

**EAST PIT EAST REVISED
PLANNING APPLICATION
P2012/1073
Condition 69 (a)**



Condition 69 (a)

Within 3 months of the date of this permission a scheme shall be submitted in writing for the written approval of the Local Planning Authority for:

- (a) The Setting up and operation of a Nature Conservation Steering Committee.**

SCHEME IN RELATION TO CONDITION 69 (a)

1. Celtic Energy Ltd will establish and manage a Nature Conservation Steering Committee, to be known as the East Pit Conservation Steering Group (EPCSG). It shall meet twice a year, once in December to review the works undertaken and those proposed in the next year, and once during the following year in July / August to inspect the works undertaken and the outcomes. The dates of these meetings to be agreed at the proceeding meeting.
2. Celtic Energy will be responsible for coordinating meetings, providing secretarial functions, providing and circulating agendas and minutes of any meetings held, and organising a venue for the meetings to be held at.
3. The Steering Group will comprise of the following nominated representatives,
 - 2 from Celtic Energy;
 - 2 from Neath Port Talbot CBC (including the Chair);
 - 1 from Carmarthenshire CC;
 - 1 of the Gwaun Cae Gurwen Commoners association;
 - 1 from National Resources Wales and
 - 1 from Welsh Government.
4. The EPCSG shall be Chaired by one of the nominated representatives from Neath Port Talbot CBC
5. Each member group will be responsible for providing the name and contact details of their nominated representative (email address and/or phone number) to Celtic Energy Ltd so that they can circulate any necessary documents and agenda prior to any meetings.
6. Each organisation may nominate deputy's should the need arise providing they provide the relevant contact details prior to any meetings
7. Where necessary and agreed in advance, technical specialists may be invited by the Chair to attend appropriate parts of the meetings. For the avoidance of doubt any invitees will have no direct input into the decision making process.
8. The EPCSG is designed to be a collaborative working group. All members of the group have equal standing and decisions shall be reached by majority consensus. In the event of a consensus not being reached then the provisions included at 16. below will apply.
9. The primary purpose of the EPCSG is to review and approve Celtic Energy's proposed annual and quinquennial works programme, and any supporting technical information, prior to the implementation of the measures set out in Conditions 69 (b) and 74, and any subsequent amendments.
10. The EPCSG may also discuss and consider any emerging opportunities on site to further enhance biodiversity provided that this can be accommodated within the available budget and programme.
11. The group may advise and suggest amendments where appropriate to the proposed work programmes as part of the meetings. Any suggested amendments will be discussed at the

meetings and if the majority of the EPCSG consider the proposed amendments to be beneficial then Celtic Energy will consider them for inclusion in the works programme.

12. If agreed by Celtic Energy the works programmes will be amended to reflect the suggested changes. Should Celtic Energy not be able to accept any amendment agreed as beneficial by the majority then they will provide justification for the rejection of those proposals which shall be submitted to the chair and included in the meetings minutes.
13. For the avoidance of doubt if those proposals do not affect the decision to accept the suggested works programme's then Celtic Energy Ltd shall not be obliged to consider them further once they have set out justification for rejection.
14. It is envisaged that any non-material changes to the aftercare scheme that do not materially impact upon the schemes and details as approved under Conditions 68, 69 (b) and 74 as a result of agreements reached by the EPCSG meetings will not require further planning approval and any document relating to those changes shall be provided to the Local Authority through the EPCSG within 14 days of an agreement and prior to any of the agreed changes taking place.
15. In their consideration of the proposed annual and quinquennial works programmes, the EPCSG shall give due weight to the overriding need to achieve sustainable and resilient rehabilitation of the East Pit Mine Site by enacting the restoration measures of the approved Condition 74.
16. Should the majority of the attending representatives on the EPCSG feel unable to support the approval of the submitted details, then within two weeks of the annual review meeting a summary of the disagreement shall be provided by the Chair to Celtic Energy, who shall within two weeks thereafter submit an amended set of proposals to address, as far as practicable, the concerns raised by the majority of the EPCSG. In the event the majority of the representatives on the CSG are still unable to support approval of the amended details, then Neath Port Talbot Council as Local Planning Authority will be responsible for issuing a final decision having given appropriate weight to the needs of the approved scheme under Condition 74.
17. The work at the site shall then proceed in accordance with the approved details.
18. The minutes of the EPCSG shall be circulated to the Site Liaison Committee no later than 14 days after the meeting.
19. The EPCSG will be dissolved at the end of the Aftercare Period or earlier should the majority of the members agree that its role has been fulfilled.