

REPORT OF THE SERVICE DIRECTOR, INVESTMENT AND GROWTH**FORMER RUFFORD COLLIERY TIP: RE-WORKING PROJECT****Purpose of the Report**

1. To seek approval in principle for the recovery of waste coal fines from the site of the former Rufford Colliery Tip by Harworth Estates, subject to a grant of planning permission for the proposed development.

Information

2. In June 2016 an initial report was submitted to Finance and Property Committee outlining a proposal to re-work several of the County Council's former colliery tip sites (which form part of the Green Spaces service portfolio of sites). The report observed that a number of the sites still contain deposits of coal slurry in capped lagoons which, using modern recovery techniques, could be removed from the sites and sold to the power generation network at a profit to the County Council. It was anticipated that the site of the former Rufford Colliery Tip would act as the forerunner for the scheme which would also include former tip sites at Bevercotes, Blidworth, Ollerton and Shirebrook. With government legislation committing the UK to decommission all its coal-fired power stations by 2025 and with market interest subsequently weakening, the window of opportunity for such a large-scale recovery project may now have closed. However, there does remain a unique opportunity to re-work the former Rufford Colliery Tip.
3. The former Rufford Colliery Tip site sits immediately adjacent to the former Rufford Colliery site itself, which is owned by Harworth Estates Limited. Harworth Estates is currently conducting recovery works at its site and has expressed interest in extending its operations onto the adjoining County Council owned land as a second phase to the current operation. Harworth has examined the drilling data for the site and has estimated that the volume of coal slurry that could be extracted viably is approximately 300,000 - 400,000 tonnes. The County Council would receive royalties as revenue from the operation. The amount would be subject to negotiation through the contract agreement process. Some of the proceeds would help sustain the future management of the site and £10,000 would be set aside to fund community environment projects in the local area.
4. In addition to potentially generating significant financial returns for the Council, the project also provides an opportunity for improved site restoration. Nottinghamshire Wildlife Trust is presently working alongside Harworth Estates to restore its former colliery site to habitats characteristic of the Sherwood Natural Area (primarily heathland and acid grassland) and

wishes to extend the project to include the County Council's former tip site. This would provide far greater habitat and biodiversity enhancements than were originally achieved when the site was restored to grazing land and amenity woodland in the 1990s. The restoration project would also provide an opportunity to improve public access and control unauthorised off-road access to the site, thereby significantly increasing its value to local residents. In addition, the restoration could potentially provide an opportunity to deculvert the Rainworth Water tributary in order to create an open watercourse on the site, further increasing wildlife habitat whilst also removing a maintenance liability.

5. The site currently comprises parts of a Local Nature Reserve and Local Wildlife Site. It is therefore anticipated that the coal recovery work will have a disruptive impact upon existing habitats, which could be damaging for public perception. However, these environmental losses will be outweighed by the conservation benefits generated through the heathland restoration project and ongoing management subsequently.
6. The window of opportunity for the project is limited by the timescales for completion of Harworth Estate's current operation. Coal extraction at Rufford Colliery is anticipated to be completed by late Summer 2019, after which the plant will be removed and the site demobilised. By entering into a contract with Harworth Estates Limited now, they will be able to pursue a planning application for the coal recovery works and associated site remediation which, if successful, could be carried out immediately after the completion of the current operation.
7. It is currently envisaged that operations on site would have a duration of approximately six years, including site preparation, coal extraction and subsequent restoration works. This would be followed by a five year aftercare period of created habitats.
8. A further report setting out the outcome of negotiations through the contract agreement process, including Heads of Terms, will be brought to Committee for approval.

Other Options Considered

9. Do nothing. The opportunity to generate income for the council and secure environmental improvements for the site will be lost.
10. Sell the site rather than dispose of the coal deposited on it. This is feasible but the opportunities to pursue improved habitat conservation and public access to the land would be significantly diminished. Not recommended.
11. Undertake the coal recovery and site remediation at cost to the County Council rather than through partnership with Harworth Estates. This could potentially deliver a higher capital receipt but would expose the County Council to the significant pre-development costs of the project and to the potential fluctuations in market coal prices. The County Council does not presently have the technical expertise and capability to deliver such a scheme, and the financial risks associated are considered to be too great. Not recommended.

Reasons for Recommendations

12. The project provides an income generation opportunity that will reduce the net cost of managing the Green Space sites across the county in line with saving targets.

13. The project provides an opportunity to cost effectively deliver significant environmental improvements to the site of the former Rufford Colliery Tip at no cost to the Council.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

15. The proposal provides an opportunity to generate income for the Council.

Implications for Sustainability and the Environment

16. The proposal provides an opportunity to deliver significant habitat and biodiversity enhancements to the site of the former Rufford Colliery Tip.

RECOMMENDATION

- 1) To seek approval in principle for the recovery of waste coal fines from the site of the former Rufford Colliery Tip by Harworth Estates, through a lease or licence, and subject to a grant of planning permission for the proposed development.

David Hughes
Service Director, Investment & Growth

For any enquiries about this report please contact: Heather Stokes, Team Manager Conservation, Tel: 0115 9932592

Constitutional Comments [CEH 01.02.19]

17. The recommendation falls within the remit of Policy Committee under its terms of reference. Any terms for the recovery of the waste coal fines will need to be documented in a form agreed by the Group Manager, Legal, Democratic and Complaints.

Financial Comments [RWK 04/02/2019]

18. There are no specific financial implications arising directly from the report. The proposal to enter a lease or licence with Harworth Estates to recover waste coal fines provides an opportunity to generate income for the Council. The details of any agreement will be presented to a future Committee for approval.

Background Papers and Published Documents

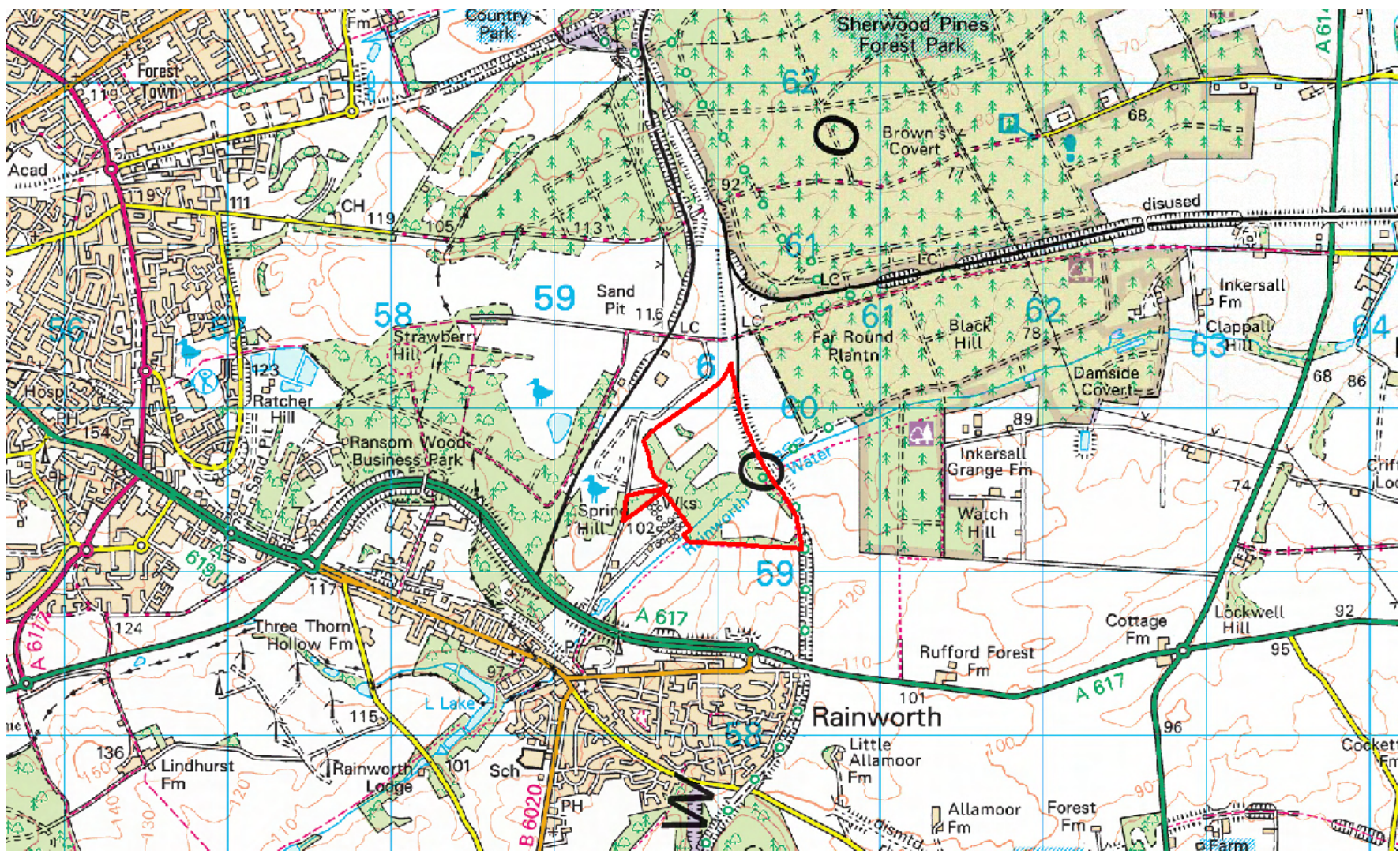
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Finance and Property Committee Report, June 2016
Colliery Tip Re-Working Programme

Electoral Division(s) and Member(s) Affected

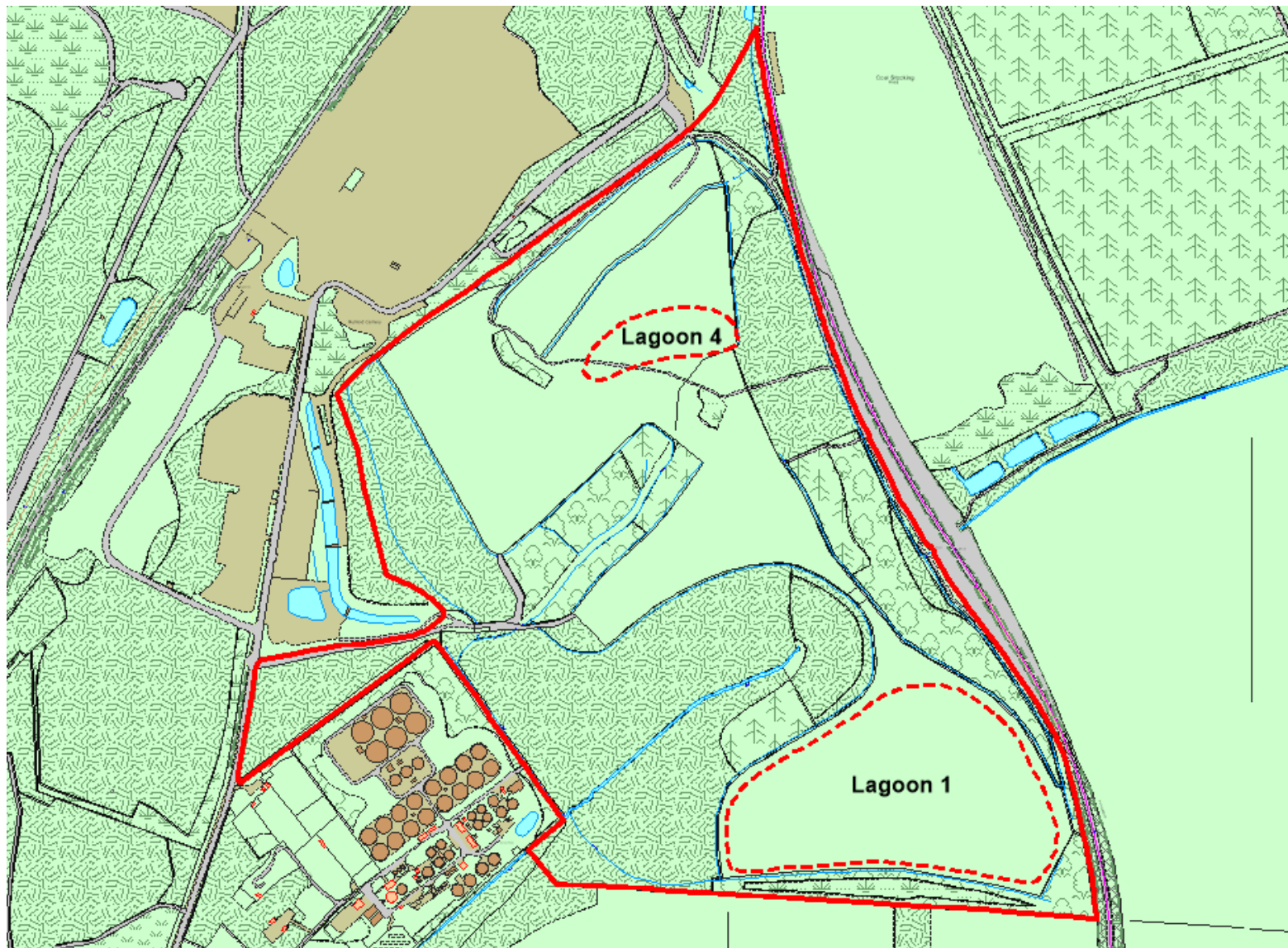
- Division: Blidworth
Member: Yvonne Woodhead

Figure 1 – site location plan



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Figure 2 – site plan



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