



BRITISH AGGREGATES ASSOCIATION – PRESS RELEASE
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The British Aggregates Association has commissioned Wardell Armstrong to investigate and comment on the impact of Good Neighbour Agreements on mineral operations in Scotland.

The Recent White Paper from the Scottish Executive on *Modernising The Planning System* includes a section on the introduction of Good Neighbour Agreements. The earlier proposal to introduce Third Party Rights of appeal was dropped by the Scottish Executive after massive opposition from all shades of industry, particularly the construction industry, who argued that this kind of legislation would drive developers away from Scotland and halt the development of the country's infrastructure.

The proposal to bring in Good Neighbour Agreements would not apply to all developments but simply to large scale operations such as oil refineries, chemical works car plants and **mineral workings**. Recent work carried out by the Friends of The Earth (with support from the Scottish Executive and SEPA) on the concept of Good Neighbour Agreements described them "as a tool for building accountability and trust between communities and local corporations where the activities of those corporations could impact negatively on the environment and social well being of the communities".

The study into the feasibility of Good Neighbour Agreements also touched on the potential for making GNA's a legally enforceable organisation with ongoing legal powers. This presented two obvious problems. Firstly it meant that the committee, in the form of local residents, would enter into agreements with the operator. This means that individuals who are on that residents committee could be legally liable if the operator raised an action against them or the committee. (In just the same way as the committee could take action against the operating company). In all legal actions someone has to pay the legal costs. Secondly, a committee that had been formed to oversee ongoing operations could easily be infiltrated by various pressure groups from outside the locality. These pressure groups could have the sole aim of restricting or halting any development, throughout the lifetime of its planning consent that did not suite their agenda. It could be difficult to identify genuine community interests from those with a hidden agenda, after all, who is and what is a community

Richard Bird, Executive Officer of the British Aggregates Association commented that many aggregate producers had already entered into voluntary local agreements with communities that were located near to primary aggregate operations. Bird stated that it was absolutely imperative for a quarrying company who were seeking new planning consents, or extensions to existing consents, to enter into a meaningful dialogue with their local community at the earliest opportunity. These voluntary agreements tend to work well and are a framework for ironing out potential problems between the local community and the operator long before the planning proposals are put to the local planning authority.

Mr Bird went on to say that the aggregate industry was put on its guard when the only industry that was invited to attend the recent Scottish Executive meetings on these proposals was the minerals industry in the shape of opencast coal and primary aggregate producers. There were no BP Grangemouth, no chemical producers, no car producers, no power stations and certainly no supermarkets. One could readily conclude that the minerals industry was about to be the only industry that was to be subjected to GNA's

In his letter to the Scottish Executive outlining the total concept of Good Neighbour Agreements, John Pears of Wardell Armstrong concluded that mandatory GNAs would not be in the public interest for a number of practical reasons and that planning authorities in Scotland already have adequate powers to impose legally binding conditions on aggregate producers without having to create another tier of legislation in the form of legally enforceable GNAs.

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Notes to editors:

1. The British Aggregates Association is the representative trade body for independent quarry operators www.british-aggregates.co.uk
2. The Association represents some 70 members across the UK producing around 10% of national output from over 100 individual sites
3. The Association was formed to campaign for the interests of SME quarry operators, to protect the independent quarry sector from the increasing dominance of the major operators, and to oppose the ill-conceived Aggregates Levy.
4. The Association participates fully with all EU and UK consultations on environmental, economic, and health and safety legislation; and is an active member of the *Confederation of British Industry* (CBI) Minerals Committee, and the *Construction Products Association* (CPA). It operates its own mutual restoration fund for quarry restoration