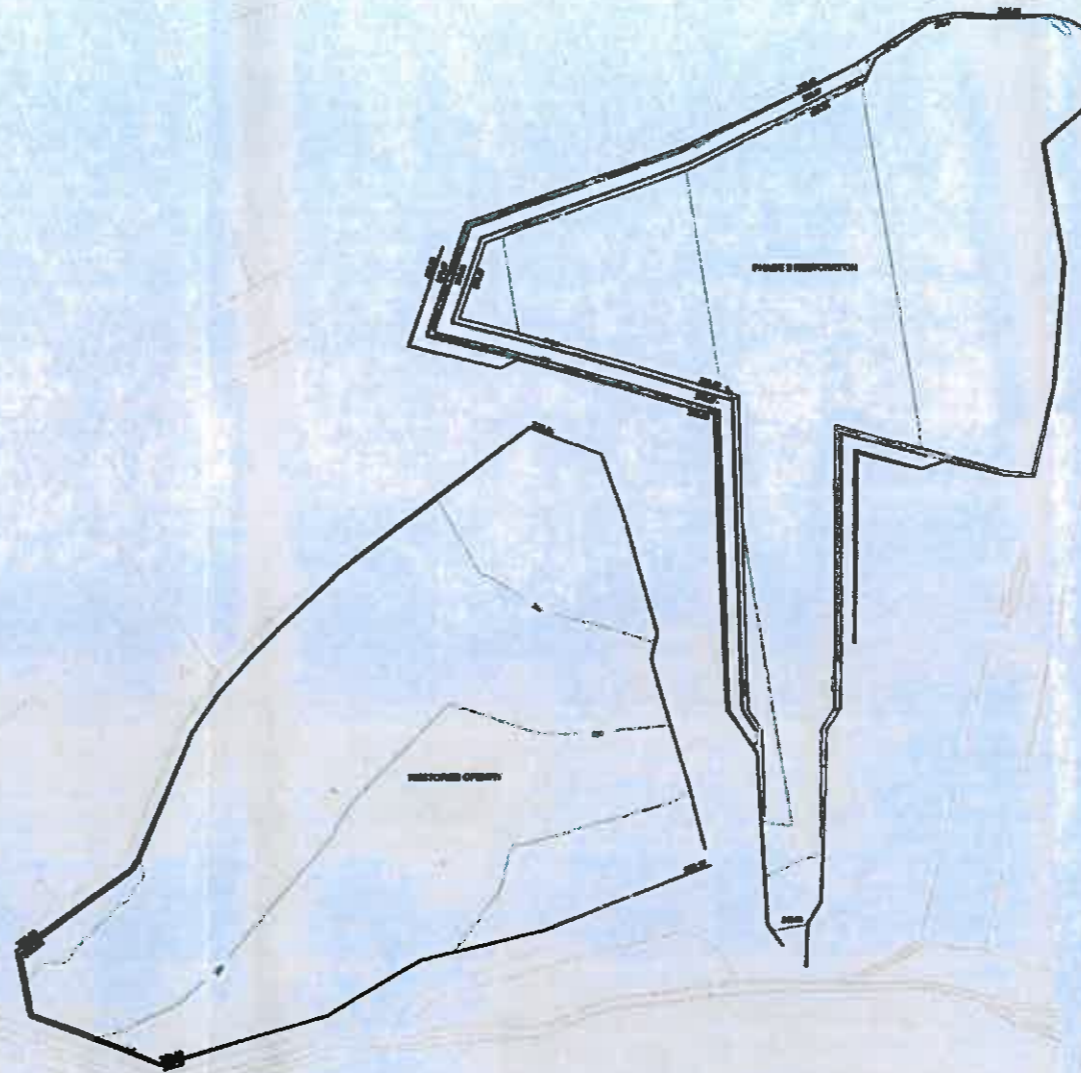
Glebe Mines Limited
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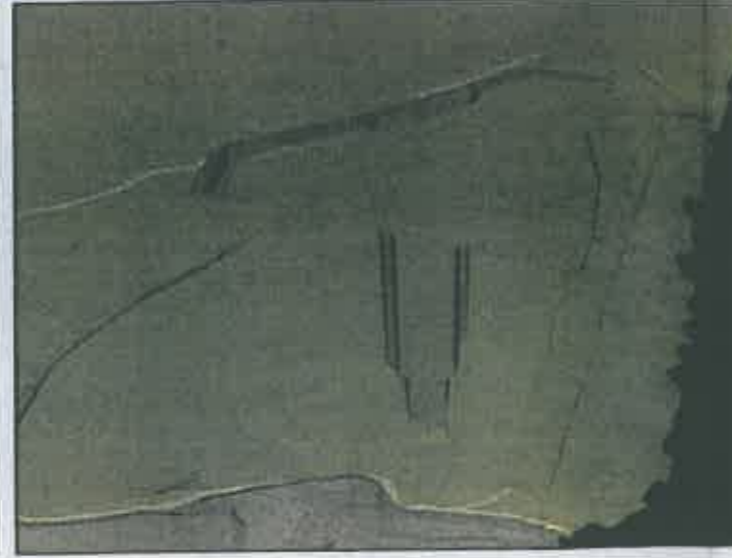
P3



PHASE 2 PROFILE



PHASE 3 PROFILES



Notes:

1. All levels displayed are in mAOD.
2. Access ramp designed to a gradient of 1:10 (V:H).

Digital File	PP_003_P3.dwg	Original Size	A3
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No	Description	Date	Signed
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Revisions

Surveyed	-	Date	20.10.10	Scale	NTS
Drawn	ODW	Sheet	1 of 1	Approved	BT

Title: PHASE 3

Site: PEAK PASTURE

Drawing No.	PP_003_P3	Rev.	
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Minicom: 01629 816319
Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE

Mr G Goodyear
Glebe Mines Limited
Cavendish Mill
Stoney Middleton
Hope Valley
S32 4TH

Your ref:

Our ref: BP/CP/M2382

Date: 30 July 2010

By email and post

Dear Mr Goodyear

Longstone Edge – Review of Old Minerals Permission

In the Authority's letter sent to you dated 30 June we indicated that we were seeking counsel's opinion on various matters in connection with the ROMP process and that we would inform you by 31 July 2010 how the Authority intended to take the matter forward.

We have now received an opinion from Robert McCracken QC and I enclose a copy for your information.

The issues in dispute principally relate to: (1) what information the Authority can require as part of the ROMP process and (2) whether the process should be put on hold pending a decision of the European Court of Human Rights in the Bleaklow Industries case. The Authority's position is as follows.

- (1) There has been some dispute as to what information can be required by the Authority, in particular whether we can require plans covering the whole site for the remaining life of the permission and supporting geological information. Counsel has advised that the Authority is entitled to ask for this information.

In order to be able to do a screening opinion the Authority needs to know what is being proposed. As you noted in your letter to the Authority dated 5 February 2010, the plans attached to the ROMP application are out-of-date and need to reflect the changed circumstances. In particular they do not relate to what can lawfully be extracted under the 1952 planning permission as interpreted by the Court of Appeal.

The working plans originally submitted in 1997 should be amended to reflect the Court of Appeal judgment in the Bleaklow case and the 2008 EIA Regulations. Although it is likely that further development of the site would have significant environmental effects, whether this is so will depend on what mineral development is proposed.

The Authority takes the view that the working plans submitted at the screening stage should cover the whole site for the remaining life of the permission. They must reflect what is lawful under the 1952 planning permission and therefore we would expect them

to be based on detailed geological information. We wish to make it clear that detailed geological assessment works, if not carried out at this stage, will be required before any ROMP scheme can be determined and that any new plans submitted will have to be amended if the proposed mineral development is not supported by detailed geological evidence. We would therefore strongly advise that the assessment works are done at this stage of the process and that they include all the exploratory works suggested by GWP Consultants in their letter to John Lomas of 3 December 2009 (previously provided to you).

- (2) With regard to the appeal by Bleaklow Industries Ltd to the European Court of Human Rights, you will see that counsel has advised that he sees no reason to await the decision of the European Court. He says that the complaint is against the UK rather than the National Park Authority and is without merit.

Until the interpretation of the permission had been settled by the domestic courts the Authority felt that it was reasonable to agree extensions of time. However, now that we have the decision of the Court of Appeal we do not consider it appropriate for the ROMP process to remain on hold and we propose to continue the ROMP procedure as amended by the 2008 EIA Regulations.

In conclusion, the Authority now grants a further extension of time to 31 October 2010 for the provision of information to enable it to undertake a screening opinion. The information required is that included in the Authority's letter to Glebe Mines Ltd of 12 August 2008

Please note that the Authority is unlikely to grant a further extension of time for the provision of the information needed to carry out a screening opinion and that, under the 1999 Environmental Impact Assessment Regulations as amended, if the information requested is not provided by 31 October 2010 the mineral permission relating to the site will be automatically suspended.

The Authority previously agreed that once we had received and passed to you our Counsel's opinion then a meeting may be appropriate to discuss matters with you. I understand that you will be contacting John Lomas if that is still your wish.

As a final matter, you will see that counsel has advised that the Authority should continue to press for material which justifies Glebe Mines Ltd's ability to pursue the application. You are therefore reminded of the request in the Authority's letter of 12 August 2008 for confirmation of the basis on which the company claims to be an applicant.

We have written to Bleaklow Industries Ltd in similar terms and a copy of our letter is attached for your information.

Yours sincerely

Bev Primhak (Mrs)
Head of Law

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 E-mail: customer.service@peakdistrict.gov.uk
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Mr John Withinshaw
 Brabners Chaffe Street
 Horton House
 Exchange Flags
 Liverpool
 L2 3YL

Your ref: JPW.KW.1084B-005
 Our ref: BP/CP/M2382
 Date: 30 July 2010

By email and post

Dear Mr Withinshaw

Longstone Edge – Review of Old Minerals Permission

In the Authority's letter sent to you dated 30 June we indicated that we were seeking counsel's opinion on various matters in connection with the ROMP process and that we would inform you by 31 July 2010 how the Authority intended to take the matter forward.

We have now received an opinion from Robert McCracken QC and I enclose a copy for your information.

The issues in dispute principally relate to: (1) what information the Authority can require as part of the ROMP process and (2) whether the process should be put on hold pending a decision of the European Court of Human Rights in the Bleaklow Industries case. The Authority's position is as follows.

- (1) There has been some dispute as to what information can be required by the Authority, in particular whether we can require plans covering the whole site for the remaining life of the permission and supporting geological information. Counsel has advised that the Authority is entitled to ask for this information. We note also that in your letter of 12 September 2008 you appeared to accept that the ROMP application would require substantial amendment and that any Environmental Statement would have to cover not only the original 15 year period for which the ROMP application was made but the remaining period of the permission.

In order to be able to do a screening opinion the Authority needs to know what is being proposed. The plans attached to the ROMP application are out-of-date and need to reflect the changed circumstances. In particular they do not relate to what can lawfully be extracted under the 1952 planning permission as interpreted by the Court of Appeal.

The working plans originally submitted in 1997 should be amended to reflect the Court of Appeal judgment in the Bleaklow case and the 2008 EIA Regulations. Although it is likely that further development of the site would have significant environmental effects, whether this is so will depend on what mineral development is proposed.



The Authority takes the view that the working plans submitted at the screening stage should cover the whole site for the remaining life of the permission. They must reflect what is lawful under the 1952 planning permission and therefore we would expect them to be based on detailed geological information. We wish to make it clear that detailed geological assessment works, if not carried out at this stage, will be required before any ROMP scheme can be determined and that any new plans submitted will have to be amended if the proposed mineral development is not supported by detailed geological evidence. We would therefore strongly advise that the assessment works are done at this stage of the process and that they include all the exploratory works suggested by GWP Consultants in their letter to John Lomas of 3 December 2009 (previously provided to you).

- (2) With regard to your clients' appeal to the European Court of Human Rights, you will see that counsel has advised that he sees no reason to await the decision of the European Court. He says that the complaint is against the UK rather than the National Park Authority and is without merit.

Until the interpretation of the permission had been settled by the domestic courts the Authority felt that it was reasonable to agree extensions of time. However, now that we have the decision of the Court of Appeal we do not consider it appropriate for the ROMP process to remain on hold and we propose to continue the ROMP procedure as amended by the 2008 EIA Regulations.

In your letter of 18 May you suggested that my letter of 8 April was an assertion that the Authority would not abide by the effect of an ECHR declaration. This is not correct. In the event that the European Court were to rule in your client's favour the Authority would of course comply with the law and would do whatever was required of it. The Authority's approach is not aimed at pre-empting the decisions and deliberations of the ECHR but at moving forward a legislative process aimed at ensuring that appropriate modern conditions are attached to the 1952 mineral permission.

In conclusion, the Authority now grants a further extension of time to 31 October 2010 for the provision of information to enable it to undertake a screening opinion. The information required is that included in the Authority's letter to Bleaklow Industries Ltd of 12 August 2008.

Please note that the Authority is unlikely to grant a further extension of time for the provision of this information and that, under the 1999 Environmental Impact Assessment Regulations as amended, if the information requested is not provided by 31 October 2010 the mineral permission relating to the site will be automatically suspended.

As a final matter, you will see that counsel has advised that the Authority should continue to press for material which justifies the ability of your clients to pursue the application. Your clients are therefore reminded of the request in the Authority's letter of 12 August 2008 for confirmation of Bleaklow Industries Ltd's status in respect of the ROMP application.

We have written to Glebe Mines Ltd in similar terms and a copy of our letter is attached for information.

Yours sincerely

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5th February 2010

Dear Mr Lomas

Longstone Edge – Review of Old Minerals Permission

Further to your correspondence dated 15th December 2009, including the letter from GWP Consultants dated 3rd December 2009, we would like to make the following comments to clarify our position with regard to the Longstone Edge permission.

We have been advised that a new ROMP scheme is not required and that the 1997 submission remains valid. However, we have also been advised that it is reasonable, given the time that has elapsed since the application was made, to be expected to submit new information in order to update and clarify the proposed workings under the scheme. It is, therefore, Glebe's intention to submit sufficient information to clarify the existing scheme and to revise and modify it to reflect the passage of time and changing circumstances. The company also accepts that because there may be modifications to the existing scheme and also that some considerable time has elapsed that a revised environmental statement may also be required.

Currently, a permission exists to extract fluorspar from anywhere within the Longstone Edge permission boundary covering Backdale, Wagers Flatt, Bacon Rod and Peak Pasture for a further 32 years. The company do not accept that it is reasonable to be required to provide all of the information for the entirety of the consented area for the full duration of the planning permission at this stage. To provide the information requested would incur substantial costs. The cost of site investigation works that would be of any scientific value, given the complexities of the mineralization, would be prohibitively expensive. By the time some of the later extraction works took place any environmental information provided now may be out of date and the initial survey works would represent an abortive cost.

Additionally, we cannot predict, at this point in time, what the economics of fluorspar production will be, even 5 years in the future. One scenario is that

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the supply of fluorspar on the world market may become so scarce that we see prices return to or even exceed 2008 levels, whereby ore cut-off grades could be much lower than they are at present. This would have the effect of significantly increasing ore reserves in the area and mean that we could want to extract from areas that, at the moment, would be uneconomic. Should we evaluate the area now and exclude sub-economic ore we would in effect be sterilising those ore-bodies. Our plan would in any event, and regardless of any negative drilling results, be to extract any and all possible fluorspar available, as is the case under the existing planning consent. This should necessarily be our starting position in determining the extent of workings.

Additionally, the company has extensive experience of working vein mineral deposits; especially on Longstone Edge; and generally we exceed our initial expectations. This is because the ore-bodies are complex along strike and with depth and very often lead to secondary offshoots and replacement ore-bodies, many of which are not picked up in drilling. Lower grade offshoots are often encountered that are blended with the higher-grade primary ores on-site to increase resource tonnages. The very nature of these would preclude their inclusion in a resource assessment and it is unlikely that they would be recognised in drilling results.

The company propose to outline sufficient resources in a series of 10 or 15 year phases and to provide sufficient technical and environmental information to support that scheme. There will of course also be an overall scheme that will identify likely areas and extent of working and potential impacts. Future phases of extraction would be evaluated and assessed prior to work commencing in the same way. We believe that this would be a reasonable approach. This also allows the park to review the extraction scheme on a regular basis.

Yours sincerely,

C J White
Mines and Technical Services Manager