

Aggregate Industries UK Ltd :Response by Geoff Storey Estates Manager (North) to Document ref HD06 Lancaster City Council's note on mineral issues and records of complaints

1.I have been responsible for planning and Estates Management at Back Lane Quarry since 1997 and have more than 29 years of mineral planning experience .

In my experience ,residential developments in close proximity to quarries ,asphalt plants,ready mixed concrete plants and concrete products factories inevitably result in complaints .

2.At Back Lane Quarry, in 2001 following noise complaints from the adjoining Hawthorns Caravan Park to Lancaster City Council's Environmental Health Department £110,000 had to be spent on noise attenuation measures at the "safeguarded" concrete products factory .

3.In 2010 there were exchanges between DLA solicitors acting for Aggregate Industries and Mark Cassidy(City Council) and Marcus Hudson (County Council) in relation to the approval of application ref .10/00072/CU which allowed an extension to the caravan park adjacent to "safeguarded" mineral reserves and resources .

4.There is a further current planning application ref .18/01310/CU awaiting a decision for additional caravans at Hawthorns Caravan Park which Aggregate Industries and the Mineral Products Association have also objected to .

5.There have been frequent blasting related complaints from a resident who moved to the area in 2011 who complained to the Local Government Ombudsman in 2013 (copy attached) .The complaints are continuing ,not helped by the lack of independent blast monitoring by Lancaster City Council .

6.Although the City Council are represented at the Back Lane liaison committee by the local elected Councillor the City Council Environmental Health Officers have rarely attended in recent years .

7.The proposed South Carnforth (SG12) residential development proposed in the Local Plan will inevitably result in a new community complaining .Blasting vibration for instance often surprises new residents who do not experience blasting vibration until they move in although they should be aware that there are three consented quarries in the vicinity .

8.Back Lane Quarry is already consented to 2048 and has significant mineral resources for supply well beyond 2048. The quarry currently supplies over a million tonnes a year of limestone aggregates to construction projects across the North West Region .In addition asphalt is supplied 24 hours a day 7 days a week for the maintenance of the Strategic Highway Network .Concrete Products are also supplied across the Region .All of these traffic movements travel along Back Lane .

9. Taking into account the anticipated closure of other limestone quarries in South Lakeland and the Yorkshire Dales National Park it is likely that Back Lane Quarry will be increasing the level of mineral extraction per year to meet the increased demand .

10. The Quarry Manager has provided me with the following complaints list :

As discussed the records for site complaints are all part of the same list on KMI for all site records.

I have looked through and listed all complaints and site visits by any inspectors that I have logged on KMI:

Complaints:

06.07.16 - Mr R called to complain that his car had been covered by concrete dust/mud at the entrance to Back Lane.

07.02.17 - Mr F called to complain about dust/mud on the main road.

13.07.19 - Miss M, Nether Kellet called to raise concern about the effects of blasting

29.01.18 - Blast complaint Mr F Over Kellet - 2.62mm/s

06.03.18 - Blast complaint Mr M Over Kellet - 1.36mm/s

08.03.18 - Mr anon called to complain about dust/mud on main road

27.07.18 - Mr V wrote to to complain about dust/blasting from both Quarries

05.12.18 - An unknown member of the public called to report material spillage from an HGV on the main road.

24.01.19 - Mrs S called to site to complain about mud on the footpath

25.02.19 - Carnforth Council called to report a public complaint about dust from the main road

26.02.19 - Carnforth Council called to report a public complaint about dust from the main road

13.03.19 - Blast complaint - Mr V - 1.2mm/s

Complaint reference:
12 007 590

Complaint against:
Lancashire County Council

The Ombudsman's final decision:

Mr V complains the County Council is failing to ensure Lancaster City Council monitors blasts at local quarries. There is insufficient evidence of fault to investigate this complaint

The complaint

1. Mr V complains the Council is failing to ensure Lancaster City Council monitors blasts at local quarries

The Ombudsman's role and powers

2. The Ombudsman investigates complaints of injustice caused by fault or service failure. She provides a free service, but must use public money carefully. So she will not start or continue an investigation if she believes:
 - it is unlikely she would find fault, or
 - the fault has not caused injustice to the person who complained, or
 - the injustice is not serious enough to justify the cost of her involvement.*(Local Government Act 1974, section 24A(6))*

How I considered this complaint

3. I have spoken with Mr V about the complaint and considered the documents he provides. I have obtained background information from the Council. I have considered Mr V's response to my provisional view.

What I found

4. Mr V lives near two quarries and says that vibrations from blasts are causing damage to his home. Mr V does not accept readings of the intensity of the blasts provided by the quarry companies. Mr V wants the City Council to independently monitor the blasts. Mr V complains the County Council has failed to ensure this is done.
5. Lancashire County Council is the Minerals and Waste Planning Authority for Lancashire. Planning conditions are imposed on the quarry operations which limit the blasts and require that the companies carry out monitoring. The Council says the quarry companies do monitor and that results show the blasts are well within limits. The City Council has done some independent monitoring for the County Council as it has a blast meter and the County does not. The County Council however has no power to force the City Council to monitor.