DEVELOPMENT CONTROL AND REGULATION COMMITTEE

Minutes of a Meeting of the Development Control and Regulation Committee held on Friday, 2 October 2020 at 9.00 am. This meeting was held online.

PRESENT:

Mr GD Cook (Chair)

Mr A McGuckin (Vice-Chair)    Mr K Hitchen
Mr RK Bingham                 Mr JS Holliday
Mr A Bowness                  Mr AJ Markley
Mrs HF Carrick                 Mr W McEwan
Mr F Cassidy                   Mr FI Morgan
Mr N Cotton                    Mr CP Turner
Mrs BC Gray                    Mr D Wilson
Mr D English                   Mr M Wilson
Mr KR Hamilton

Also in Attendance:-

Mr R Bruce         - Partner, Freeths
Paul Haggin         - Manager Development Control and Sustainable Development
Guy Kenyon          - Programme Lead - Infrastructure Planning
Mr A Lynham        - Head of Waste and Resource Management at WYG

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

159  ROLL CALL AND APOLOGIES FOR ABSENCE

The roll call of Committee members and officers was taken.

Apologies for absence were received from Mr M Worth.

160  CHANGES IN MEMBERSHIP

Members noted that Mr K Hitchen had been appointed as permanent member and Mr N Marriner had been appointed as a reserve member of the Committee.

It was noted that Mr M Wilson had replaced Mr M Worth as a member of the Committee for this meeting only.

161  DISCLOSURES OF INTEREST
There were no disclosures of interest made at the meeting.

162 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, the press and public not be excluded during consideration of any items of business.

163 MINUTES

RESOLVED that, the minutes of the meeting held on 8 July 2020 be confirmed as a correct record and signed by the Chairman.

164 APPLICATION REFERENCE NO:4/17/9007.PROPOSAL: THE DEVELOPMENT OF:A NEW UNDERGROUND METALLURGICAL COAL MINE AND ASSOCIATED DEVELOPMENT INCLUDING:THE REFURBISHMENT OF TWO EXISTING DRIFTS LEADING TO TWO NEW UNDERGROUND DRIFTS;COAL STORAGE AND PROCESSING BUILDINGS;OFFICE AND CHANGE BUILDING;ACCESS ROAD;VENTILATION,POWER AND WATER INFRASTRUCTURE;SECURITY FENCING;LIGHTING;OUTFALL TO SEA;SURFACE WATER MANAGEMENT SYSTEM AND LANDSCAPING AT THE FORMER MARCHON SITE (HIGH ROAD) WHITEHAVEN; A NEW COAL LOADING FACILITY AND RAILWAY SIDINGS LINKED TO THE CUMBRIAN COAST RAILWAY LINE WITH ADJOINING OFFICE/WELFARE FACILITIES;EXTENSION OF RAILWAY UNDERPASS;SECURITY FENCING;LIGHTING;LANDSCAPING; CONSTRUCTION OF A TEMPORARY DEVELOPMENT COMPOUND, AND ASSOCIATED PERMANENT ACCESS ON LAND OFF MIREHOUSE ROAD,POW BECK VALLEY,SOUTH OF WHITEHAVEN;A NEW UNDERGROUND COAL CONVEYOR TO CONNECT THE COAL PROCESSING BUILDINGS WITH THE COAL LOADING FACILITY.FORMER MARCHON SITE AND POW BECK VALLEY, WHITEHAVEN-31/05/2017

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No: 4/17/9007, Proposal: The development of: a new underground metallurgical coal mine and associated development including: the refurbishment of two existing drifts leading to two new underground drifts; coal storage and processing buildings; office and change building; access road; ventilation, power and water infrastructure; security fencing; lighting; outfall to sea; surface water management system and landscaping at the former Marchon site (High Road) Whitehaven; a new coal loading facility and railway sidings linked to the Cumbrian Coast Railway Line with adjoining office / welfare facilities; extension of railway underpass; security fencing; lighting; landscaping; construction of a temporary development compound, and associated permanent access on land off Mirehouse Road, Pow Beck Valley, south of Whitehaven; a new underground coal conveyor to connect the coal processing buildings with the coal loading facility at the Former Marchon Site and Pow Beck Valley, Whitehaven, Cumbria – 31/05/2017.
A detailed and joint presentation was given to members by the Manager, Development Control and Sustainable Development and the Programme Lead - Infrastructure Planning. Members were advised that the Head of Waste and Resource Management at WYG was present in the meeting to answer any technical planning questions for members. The Partner from Freeths was present to provide legal advice.

The presentation provided information on the following and this was described in detail for the Committee:

- The application number and site
- The presentation approach
- The application history
- An update (on representations, report clarifications and updated Conditions 11 and 77)
- The location
- Maps showing the site
- Offshore mining
- The revised application
- Coking coal
- Key issues
- Has the need to metallurgical coal been overtaken by new technology
- BBC news extract from 15 February 2020
- Substitution
- In favour of, against and conclusion on substitution
- Effect on climate change
- Emissions
- Planning conditions
- Section 106
- Planning policy DC13
- National Planning Policy Framework
- Environmental Balance (overview)
- National, Local and Community Balance
- Recommendation

During the presentation the Manager, Development Control and Sustainable Development advised that the two key issues were whether there were any other methods of making steel using alternatives to coal and when would that likely happen and would metallurgical coal from West Cumbria be a substitute for coal that was currently being imported from America.

As an update, the Manager, Development Control and Sustainable Development reported that on Monday 28 September 2020, the Secretary of State had issued a holding direction to the County Council to not issue a Decision Notice to approve planning permission should the Committee grant Planning Permission. This would allow him time to consider calling in the application. It was confirmed that this would not invalidate the Committee’s decision to be made at the meeting.
The Manager, Development Control and Sustainable Development drew members’ attention to additional information which had been circulated to the Committee and published on the County Council’s website on 1 October 2020. This information related to further representations received from Groups and individuals since publication of the Committee report. A comprehensive verbal update was given summarising the contents of two additional late representations.

During the presentation, the Programme Lead - Infrastructure Planning provided a further detailed update. He read out a number of corrections to the report which related to a paragraph deletion and insertion of additional paragraphs.

The corrections were as follows:

Paragraph 7.1 of the report was deleted.

Paragraph 7.31 should have been a section heading, not a paragraph.

Paragraph 7.94 The first sentence of the report was amended to read, “This uncertainty could be resolved by applying a condition to limit the coal exported from the mine which sets (amongst other things) a limit to the average sulphur content of 1.4%, which aligns with the coal broker’s view on substitution with which Wardell Armstrong concur, with a cap of 1.6% reflecting the applicant’s basis of assessment contained in the additional GHG Environmental Statement Chapter (Process Change document) and which is below the typical maximum sulphur content for High Vol A coking coal referred to by the coal broker with which Wardell Armstrong concur. This would provide reasonable assurance…”

An additional paragraph was inserted after paragraph 7.94, “It has been suggested that were the Cumbrian coal to substitute for US HVA in the European market, the US coal would simply find new market. However, there is no proven alternative market for this, and shipping to alternative major steelmaking countries in Asia and India would involve high transport costs which would bring into question the economic viability. In any case, since the demand for steel is not influenced by coking coal price, even were this to occur, the coal would be substituting for other coal currently used in any new markets identified.”

The fourth sentence in paragraph 7.328 was amended to read, “However I acknowledge the level of sulphur content would need to be managed to supply a product currently suitable for British Steel, and it is not clear whether this can be achieved – so in this case I have considered that it cannot.”

An additional paragraph was inserted to read, “Human Rights: For the avoidance of doubt, I have considered the nature and purpose of the proposed development and it is considered that there would be no unnecessary or disproportionate interference with any Convention Rights as set out in the Human Rights Act 1998. In carrying out this exercise I have had particular regard to Article 8.”

Condition 11 was amended to read, “Remediation strategies shall be prepared for each of the following components of the development. The remediation strategies shall be submitted to, and approved in writing by, the Mineral Planning Authority prior to the Preliminary Phase (which for this condition only shall not include site
investigation (contamination or geotechnical)) or the commencement of Construction Works (whichever is the sooner) of each of the following components: ….etc.”

Condition 77 was amended to read, “Upon commencement of operations the operator shall commence recording the sulphur content of each shipment of coal dispatched from the mine. No type of coal other than High Vol A Coking Coal with a sulphur content not exceeding 1.6% shall leave or be transported from the mine at any time. On each and every anniversary of the commencement of that record, or upon request, the operator shall submit to the Mineral Planning Authority copies of the records of those shipments to evidence the sulphur content of each shipment of coal and the average (mean) sulphur content for the coal exported in the preceding year. The submission of records shall also include all records of any communication from a customer concerning the accuracy of the sulphur content of the coal. After the first 12 months of production, or at the maximum anticipated level of coal production for the mine, whichever is the sooner, the average (mean) sulphur content of the coal exported from the mine in any 12 month period shall not exceed 1.4%.”

The amendments above to Conditions 11 and 77 which had been made for clarification purposes were read out in full to members.

On conclusion of the presentation, the Manager, Development Control and Sustainable Development commented on the due diligence that had taken place in order to come to a recommendation to the Committee and the challenges faced by officers in gaining a good understanding of the science and economics of the proposal. He acknowledged that members were being asked to make a decision on the likelihood of things happening such as the substitution of coal. He commended the public participants for the quality of their representations and stated that their input had led to the inclusion of the greenhouse gas emissions obligation in the Section 106 Agreement and the addition of the condition limiting the life of the mine until the end of 2049. He asked members to consider whether it would be better to import coal from America with the longer transport distances and where there were less regulations. He emphasised that the decision should be taken in accordance with Development Plan Policy and Government planning guidance. He stated that these did not prohibit the use of coal but required officers to consider whether any national and local benefits clearly outweighed the environmental harms.

After thanking officers for their support in drafting the report, the Manager, Development Control and Sustainable Development took questions from members on the presentation.

A member referred to the omission in the presentation of the length of time before methane was captured. He highlighted that this was a greenhouse gas and questioned why it would take 5 years before it was captured. He considered that a lot hinged on when hydrogen could be used in steel making in the future and asked whether restoration would commence earlier than indicated in the report if hydrogen were able to be used before the closure of the mine in 2049 and the coal was no longer needed. The Manager, Development Control and Sustainable Development
confirmed that restoration would commence earlier if coking coal was not needed and the land restored to agriculture under the Section 106 agreement. The Head of Waste and Resource Management at WYG outlined that methane capture would take place after five years as initial engineering works would need to be built which would take time. Additionally, methane levels would initially be low so five years would be realistic for methane capture. There would be a review of methane capture every five years for the entirety of the life of the mine.

A member raised concern about the potential impact of the development on local heritage sites. He referred to Celtic and possible Roman activity at sites at St Bees Head and along the West Cumbrian Coast coastline and as far as Ravenglass. He asked whether the impacts of the development on west coast heritage sites had been taken into consideration. He added that local woodland was important and asked whether there was an alternative railway siding available other than that in the Pow Valley.

The Manager, Development Control and Sustainable Development explained that there had been no changes to the heritage section of the application. This remained the same information as previously considered by the Committee. He acknowledged that there would be some disruption to the heritage coastline but members had considered this at previous meetings. Neither Historic England nor the County Council’s Historic Environment officer had changed their opinion on the application before members. He commented that the only alternative was to use the road to transport coal from Pow Beck Valley and the road was currently at full capacity. He advised that local landscape harm had been identified as a negative in the planning balance sheet and asked that members take this into consideration during determination of the application.

The same member asked if there could be extra planting and landscaping at the railway sidings in Pow Valley in order to soften the impact of the buildings. The Manager, Development Control and Sustainable Development explained the planning gain in terms of proposed screening and planting and advised that there had been no change in this regard to the application. This information had been considered previously by the Committee.

In referring to the site’s previous use, a member asked whether historical contamination of the site would be a problem. He referred to the Government’s Clean Steel Fund which he considered to be positive and asked if the Secretary of State would determine the application regardless of the decision of the Committee.

The Manager, Development Control and Sustainable Development explained the Call In process that the Secretary of State would follow should the Committee decide to grant planning permission, advising that his would be the final decision. The Head of Waste and Resource Management at WYG informed members about historical contamination at the site, the data used by the Environment Agency in this matter and reported that currently concrete slabs covered the site and once removed, contaminants could potentially be mobilised when work started on site. He reported on the conditions attached to the planning permission to require investigation and mitigation of any contaminants on the site and explained that
The contaminants would be removed before the buildings were erected so when the site was restored, the contamination would cease to exist on site.

The Manager, Development Control and Sustainable Development outlined the reason for the introduction of the Clean Steel Fund adding that it was an attempt by the government to decarbonise the steel industry. The Head of Waste and Resource Management at WYG concurred, adding that this was a move towards cleaner industries in order to be carbon neutral in 2050.

A member highlighted the issue of substitution. He referred to the commercial viability of America substituting coal into other countries’ steel markets as referred to in the officer presentation. He considered that America could enter into the Latin market for metallurgical coal for example as they were large steel producers. He referred to a previous report considered by the Committee which had identified that coal from the Midlands could be used in the cement industry and stated that coal could be used as thermal coal. He asked officers to acknowledge that they could not know the details of the American coal industry’s markets. He asked officers to confirm that there was not a global shortage of metallurgical coal.

The Manager, Development Control and Sustainable Development acknowledged that officer knowledge of coal markets was not comprehensive however he explained the projections made by Wood McKenzie which had looked at the requirements of the steel industry. He advised that markets appeared to be expanding in areas such as India and South East Asia and they would not favour US producers because of distance and competition from coal exporters in locations such as Australia. He noted that market synopses changed over time. He stated that there was not a great deal of High Vol A coking coal in the UK and Europe which is why it was imported. He highlighted that the EU considered metallurgical coal to be critical to steel making. The type of coal to be extracted in Cumbria and its specific uses was explained by the Head of Waste and Resource Management at WYG. He talked about the difference between the markets that Cumbrian and American coal would be sold to and how they would be independent of each other.

A member commented on the supply and demand of metallurgical coal, highlighting the demand in 2017 and how the 180,000 tonnes of coking coal would be apportioned in the UK. Officers were asked what percentage of UK demand would be satisfied by the proposed scheme. A response was provided by officers after the adjournment.

Following a request from a member for clarification for the observers watching the meeting on the role of the Secretary of State in the determination of the application, the Manager, Development Control and Sustainable Development advised on the next steps should the application be granted or refused planning permission by the Committee.

There was an adjournment from 10.30 am to 10.40am with a roll call taken following the adjournment.
The Programme Lead - Infrastructure Planning reported that 11% of UK coal would be substituted by West Cumbria Mining's coal. Following a short explanation of the calculation used to identify the percentage, he advised members that if West Cumbria Mining's coal was used by UK steel manufacturers, that would substitute coal imported from America. The member highlighted the figures quoted in the report and concurred that this was similar to her calculations and queried whether the 360,000 tonnes referred to in the report to be supplied in the UK was the mine’s entire production. The officer advised on the total production of tonnes of coal to be supplied by the mine and advised that 13% of the coal would be delivered to UK steel makers and that the rest would be exported to European markets. The member queried why, if the mine produced 11% of its coal for the UK market and the rest was exported, did the UK export the rest if the UK’s own demand was satisfied by imports from elsewhere. The Programme Lead - Infrastructure Planning confirmed that this related to the type of coal required. He explained the types of metallurgical coal and the blends of coal which were used in coke ovens and why the UK still had to import particular types of coal. It was confirmed by the Programme Lead - Infrastructure Planning that the coal identified in the proposal would be used for 11% of UK metallurgical coal demand. He explained the blend of coal and chemical components that were critical to be used in coke ovens. He added that it would be difficult to be specific as it was a complicated field and could not guarantee that the percentage related to the type of coal being considered by members.

The next part of the meeting related to Public Participation. Twenty four statements were made with the applicant speaking last. Members and officers were invited to ask questions of each participant at the end of their statement.

Dr Henry Adams

My talk compares timelines, focusing mainly on the climate timeline – because all decisions on fossil fuel projects need to comply with that timeline, if we are to see a liveable future for everyone.

I’ll then briefly compare that with the time-line of carbon emissions that would result from the coal mine, and the likely timeline for steel-making to shift from coal, which I’ve been following up over the last year or two.

In 2015 the UK government signed up to The Paris Agreement on climate change. The most important part is the temperature goals statement, and is for nations to be, I quote: “holding the increase in global average temperature to well below 2 degrees C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees C above pre-industrial levels”. We are now at 1.1 to 1.2C.

Keeping below 1.5C is especially important for low-lying coastal areas and islands already vulnerable to flooding associated with sea-level rise, and also to hotter and poorer nations who’ve contributed least to emissions but are already suffering the most.
This graph plotted from NASA data shows changes in average global temperature from 1880 to this summer: The orange band shows the Paris temperature goals which we need to keep below, or at least try not to exceed.

I hope it’s clear to you that if we don’t make most of our emissions reductions towards net zero this decade by 2030 we will cross 1.5°C as soon as around 2030 if not before, which is what climate scientists predict, and is shown by the red square. We cannot wait until the end of 2049 as the Officer’s Report advises.

Also if we continue on our present fossil-burning course to 2050 before we make a sudden major reduction, as the report recommends, we will not just fail to meet Paris goals but will also risk crossing +2 degrees C at between 2040 and 2050, as shown by the red band, with the loss of all coral reefs and other dreadful results.

The report also ignores that because much of the quantity of carbon dioxide, once emitted, stays in the atmosphere for many decades, or even centuries or longer, this means that the heating effect is related not to the rate of emissions at that point in time, such as at 2050, but the accumulated emissions up to that point in time. This is an additional reason why most of the emissions reductions to net zero must be made as soon as possible and not left to the end of 2049.
The United Nations Environment Program states that the world now needs to reduce emissions by 7.6 per cent per year this decade, and Professor Anderson calculates that for the UK this means by 10% per year this decade for reasons of equity.

If West Cumbria Mining are allowed to proceed with coal extraction it will add 9 to 10 million tonnes of CO2e to global emissions per year, of which 9 million tonnes would be from end-use in blast furnaces, and 0.4 to 1 million tonnes in operational emissions largely from methane emissions from the mine.

These end-use and total emissions are huge, around 2% of the size of UK’s territorial emissions and more than the net emissions of a million UK citizens, which is twice the residential population of Cumbria. Obviously totally incompatible with the UK reducing its emissions by 10% per year, and, with any carbon budget path for a 1.5C, or even a 2C limit.

By the way: The shipping emissions savings are only about 1% of the size of the end-use emissions.

West Cumbria Mining’s coking coal is not needed in Europe because major steel companies have committed to significant percentage reductions in emissions in Europe by 2030, typically 25 to 30%, and to be carbon neutral by 2050, and because most of such emissions are from coal use in blast furnaces this will mean significant reductions in the use of coal by 2030 and further substantial reductions by 2040. The report greatly downplays this timeline. For example by a decade for the Hybrit Hydrogen-DRI process. The Hybrit pilot plant started on August 31st this year. The demo plant will produce 1 million tonnes a year of fossil free steel from 2025 2026 onwards.

The coal mine would be in economic and political opposition to the decarbonisation of Europe’s steel-making industry, and would harm UK’s credibility as host of COP26 next year.

Councillors you now have the decision as to whether that coal remains in the ground without adding emissions, or is extracted and adds huge emissions.

No questions were asked of Dr Adams.

Councillor Giles Archibald

Thank you Mr Chairman

I’m Giles Archibald, the Leader of South Lakeland District Council. I was highly surprised to hear earlier today that Paul suggested there is a climate change benefit as there will be a saving of carbon through less shipping. I would direct you to paragraph 7.125 which estimates this saving as 107,000 tonnes of CO2 a year. Yet in the prior paragraph 7.124, it shows that emissions from just the operations of the
mine which are 366,000 tonnes a year dwarf this amount so there will be climate harm, not benefit. I would also add that there has been no estimation of the transporting of the 85% plus of the coal beyond Redcar so there will be additional carbon dioxide from transportation.

Now when I was last here, I expressed a concern about Paul’s comment that the greenhouse gas emissions from the mining operations would be broadly carbon neutral. I can quite understand if members of the Committee relied on that statement when making the previous decision. But these documents show that this statement is just not true.

And there are several reasons why the statement is not correct, but I don’t have time to go into all of them, but I will revert back to my earlier remarks about the operational emissions as calculated by AECOM.

I mentioned earlier in my remarks that this shows that, at best, in the early years at least, 250,000 tonnes of new CO2 equivalent will be emitted each year. That's 366,000 less 107,000. Again, that's all in the report. This number of 250,000 tonnes of CO2 equivalent is as they say net of the carbon saved by shipping.

No one is suggesting that a mine elsewhere will stop production to offset these emissions so these figures are additional and this amount of CO2 is dismissed in the report as insignificant. But in fact it brings with it substantial annual environmental cost. If I use the German environment agency’s estimate, this level of emissions would incur an environmental cost of approximately £40 million a year. £40 million a year of pollution from just operational activities.

I am not talking about the use of the coal. I am simply referring to the operation to produce the coal.

It is very clear that when you were told that this will be broadly carbon neutral, that there is a climate change benefit it’s incorrect. It cannot be right that £40 million worth of environmental damage is not a material consideration in your minds. It’s a huge number.

Cumbria has many natural assets and we can provide leadership in combating climate change. I have spent the last 4 years as leader of South Lakeland District Council trying to get Cumbria to provide this leadership and I think we are on the brink of being able to do so. But we will be severely handicapped, our reputation will be tarnished, if we approve this coal mine which will result in so much pollution.

I’d also point out that Paul and others in their presentation have indicated that there are arguments in favour and against, that it’s finely balanced in their view. Why take the risk?

I know this is difficult. I’ve thought long and hard about this myself. It is not easy but I would ask you to consider the broader long-term consequences of your action, now that you know for certain that this decision will not be carbon neutral.
No questions were asked of Mr Archibald.

**Dr Ruth Balogh**

I am Dr Ruth Balogh, Co-ordinator of the local Friends of the Earth Group, and I’m an academic who has conducted and published research on the health and social impacts of climate change in Cumbria from flooding, something I myself have also experienced.

I just want to say that I hope you will all have grasped the strength of opposition to this proposal and that you understand the contested legality of it from the Secretary of State’s letter.

Our group urges you to reject this new application. We believe you do not wish to contribute to climate change, but you do want to see more jobs in South Whitehaven. This is how the argument is being framed locally. As local people we share your concern. But we are entering a new era post-COVID as we re-build our economy in a way that protects our planet. Jobs in a dangerous coal mine that threatens our environment are not the way forward. Instead we need sustainable jobs such as retrofitting households to work in an energy-efficient way, where the whole community can benefit. We urge you to do so too.

At stake here, however, is the argument in planning terms. I’ve read the Officer Report and am dismayed by its recommendations, especially the condition to operate the mine until 2049, and the applicant’s offer to mine coal at a higher sulphur level than the report says the industry wants.

I submit that the time-line of 2049, just one day before the Climate Change Act and the Paris Agreement target of limiting global temperature increase to 1.5 degrees C over pre-industrial levels, is tendentious. The NPPF aims to ‘shape places in ways that contribute to radical reductions in greenhouse gas emissions’, and so we expect coking coal to be phased out for steel manufacture, not to just carry on at the same rate until the last minute. This abrupt 2049 condition contradicts plans for decreasing emissions over 5-year budget periods specified by the Climate Change Committee.

I turn to the question of substitution and submit that the proposer’s offer to abide by a planning condition of 1.7% sulphur that’s in paragraph 4.8 of the report and I don’t understand why today we are being told it’s a lower level. This 1.7% contradicts the Planning Officer’s own conclusion that they are ‘unable to establish substitution’ (para 7.93) but that the market requires steel with 1.4% sulphur. This 1.7% will not do.

Finally, there are huge doubts over a market for this coal beyond the very short term. The officer claims that ‘the UK government remains keen to support our steel industry and so I consider it is reasonable to conclude on the evidence available that demand for steel and coking coal will continue to exist within the UK for the foreseeable future’ (para 7.29).
But don’t forget the Secretary of State rejected the Druridge Bay opencast coal mine application – which was also offering metallurgical coal and concluded ‘there is limited evidence that the demand for coal for industrial purposes will remain at current levels beyond the very short term’.

So in terms of the NPPF para 211 the environmental impacts are NOT outweighed by local, community or national benefits of this scheme.

I am proud that my Council has recognised there is a Climate Emergency. Please act on it and reject this proposal. Thank you.

No questions were asked of Dr Balogh.

**Tim Deere-Jones**

My name is Tim Deere-Jones and I’m a marine environmental consultant with a long experience of working with marine radioactivity. I’m a graduate at Cardiff University Department of Marine Sciences where I majored in marine pollution but also did a brief study for one year on marine geology and here’s my summary of a briefing paper that I wrote for the Radiation Free South Lakeland campaign on the radiological implications of potential sea bed subsidence and seismicity relating to mass removal rapid extraction void space creation associated with the West Cumbria Mining proposal.

Hopefully Council members will have had a copy of that. That was certainly our intention.

So, my summary of that document is as follows:

It is evident that there is a lack of data about the status of the existing historical galleries and workings of the West Cumbrian Coalfield. It is also evident that there is a lack of accurate data about the history and status of any subsidence seismicity in that coalfield.

We have that the BGS have concluded that the coalfield is heavily faulted and has a long history of subsidence and that it appears that there are no plans on behalf of anybody to monitor for any subsidence prior to, during the operational phase or in the post operational phase of the Woodhouse Colliery. It is noted that subsea monitoring equipment is available and could be deployed in the region in order to monitor for any subsidence effects arising as a result of the “mass removal” extraction of the proposed Woodhouse Colliery.

We conclude that there is a real potential for subsidence to occur as a result of the “mass removal” which will actually take away a mass volume underground equal to the volume of water held in Wastwater Lake which you can see is a large amount and this creation of extensive sub-sea void spaces which could generate earthquake and liquefaction effects which may extend onshore as far as the Sellafield/Moorside sites.
We conclude that any seabed subsidence in the West Cumbria Minefield designated sub-sea mining zone would generate re-suspension of sediments in the Cumbrian Mud Patch which is a heavily radioactive seabed feature consisting of fine sediments located above the proposed subsea mining zone. We conclude that such an event could generate elevated doses of man-made radioactivity to Cumbrian coastal zone populations and sea users along both the Cumbrian coast and at “downstream” i.e. down current regions further afield.

Given the potential for such a radiological effect and the delivery of increased doses of radioactivity to relevant coastal zone communities, some of which have already been identified by the authorities as Coastal Critical Groups, we propose that the Woodhouse Colliery proposal (especially in the absence of any precautionary mandatory subsidence monitoring) is strongly contra-indicated and we would advise that it should be abandoned.

This is a brief summary of the documents I have submitted to the County Council already. Thank you very much.

A member asked Mr Deere Jones to explain the strata composition underneath Woodhouse Colliery, asking him if it was as varied as the rest of Cumbria and whether it was hard or soft rock. Mr Deere Jones explained the area under consideration was heavily faulted and consisted of various geological types of different densities which could result in potential slippage and subsidence given the amount of void spaces that would be created. Mr Deere advised that his research was based on the work of the British Geological Society and if there were in depth questions, the Society could respond in full.

David Douglass - read out by the Senior Democratic Services Officer

Having read the revised application from WCM I would like to say that I strongly urge its approval. I had the privilege of being able to speak in support of the original application at Cumberland County Council's Public Planning meeting and would have been more than pleased to do so at this meeting unfortunately I am unavailable. I hope you will instead be able to read out my sincere thoughts in support.

This mine is of crucial local and national importance, whole areas of expanded steel production are being considered in Britain, and as we continually point out you cannot (commercially) make steel without coke and coal to make it with. It is simply absurd to quote experimental processes which could theoretically make steel through hydrogenation as some sort of alternative to current steel making processes. The price of steel is falling, as worldwide demand and supply is increasing. No steel producer will opt for an experimental and vastly more costly untried process and abandon well established plants and processes, and that is not going to happen here. Those being the actual facts both now and for the entire future lifetime of this mine, we need to consider whether steel is going to be continued to be produced? The lobby which has tried its hardest to stop this vital (WCM) project is the same lobby which demands a greater and greater reliance on wind turbines for on and offshore. These turbines necessitate the production of steel
and therefore coal to produce it and them. This lobby at the same time complains of increases in Co2 and here is the irony, in order to bring down the production of greenhouse gasses and Co2 from coal power stations, they argue that increasing numbers of wind turbines be manufactured, the manufacturing of which invariably will increase the amount of Co2 being produced for that purpose. It has to be accepted the greater the production of turbines will inevitably lead to an increase generation of Co2 in that process. The same is true of production of electric cars, and solar panel systems, tidal barrages etc. There are no 'renewable' processes which do not require the utility of steel and therefore the demand for coal to manufacture it. What is argued correctly is that renewable alternatives in power and transport bring down the overall emissions and that’s correct, but in those expanded areas of steel production Co2 levels must of course increase. But it will not be the mine which is producing the extra Co2 but the production of steel manufacture for the renewables and that is inevitable. The application of carbon capture and storage will greatly reduce Co2 from these processes.

Behind the objections is a basic deception. That is that preventing this mine from opening while arguing for expansion of renewables means that extra coal and extra steel must be mined and produced if not here elsewhere. The coal will still be mined, the steel will still be produced, and they simply do not want it mined or produced here.

In environmental terms this is sheer hypocrisy. Cumberland County Council have imposed almost 100 environmental safeguards and standards and limitations on the way coal will be mined here. The mine will not ago ahead unless they are met. That being the case it will be mined in the most environmentally friendly way to the highest standards in the world. The operational underground safety standards are also likely to be the most exacting in the world. Set against this, should the mine be tragically prevented from operating, then the coal will come from elsewhere in the world, where environmental standards range from poor to non-existent. The very worse coal mining environmental record anywhere in the world is the vast strip mined operations of Appalachia, where the tops of mountains are simply blasted and pushed off into the surrounding valleys and the exposed coal stripped out. Mining companies face no restrictions on their operation in environmental terms or working conditions, all the operations are non-union and environmentally devastating. If WCM mining doesn't go ahead it is more than likely the coal for steel for renewables or any other construction project will come from there, or some other far off land such as the Russian coalfields where environment and working conditions hardly feature in the profit loss calculations. It is also the case that at the current time a drift toward a new cold war with Russia, with associated boycotts and embargoes of their produce may well dry up this source of coal with very short notice, leaving steel and cement manufacture highly vulnerable. For anyone claiming the mantle of environmental concerns 'out of sight out of mind' is hardly an honourable watchword. This is without the added disadvantage of bringing coal across the world in diesel and oil powered vessel adding 480,000 tons of Co2 to the process (based on imported coal meeting total British demand.) This added contribution isn’t in the scope of things a major consideration in terms of pollution but removing it by mining the coal here is an added bonus. What is perhaps remarkable is that the millions of tonnes of coal coming through British ports daily do
not stir protest and objection even though it is more polluting, but our wish to mine 2m tones annually here in the safest most environmentally beneficial manner does. To choose a more polluting system in the absolute knowledge steel cement and other processes will in fact be using coal for the foreseeable future is utterly myopic and hypocritical.

Locally the area is crying out for well-paid skilled jobs, jobs which will give young people a sense of pride and profession, being a coal miner is an honourable profession with a history of a thousand years in this region. Restoring coal mining and working-class pride and income to this region is a priceless goal. Green jobs are not being offered and were they to be so, they would necessitate coal coke and steel to build them. The job situation in the north is dire and likely to get worse before it gets better, the only bright star on the horizon on the jobs front is this mine.

Cumberland County Council took a long sighted and brave decision in approving WCM’s application, I hope they will have the same vision and bravery to approve this renewed application which has overwhelming popular local support.

David John Douglass
Lifelong coal miner of eight generations of coal mining.

Tim Farron MP

West Cumbria Mining have brought these amendments because of environmental concerns and the threat of judicial review. That alone should raise councillors’ eyebrows. And yet the amendments still do not affect the massive damage the mine will do. Councillors rightly accept that the climate emergency is real and have separately committed themselves to deploying every practical step to fight it. You have a practical chance today to do something about that fight and that it reject the mine and I urge you to take that step.

West Cumbria Mining claim that their contribution to greenhouse gases won’t make emissions significantly worse because for the full 50 year life of the mine, steel will still be produced in exactly the same way as it is today. That is obviously false and they surely know it. The steel industry is striving to produce steel with lower greenhouse gas emissions and meanwhile of course there is consensus across all parties that the UK must aim for net zero carbon emissions by 2050 at the absolute latest. In which case this mine cannot last its lifetime, it may barely reach half its lifetime.

But if somehow it does… it could only be because the mine will have played a crucial role in Cumbria failing to meet its emissions targets. As Professor Paul Ekins demonstrates: market forces mean that cheaper British sources of coal like this, will simply slow down the transition to new low-carbon steel making methods. So councillors should be clear that if they permit the mine, they will actively undermine their own commitment to a zero carbon Cumbria.

One of two things will definitely happen here there isn’t a third option: Either this mine succeeds, and actively slows down the UK’s efforts to decarbonise,
undermining the legally binding Paris Climate Change Agreement.... Or else it fails because it has been rendered obsolete by the development of more sustainable alternatives. Surely councillors cannot accept either outcome?

It seems clear that WCM themselves also expect the project to be obsolete before its time. Dr Neil Bristow only talks about coking coal being in demand for ‘decades’, studiously avoiding reference to the full 50 year lifespan of the mine.

Worst of all are the somersaults performed by WCM in chapter 19 where they brazenly ignore the fact that the coal they mine will actually be burnt, leaving that inconvenient truth out of their emissions calculations! If you are being kind, you’d call that slippery – but surely no councillor will fall for that?

In less than thirty years’ time, this mine will become a significant user of the UK’s carbon budget. Yet this planning application is for a mine with a 50 year lifespan in a market with plenty of supply remaining in US mines for the foreseeable future.

There are far better ways of creating jobs than this – especially when improvements in technology and a likely decline in demand for coal won’t guarantee anything like the full 500 jobs for anything like the full 50 years. We are Cumbria, England’s windiest and wettest county with the fastest moving rivers in the country – our natural resources and the strength of our nuclear industry could create many times more renewable energy jobs than this mine ever could?

If we are to be able to look our children and grandchildren in the eye and say that we did everything in our power to avert catastrophic climate change then we need to resolve right here and today to do the one thing that is most likely to achieve that – and that is to vote to keep Cumbria’s fossil fuels safely in the ground.

No questions were asked of Mr Farron.

**Hazel Graham**

My name is Hazel Graham and I am a mother. My youngest daughter Evie is three. And my oldest daughter Emily is 8 and Emily has helped me to write parts of this contribution today. I am speaking today to give them, and other young people a voice – because they don’t get a say in a meeting like this. They are not represented here. And this decision affects them far more than it affects any of us who are here today.

As well as being a mother, I also have 15 years professional experience of advising local authorities and other organisations how to reduce their carbon emissions and I’ve co-written national reports on how we decarbonise the UK and the employment benefits of doing so.

I am videoing my contribution to this committee today and thousands of local people are watching this debate and the decision closely. This isn’t your average planning meeting. The public understand what is happening and they are watching.
I am here to urge members of this committee to refuse the application for the Woodhouse colliery for several reasons. Firstly, in Cumbria, we are on the front line of the climate emergency. We face a future of devastating flooding which will get more severe and more frequent if we allow emissions and temperatures to rise. Opening a coal mine would be part of this problem at a time when we need solutions and you know this. West Cumbria Mining know this. The young people who will have to deal with the impacts in the future know this.

We also know that we have very little time left to take the action we need to avoid irreversible catastrophic climate change, and this transition is hugely challenging, even if we just think about transforming things as they stand, never mind extracting more fossil fuels and adding extra complexity for future generations to pick up.

If we carry on as we are, we hit the Paris Agreement limit of 1.5 degrees of warming by 2030 within ten years. It's absolute madness to talk about starting a new project to extract more coal until either the original date of 2074 or the new proposed date of 2049 and hearing the officer’s report earlier talking about making assumptions about what might happen to the price of renewables or what might happen with hydrogen technology instead of what needs to happen to avert climate catastrophe it felt we were losing sight of the bigger picture and forgetting that we play a part in shaping what happens here. How can we casually say a decision that would have 0.26 impact on the global steel market is a small decision for a local Planning Committee to make? Where is our agency here? Where is our accountability?

The 18 of you are making the decision today and you are part of deciding what happens to the future of decarbonisation of steel. Your decision drives this change, you are not passive passengers on an inexplicable journey, and you’re writing the future.

We have to decarbonise fast now, every day of delay, every tonne of carbon emitted, costs lives and when you make this decision do think about future generations. Perhaps your own children or grandchildren and think about explaining to them as the climate crisis unfolds, your part in a decision about extracting coal for an extra three decades.

Local young people strongly oppose the mine. We've seen the youth strikes, demonstrations and other events, attended by thousands of young people in Cumbria, since the previous decision by this committee. Young people are angry, frightened and fighting for their lives against this development.

My daughter Emily, aged 8, has asked me to play the following message to you all on her behalf:

“I’m begging you to not to build the new coal mine. Climate change is already terrible. I don’t want to see more climate change on this planet. I feel so upset, I can’t explain to you how bad this is for me. Let us kids get a word in because this coal mine will end up wrecking our world. It isn’t fair that grown-ups get to make this decision. We need kids’ brains too because it affects us more. So please listen to me, there should be no coal mine here ever. Please vote for no coal mine today”
As well as listening to the voices of young people, I would also urge the committee to refuse the application because there has been significant exaggeration about the need for the mine and the economic and employment benefits of the mine:

We simply do not need this mine for the future of steel we are part of shaping the future. It is simply not true that jobs in the UK steel industry are dependent on this coal. It is true that only 3% of the value of the coal will be spent on wages. It is true that 87% of the coal would be exported.

People in Cumbria have suffered too much already through Covid-19, through industry closures, and through the devastating impacts of repeat flooding.

I urge members of this committee to refuse the Woodhouse Colliery because communities deserve long-term, well-paid, future-proofed climate jobs in their thousands, not short term, inadequately paid, highly polluting jobs in a dying industry.

In this unique moment in history, as we battle multiple, intersecting crises, we need intelligence, forethought and leadership from our politicians. Please make a brave decision. Please make a historic decision. Please refuse this application. Your decision today will affect the lives of millions of people. Young people are watching you. The world is watching you.

Thank you.

No questions were asked of Ms Graham.

**Melanie Greggain**

My name is Melanie Greggain. I am here to represent the young, local community of West Cumbria. This is where I was born and raised. This is my family’s home.

- I do oppose this coal mine, not because I am ‘jumping on the band wagon’ and not because I have nothing better to do.

- I am a scientist and documentary filmmaker and have a professional occupation.

- Originally, I was going to present a speech full of information and statistics but, I have since changed my mind and I want to instead speak from the heart.

- First and foremost, I want to say that I do not, have any ill feeling or personal vendetta to anyone from West Cumbria Mining or the council and I really do appreciate that West Cumbria needs jobs. But I do oppose a company which proposes to supply jobs that will essentially add to the destruction of the planet.
• This week, I had the privilege of viewing the premiere of David Attenborough’s new documentary “A Life on Our Planet.”

• I’m sure you all know who he is and I’m sure he’s somebody whom many of you will respect. He has also publicly stated that he opposes this mine for the same reasons as ours.

• I am not here to promote this film, but he touched on how we, as humans, have made innocent mistakes which are leading to the destruction of our planet and the extinction of our wildlife, but also what we can do to help put things right.

• This film shows evidence that we are killing the world with our ‘industries’.

• He quoted: “We are heading for a global catastrophe if we keep consuming the earth until we have used it up.”

• That’s essentially what we do with coal – we dig it up and we consume it for our own gain. We heat it up and we burn it to make steel.

• You can’t just dig up coal and expect it to grow back again – that can’t happen, it’s a fossil fuel.

• European steel manufacturing companies now have targets to be carbon neutral by 2050 and have been quoted as saying “We are getting out of coal as fast as possible, because of the climate emergency.” This doesn’t mean that we stop using coal in 2050, it needs to be phased out by then, so we need to have alternatives working before then. And just this week China has announced that they are also getting out of coal and they are going to be carbon neutral by 2060.

• If these companies across the world are already developing coal-free steel, there will then be no use for this ‘Cumbrian coal’ and at that point we will only be halfway through the lifetime of this mine. Then the people will lose these ‘precious’ jobs, putting West Cumbria back to square one.

**Economy**

• I noted that MPs have showed support of the mine as part of the post Covid-19 economic boost.

• Pandemics, such as the coronavirus, are a result of the destruction of nature. The same goes for extreme weather conditions, such as flooding which Cumbria has seen its fair share of.

• Coming back from a pandemic as huge as Covid-19, we must embrace a just, healthy and green recovery and kick-start a model that values nature and the environment at its core for a healthier planet for us to live on.
• It was stated that there have been plans to build a steel recycling plant in Workington, creating over 1,100 jobs – a much greener, more environment-friendly alternative to this coal mine

There are reasons that there has not been a deep coal mine in the last 30 years – because mining coal is archaic, it is hugely damaging.

In this day and age, other intelligent countries around the world are leading the way to make coal-free steel – let’s stand with them.

We would rather be the pioneers of moving the steel industry forward with the study and development of coal-free steel rather than stuck in our old ways, destroying the planet one piece at a time.

I know most of you support this mine, but if my words today have made you think and maybe wonder this coal mine may not be such a good thing, then please do not be afraid to change your mind.

Your children, grandchildren and further descendants will be proud that you did something about it and they will thank you for saving their lives.

Which is much better than them blaming you for not standing up and doing anything about it when you were the decision makers.

No questions were asked of Ms Greggain.

Trudy Harrison MP

My name is Trudy Harrison and I am the Member of Parliament for Copeland. I was first elected for this constituency in 2017 and have been a strong supporter of the West Cumbria Mining project throughout, including when I was a candidate before my election.

Importantly I am also speaking today on behalf of Cumbria’s five other Conservative MPs who include, John Stevenson, the MP for Carlisle, Mark Jenkinson, the MP for Workington, Simon Fell, the MP for Barrow in Furness and Dr Neil Hudson, the MP for Penrith and the Border. They are all strong supporters of the WCM project and have joined with me in writing various joint letters to Ministers and other policymakers in recent months and years.

We have consequently won the support of the Department for International Trade, Department for Business, Energy and Industrial Strategy and ministers who are responsible for the Northern Powerhouse.

It is reflected in the government departments that the West Cumbria Mining project is an industrial export led project and not an energy project. None of the coal extracted by West Cumbria Mining will be used to generate electricity because it is specialist high grade metallurgical coal which is a key component for making high
quality steel. The Industry Minister himself recently confirmed in the House of Commons that the metallurgical coal/blast furnace process for making steel will remain in place for the foreseeable future. This is a significant reason why we have been able to secure such strong Government and public policy backing. The Government’s Industrial Strategy clearly references steel as a critical key strategic industry important for the future in the United Kingdom.

West Cumbria Mining’s high grade specialist metallurgical coal will supply the national and international steel industry with a valuable product which has strong national and international demand. Indeed, it is the steel industry which is essential to delivering the low carbon economy of the future through the production of high grade steel for wind turbines, tidal barrages, new low carbon nuclear power plants and other key infrastructure such as HS2.

I cannot overstate the economic boost which West Cumbria Mining will deliver for Copeland and West Cumbria at this crucial time when we face such severe economic challenges. It will provide us with new jobs, skills and provide crucial economic diversification as it will reduce overdependence on other industries and sectors. As well as the new jobs and investment in our region there will be significant supply chain benefits.

West Cumbria is an area with a large number of economic and social challenges which are made much more acute with the COVID pandemic. Therefore, we must attract and deliver as much new economic investment and jobs as we can and I remain determined in trying to make the case for our region and its great potential for new businesses.

New local jobs, use of a brownfield site, supporting our key strategic steel industry, export led, building new local supply chains. All of this becomes a reality with the West Cumbria Mining project. Importantly, all of its product will be moved by rail and I know that this in itself makes my campaign to win investment for the Cumbrian Coastal railway much more prominent in Government.

In conclusion this is the right project with the right product for the right industry. It is right for West Cumbria and I and the MPs I represent here today strongly support it receiving planning permission today and the necessary permits to proceed.

Thank you.

No questions were asked of Ms Harrison.

**Gillian Kelly**

I am not going to repeat this morning, all that was in my letter of objection to this scheme except to reiterate that it is vital for our very survival that we do not in any way under any pretext whatsoever facilitate any more extractive fossil fuel industries.

The days of coal are over. If, you did, heaven forbid, allow this to go ahead, you would, without a shadow of a doubt, be contributing significantly to the tipping point for humanity beyond which there is no going back. But today I want with some
humility, because I’m not a West Cumbrian to focus on the people of West Cumbria. The history of West Cumbria over the last 200 years has been dominated by coal, steel and then, more recently, nuclear – and some fishing.

Windscale, now Sellafield, is where it is, because it was thought that, were there to be a serious accident, it would be less impactful in a remote corner of North West England. West Cumbria has been at the blunt end of economic development throughout the recent industrial and post-industrial eras – always having to take the high risk, high polluting industries and being offered little else.

The last mine, Haig Pit Coal, was closed 35 years ago and very little economic support has been given to the region since to help it rebuild. There’s very little industry left. Nuclear and its service industries make up most of the work. Yet the scope for emerging industries is here. There is a history of large scale manufacturing here. There are deep ports in Workington for the export trade. Turbines could be deployed offshore in the Irish Sea.

And we all know that unemployment in Workington and Whitehaven is higher than the national average. If you starve a region like West Cumbria of proper job opportunities (as has happened over the last twenty years or so) then people will fight with a passion for what they can get. Elected councillors and MPs are then also in the invidious position of supporting these efforts or losing their own jobs - and perhaps some of you here today feel that pressure.

Post-industrial sustainable development for West Cumbria is long overdue. Local and national government need to recognise this and stop forcing the dregs of a dying polluting industry on an area that has so much more to offer.

Speaking of high risk, high polluting industry here, it has come to my attention that the chief executive officer of West Cumbria Mining has been appointed to the Committee on Radioactive Waste Management – tasked with delivering a geological disposal facility. I am no conspiracy theorist but neither can I avoid wondering at the combination of these two roles and feel suspicious that West Cumbria, because it is in a “remote corner of North West England” and has higher than average unemployment, might be in line to have this most hazardous, most potentially dangerous disposal facility in its backyard. I hope this is not true.

West Cumbrians are resourceful – the way they adapted to the nuclear industry tells us that. This decision is a crossroad. Are we going to look back to the age of coal which is already past – or forward to emerging industries which are well within the capabilities of the people of this area to embrace?

I’m reading a book ‘The End of Ice’ detailing the collapse of Earth’s systems because of global warming of course. The dedication at the beginning of the book reads like this ‘I dedicate this book to the future generations of all species Know that there were many of us who did what we could’.

Please today, be among those many who are doing what we can to save life from extinction. Thank you.
No questions were asked of Ms Kelly

**Martin Kendal**

I am asking you to turn down this coal mine.

Cumbria’s Statutory Development Plan states... ‘protect, maintain and enhance people’s overall quality of life and the natural, historic and other distinctive features that contribute to the environment of Cumbria and to the character of its landscapes and places’

The mine company and its handful of paid consultants have used their professional judgement to explain how they can extract coal from an onshore coal mine in a way that mitigates environmental impact. They have an opinion that they have a market for their product and that this is sustainable and the prospect of 510 jobs. All this is on the proviso that the company’s business plan goes as planned.

To exemplify that best laid plans often don’t go to plan our Government has a Carbon Budget Plan. The Government’s own advisory body states the UK is not going to meet its next two Carbon Budget targets. The Carbon Budget Plan is used for comparison in this application. It looks to me that the Government’s next budgets will have to be even more stringent to keep on track for 2050.

Conversely, thousands of scientists tell me rapidly phasing out fossil fuels is critical to address the climate crisis because fossil fuels are the biggest driver of the climate crisis. Science has confirmed there are no scenarios in which we both keep digging out fossil fuels and keep the world from a climate disaster (oil, gas & coal).

Initially I was for this coal mine, but now my opinion has changed. I have read their planning application, scrutinised their rhetoric to create meaning and understanding. I don’t believe the opinions of their consultant’s vested interests; they did not convince me last time that this mine would be broadly carbon neutral; just because the coal we dig out will reduce coal output somewhere else and is closer to an end user. All I can see is an exploitation of the mineral assets of my home county at the expense of my own (and Whitehaven people’s) quality of life.

I don’t have the constraints you have in your determining process, you have to work proactively with applicants to get approval wherever possible; I can just use my common sense. My opinion remains unchanged; the world does not need another metallurgic coal mine.

No questions were asked of Mr Kendal

**Chris Kitchen – National Union of Miners**

The National Union of Mineworkers supports the application by West Cumbria Mining for planning permission to develop a new metallurgical Coal Mine and associated infrastructure including rail loading facility near Whitehaven.
The granting of the planning application will be good,

- For the local economy as it will create up to 500 direct, long term, well paid jobs, with around 80% of these jobs available to the local/ regional community. There will also be additional jobs created in the supply chain for the mine.

- For the environment, the UK continues to use coal for steel making, this is not expected to change any time soon. The carbon footprint of producing coal is similar regardless of which Country it is mined in. The increase in the Carbon footprint of imported coal versus Indigenous coal is in the transportation. It is common sense that transporting coal from half-way around the world will have a larger carbon footprint and adverse impact on our environment. A deep coal mine will have less of an impact that other forms of coal production on the local environment.

- For the retention of Mining skills that have been refined over decades which will deliver a new and valuable export industry for the UK as part of the global steel supply chain.

The effect of the delay does nothing to benefit the environment or reduce carbon emissions and indeed could have an adverse effect.

The UK Government is on record as wishing to protect and preserve a UK based steel making ability in order that we are not dependent on imports. This cannot be achieved if we do not have the ability to produce good quality coking coal to use in the process.

The West Cumbria Mining plan to open a coal mine near Whitehaven will benefit the local economy, create jobs and play a part in reducing the overall Co2 emissions from Steel making in the UK. In reality it is a common sense approach to greening our economy.

For the above reasons the National Union of Mineworkers (NUM) fully supports the granting of planning permission for the Mine. Everyone wants to play their part in protecting the environment, this can only be done by working globally and not in isolation as climate change is a global issue.

No questions were asked of Mr Kitchen.
**Jemima Longcake**

This is clearly a hugely difficult issue. We have to look at it from an environmental, social and economic perspective.

This is incompatible with our (inaudible word) goal and goes against commitments already made in the county despite the recent revisions to the proposals.

Socially the proposal requires local people to choose between their current lives and their children’s future and economically the mine will not bring the benefits promised and instead will be driving up foreign prices and continue their use of coking coal.

These are just a few of the reasons why myself and so many others refuse to let such an unviable construction be dealt with.

No questions were asked of Ms Longcake.

**Maggie Mason**

Officers have acknowledged that South Lakes Action on Climate Change was right that West Cumbria Mining did have to consider end use emissions because the 2016 scoping opinion is binding, that end use emissions can only be zero if substitution can be demonstrated, that global emissions matter, not just UK emissions and that the use of coking coal in the UK and EU steel making will not be the same in 2070 as in 2020.

But the officers’ claim that it will be the same until 2050 is still wrong. SSAB has told the Council that their hybrid demonstration plant which supplies blast furnaces and BOF will be in production in 2025 not 2035 and it will produce one million tonnes per year. Fifteen years from that takes us to 2040 not 2050.

As some blast furnaces will be due to be relined or abandoned soon after 2025 there will be a progressive reduction in coking coal use up to 2040 hence substitution to 2050 will not be 100% and there will be additional greenhouse gasses and therefore there must be consideration of end use greenhouse gasses.

Professor Ekins’ recent letter emphasizes that this cheaper West Cumbria Mining coal will depress the regional price and influence decisions of take up of lower carbon steel technologies and that anything less than 100% substitution over the entire lifetime of the mine would increase greenhouse gas emissions.

I appreciate officers’ efforts to find out about the Sulphur content of WCM coal and whether it can substitute for US or other HVA coal but WCM have quoted a new range of 1.6 - 1.8 % Sulphur. I think Paul Haggin said WCM max was 1.6.
WCM has not supplied the specification of its coal now that the middling’s coal is now not being sold separately and steel companies haven’t been able to commit clearly on whether they can use it. However, British Steel has said that they can’t use it at all. This is because their operating license limits their Sulphur inputs, see paragraph 7.328. Neither of the officers have drawn this to members’ attention. The only other significant UK steel maker, TATA Steel has said it depends on specification which they don’t yet know, and they would have to change their coking coal mix to meeting their Sulphur limits.

Many European blast furnaces have similar limits because Sulphur causes acid rain. So, in answer to Hilary Carrick’s question, roughly half or less of the HVA coal needed for the UK will be substituted for by this mine even under the Council’s new definition and condition.

So, with this information, the bottom has fallen out of the need argument for this mine. How can the Council claim that this coal meets the needs of the UK steel industry that it is a supply of critical raw materials, will boost the national balance of payments and bring 500 jobs to West Cumbria? The weighting given to these aspects in the planning balance are too high. On the other hand, if the coal doesn’t substitute for US or lower Sulphur Australian coal, the coal will be additional. So, the scoping report requires that the end use greenhouse gasses and their harms are assessed and given a higher weighting as an unacceptable environmental harm.

The report accepts unacceptable damage to tourism, saying it was not enough on its own to require refusal but in conjunction with the climate change impact and other considerable harms to the historic environment, visual and landscaping, these outweigh the moderate benefits from this development.

Neither has the Council demonstrated a need for coal of this specification or any wholly exceptional circumstances to justify the damage to ancient woodland.

This proposal, even with its restrictive life and conditions on specification of the coal does not have benefits that clearly outweigh the significant harms and the application should be refused.

There were no questions asked of Ms Mason

**Sam Moisha**

My name is Sami Moisha and my family are from Cumbria and I currently live in Lancaster.
I wish to object strongly to this proposal in terms of environmental impact and it affects my own safety and health. The proposal also affects the safety and health of many hundreds and thousands of others through the certainty of accelerating climate change and the terrifying potential for generating a nuclear emergency at Sellafield.

In terms of the National Planning Policy Framework, I wish to object to this application on environmental grounds affecting public safety on the grounds that:

a) It is not environmentally acceptable, and that none of the planning conditions or obligations can make it so

b) There are no community benefits that could ever outweigh the potential for a nuclear emergency at the Sellafield site.

Essentially there are no planning conditions which could ever make this application environmentally acceptable.

Deep mining under the sea to within 8km of Sellafield poses a massive environmental danger via the subsidence which is inevitable and more significantly the potential for earth tremors damaging the facilities at the nuclear site. The local geology is known to be massively faulted. The geology that WCM plans to mine is completely connected to the geology underneath Sellafield.

Any earth tremor caused by mining or subsidence would have catastrophic effects in terms of a nuclear emergency bringing massive danger to life over a vast area

Such a nuclear emergency would not affect only the Cumbrian coast but the entire UK and other nations as well. Remember Chernobyl and the effect here in Cumbria. Have neighbouring nations been consulted on this proposal?

Recently, Cumbria County Council accepted the REPPIR report following the Fukushima disaster which extended a 50km emergency planning zone around Sellafield epicentre. Why would anyone approve deep sea mining within the emergency planning zone of a major nuclear site?

While no one can predict exactly what potential subsidence or earth tremor may result from the mining operations – it is this very real but unknown potential that is the threat.

Committee members simply cannot approve this application because they cannot answer for the public's safety and the community benefit of hundreds of thousands of people affected by the potential for a radioactive emergency incident.

The Committee is thus in the surreal position of having numerous detailed proposals relating to cycle paths and tree planting around the site coupled with a complete disregard for a potential major nuclear incident. This renders the application totally unacceptable on environmental grounds.
The public safety issues for Cumbria/UK and beyond are simply too great for this mine to proceed. Over 4,000 people have signed a petition against this ludicrous plan.

Thank you for keeping us all safe.

No questions were asked of Ms Moisha.

Dr Stuart Parkinson

I am Dr Stuart Parkinson of Scientists for Global Responsibility. I’m speaking in opposition to the application from West Cumbria Mining Ltd.

I am an environmental scientist, with 30 years’ experience of research and advocacy work on climate change and energy issues. My scientific background includes: a PhD in climate science from Lancaster University; five years as a research fellow in climate and energy policy at Surrey University; a year as an expert reviewer for the Intergovernmental Panel on Climate Change; and 17 years in my current post as executive director of Scientists for Global Responsibility which is a UK research and advocacy organisation with approximately 700 members, including energy and climate experts.

In particular, my work at Surrey University involved assessing the carbon emissions of energy and industrial projects, and critiquing the methods used. This work was undertaken in collaboration with government, industry, and civil society organisations and has particular relevance for this submission, as I will outline shortly.

The main grounds on which Scientists for Global Responsibility objects to the planning application is that it will fuel global climate change, especially undermining UK and international commitments under the Paris Climate Agreement. Specifically, our concerns are as follows:

The application states that a total of nearly 2.8 million tonnes of coal will be extracted per year during the main production phase, all for use in steelmaking. It is aimed that the lifetime of the mine will be up to 50 years. Based on official figures for emission factors, we estimate that the combustion of the coal from this mine will lead to emissions of about 8.5 million tonnes of carbon dioxide each year during the main production phase.

This figure is currently similar to the annual carbon emissions of over 1.2 million British citizens, so it is highly significant. However, because it is planned to export much of the coal, most of the associated emissions will appear in the ‘environmental accounts’ of other countries, rather than the UK. Nevertheless, they are ‘material considerations’ under UK planning law, as other objectors have explained in more detail.

The application argues that carbon emissions from the use of Cumbrian coal in steel-making can be disregarded because this coal will directly and completely
substitute for coal imported to the UK and mainland Europe from the USA. In other
words, the application argues that extraction and use of an equivalent amount of US
coal would completely cease for at least 50 years solely due to this project. We do
not regard this argument as credible. It is an example of what is termed ‘substitution
error’. Other objectors have covered the concept in more detail but, in short, it
means ignoring the well-established economics of resource use. In this particular
case, it ignores the very real potential for the displaced US coal to be used in other
steel-making markets in the USA or internationally.

When I was a research fellow at Surrey University, my work involved critiquing
carbon emission assessment methodologies such as those used in this application –
especially the use of baseline or ‘do nothing’ projections. The view we formed in
our work, which remains valid today, was that baseline-setting was vulnerable to
misapplication by project developers and any consultants they engaged. One
indicator that loopholes were being exploited was the use of a baseline which are
longer than 10 years. The need to use a 50-year baseline for this project, in our
view, demonstrates major flaws in the methodology used.

The application is also based on an assumption that the demand for coking coal
within the UK and the EU will not be significantly disadvantaged by changes in
policy, technology or economics over the 50-year lifetime of the coal mine. There
are major reasons to doubt this. Other objectors have covered some of these more
detail, but I will briefly summarise.

Firstly, even before the COVID-19 crisis, steel production in the EU and UK had
been struggling. The situation is even worse now.

Secondly, there are several existing and emerging technologies which reduce or
eliminate the need for coking coal. Work on these is proceeding rapidly. Indeed,
Jingye, which has just bought the Scunthorpe steel works, has already announced a
major shift to technologies using less or no coking coal.

Thirdly, there are major recent policy initiatives in the EU, such as the European
Green Deal, which will accelerate the use of the low and zero-carbon steel-making
technologies.

In summary, approval of this application for such a large coal mine would be a major
step backwards for efforts to tackle climate change. From an investment
perspective, there are many more promising options involving the development and
use of low and zero-carbon steel production processes. From a policy perspective,
this application exploits loopholes in local, national, and international environmental
regulations to avoid responsibility for a nationally significant source of carbon
emissions.

Scientists for Global Responsibility therefore strongly urges the committee to reject
it.

No questions were asked of Dr Parkinson.
Mike Starkie – Elected Mayor of Copeland

My name is Mike Starkie and I am the directly elected Mayor of Copeland. Thank you for letting me speak today.

The West Cumbria Mining project is an important new export-led industrial project. It is a significant employment and new skills opportunity for Copeland and West Cumbria at this extremely challenging and difficult time. It will supply the domestic and European steel industry with high quality metallurgical coal. As well as enjoying my strong support over a long period, the project has the support of the five Conservative MPs in Cumbria and many councillors. It has also enjoyed the support of various Government departments ranging from the Department for International Trade, Department for Business, Energy and Industrial Strategy and the Ministry for the Northern Powerhouse.

The WCM project will deliver a vital economic boost at local and regional levels and utilise a valuable local industrial resource which enjoys strong demand in the national and European steel industry. As Mayor I have consistently supported the project and have written to the Prime Minister and others detailing my support over a prolonged period.

The support from Copeland council, who have a range of experts with extensive knowledge of the local area and the sites which West Cumbria Mining are seeking to develop, clearly suggests that they believe that the mine would not have negative impacts and fits within the development plans of the area.

Other local businesses, from small independent shops to larger employers such as Sellafield, are also in support of this project and can see the long term benefits that West Cumbria Mining would bring to the wider supply chain.

West Cumbria Mining continue to act professionally, despite some who would try and stop development of any sort happening in Cumbria, regardless of the benefits. West Cumbria Mining continue to openly engage with stakeholders and are always willing to support local initiatives where possible.

Copeland has a very wide range of socio-economic areas, some with very high levels of child poverty and deprivation. These areas, like many in the country, have been hit hard by the impacts of COVID.

The area, our area, has been almost completely reliant on the nuclear industry for decades, but with the current changes which Sellafield are implementing in terms of a significant reduction in jobs, the need for diversification to other industries has never been more apparent.

As such, it is imperative for the survival and economic prosperity of Copeland, Allerdale and Barrow that diversification is supported in terms of new projects, long term job creation and wealth coming back into the local economy.
The project represents a major new investment for Copeland and West Cumbria and will create hundreds of new skilled jobs in a coastal community. It also represents a new large export industry for the UK and Copeland and Cumbria will become a key part of the international steel industry supply chain. This is reflected through the support WCM has received from BEIS and DIT Ministers. During the construction phase, the project will initially generate around 200 highly paid jobs within the next 18 months, with the right support in place.

I hope we will see planning permission and the relevant permits granted and awarded so that we can get on and deliver this critically important project for the people and economy of Copeland and West Cumbria.

Thank you.

No questions were asked of Mayor Starkie.

Mrs Stirzacker – read out by the Senior Democratic Services Officer

Back in 2013 Cumbria County Council gave permission under permitted development for West Cumbria Mining to carry out exploratory drilling both onshore and offshore in the St Bees area. This meant that no Environmental Impact Assessment was necessary or any public scrutiny of what was happening, even though it was anticipated that a bore hole would extend 1000m under the sea, through 2 known fault zones.

During this drilling at least 1 methane gas pocket was hit under the sea about 1 nautical mile from St Bees Head. Methane is the worst greenhouse gas, 10 times more dangerous than CO2.

It is not publically known how much methane West Cumbria Mining have released with their bore hole only a few miles from Sellafield and directly beneath the Cumbria Mud Patch, which houses decayed worth of Sellafield’s low level radioactive and chemical discharges.

Back in 1997 using A Trojan Horse motive, I successfully campaigned with South Lakeland Friends of the Earth, to stop Nirex, now renamed Radioactive Waste Management from drilling exploratory bore holes for low and intermediate level nuclear waste facility. But West Cumbria Mining, with their ‘permitted development’ permission has now succeeded where Nirex failed, and has 4000m of drilled core samples held in 851 core boxes, stacked in steel crates at the former Haig Mining Museum.

It has not escaped people’s attention that the Chief Executive of West Cumbria Mining has been appointed to the Government Committee on radioactive waste management, (formerly Nirex) and is tasked with delivering a geological disposal facility, but this time it has to include high level nuclear waste as well as low and intermediate nuclear waste, all of which must be non-retrievable.
Cumbria County Council may never get another chance to vote no to the Trojan horse coal mine. I therefore ask you to vote no again as you did in 1997.

**Rhodri Vaughan**

I am a resident of Kendal and I wanted to speak today as currently I fear that the interests of EMR capital, the private equity firm that is the majority shareholder of West Cumbria Mining, may end up being put ahead of the Cumbrian people.

The emissions created by coal from this mine will contribute to the systemic causation of annual coastal flooding. Research by Climate Central, a non-profit consisting of respected scientists and science journalists based at Princeton shows what this means for Cumbria.

In 2050, due to annual coastal flooding, Workington will be underwater, Barrow will be underwater, Maryport will be underwater, Millool will be underwater, Haverigg will be underwater, part of Whitehaven will be underwater and all of the Solway Coast will be underwater.

This will mean phenomenal destruction, people losing their homes and people losing their businesses. The economic impact would be huge. We saw in 2015 the impact of flooding in Cumbria, as Kendal and Cockermouth were devastated including loss of life.

Any benefits for local people created by this mine would surely be outweighed by the damage to their towns and livelihoods. While I am far from saying a new coal mine would be the sole cause of this coastal flooding; we should be looking to mitigate the causes of the flooding, not contribute towards them.

EMR Capital and West Cumbria Mining’s claim this mine will not contribute to global warming is farcical.

The displacement theory put forward by West Cumbria Mining defies the most basic supply and demand economics; the coal dug up at this mine will not displace coal from elsewhere. It would be impossible for them know that any coal would be substituted, never mind the 100% that they claim.

This mine will help lower the price of coal, meaning more coal is burnt in blast furnaces before the switch to green technologies occur. This means greater greenhouse gas emissions and global warming. The burning of the coal dug up will vastly outweigh any savings in transportation emissions.

By accepting the displacement theory, Cumbria County Council is stating that this mine will be carbon positive - a ridiculous claim that was mocked in Channel 4’s news report.

Global warming is a problem for the whole planet and we as a country must play our part. We cannot just offshore our emissions like EMR capital do with their profits. It does not matter whether emissions from this coal are accounted for at the stage of
production or at the end-use stage - they will still increase the amount of carbon dioxide in the atmosphere.

Even if this mine is closed in 2049 as mentioned in the planning report, it will still have a devastating impact. Greenhouse gas emissions are cumulative - and 2049 will be too late to suddenly try to become carbon neutral.

Finally, I would just like to mention the jobs WCM claim to be creating. Has there been fact-checking of these claims on jobs? I've not seen anything to show there has been any analysis.

And should Cumbria not look to create jobs in industries of the future, rather than an industry we know must be relatively short-lived? West Cumbria’s infrastructure and location seem to make it ideally placed to create thousands of jobs in long-term, sustainable industries, but we need to start now.

Surely the benefit of any jobs created by this mine will be outweighed by the gigantic costs of the flooding in West Cumbria, something this mine would contribute towards.

Considering the impact of flooding and the fact 90% of the comments on this planning application have opposed its approval, the committee have a choice today. They can choose to side with the Cumbrian people and respected scientists and economists, or they can choose to side with an Australian private equity firm. So, I would ask that you reject this planning application in order to help protect all of us, but especially the poorest in our county, from the impact of catastrophic global warming.

I thank the Committee members and members of the public for listening to me today and hope that Committee members can take these views into account when making a decision on this planning application. Thank You.

There were no questions asked of Mr Vaughan.

**Robert Wharton**

My name is Robert Wharton I started my career in 1967 as an Operational Research Scientist working for the National Coal Board and I later worked for 30 years in the consultancy practice of one of the big accounting firms. I often helped clients with the appraisal of investment projects. In doing that I saw cases where government, eager to create jobs, got dragged into supporting hopeless private sector projects, often at great cost.

I was brought up in Cumbria and have always had an interest in the area’s mining history. But I was astonished by the report of a project for a deep coal mine there. When I worked in the industry there were only three pits left in Cumbria. They had high production costs and they closed more than 30 years ago. What sense is there in going back to a dead industry?
So, I started to look at the applicant’s business strategy, especially the market side. WCM would have to raise £160 million from investors to drive shafts and equip the mine. I found that the available market for coking coal has been shrinking and will probably have vanished by 2050. Investors are unlikely to be attracted. Especially now investment institutions are wary of climate risks.

Let’s look at WCM’s business strategy which is to produce coking coal for use in steel production using the blast furnace process. The plan is to target steel works in the UK and Western Europe which currently import coal from the USA. Let’s turn first to the UK

UK steel production has been declining for 40 years. There are now only two sites with blast furnaces – British Steel at Scunthorpe and Tata Steel at Port Talbot.

Tata originally owned the Scunthorpe plant but sold it in 2016 for £1 to a private equity investor. Despite having got the plant for next to nothing, the Scunthorpe business went into insolvency last year. This year, a Chinese Company, Jingye, bought it from the Official Receiver. Jingye will clearly need to make big changes if the business is to be viable. It is reported that the attractive part of the business is the downstream activity (the rolling mills). There’s a big question about whether the blast furnace operation will survive. So I’m very doubtful there is a market for coking coal there.

Tata kept the Port Talbot operation, but heavy losses have continued. Last month, Tata Steel Europe reported a loss of over £800m and the audited accounts have a going concern qualification – in other words, the business can only keep going if the parent company in India continues to pump money into it.

Tata had applied for a £500m loan from the UK government but was turned down. There were reports that Tata wanted the loan to fund replacing the blast furnace operations with electric arc steelmaking which does not require coking coal.

In summary, the two UK users of coking coal are in trouble and no investor could rely on their custom in the later part of this decade let alone 2049.

The market in Western Europe has two problems. One is competition from overseas and the other is the EU Climate Change Strategy. All the main producers have plans for replacing or modifying the blast furnace process. Whilst this will not be easy, the EU Strategy is to reduce greenhouse gas emissions significantly by 2030 and eliminate them by 2050.

The meeting adjourned from 12.50pm to 1.30pm with a roll call taken following the adjournment.

Chris Whiteside – Local Member

I am the county councillor representing the Egremont North and St Bees division of this council, one of two divisions in which parts of the application are located. Most of the mining will take place under the seabed or land near the St Bees part of my
division, which also contains the site of the Rail Loading Facility to the south of the Whitehaven.

Representations from my constituents suggest that the overwhelming majority of them are strongly in favour of this application. St Bees parish council and the Mayors of Whitehaven and Copeland support the mine. Almost to a man and woman the people in the vicinity are in favour while the vast majority of the opposition comes from people who live well over an hour's drive away, more than two hours by public transport, on the other side of the deepest lake and the highest mountain in England.

When the mine is in full operation after five years it is expected to provide 518 jobs and fifty apprenticeships in a community which this council’s figures suggest includes some of the worst pockets of deprivation in the country. Even if not all the jobs are filled by local people, as we are promised many of them will be, spending will boost the local economy and supply chains, an uplift estimated on ONS multipliers to be worth another 380 jobs.

It isn’t local people against the mine versus people in Australia for it. Its local people in West Cumbria for the mine against opponents who don’t live anywhere near, know about or understand the community where it is proposed. That was illustrated for example by the scaremongering about Sellafield and anyone who has actually set foot in that facility knows that it makes Fort Knox look fragile and the idea that buildings which took no harm from the recent planned demolition of four enormous cooling towers on site by blowing them up with explosives is going to suffer catastrophic failures from tremors from a deep mine 8km away is not inherently credible.

Mr Chairman, it is important to emphasise that there is absolutely nothing in the revisions the committee is discussing today which would justify reversing the unanimous decision you made on 19th March 2019 after hearing hours of presentations and receiving a comprehensive 188 page report which was the product of nearly two years of work.

Even most of the objectors make no attempt to dispute that this country needs steel for a vast range of purposes including renewable energy facilities like wind turbines. At this time there is no economically viable way to make steel in a blast furnace without coking coal. Technologies to do so may be developed in the future but do not exist today. More than 85% of scrap steel in Europe is already recycled so there is limited scope to increase the 39% of steel demand which comes from recycling.

Therefore, Mr Chairman, this country will use steel. Most of that steel in the immediate future and possibly for decades, will be made with metallurgical coal. The time of coal for making steel is not over.

It is better for our people and the environment to make that steel in Britain and Europe with coal mined in an environmentally sensitive way from under the sea or land off my division and taken by rail to Redcar, Scunthorpe and Port Talbot, than to
use steel made with coal from Russia and the USA, much of it strip-mined in the Appalachians and shipped across the Atlantic.

Can we know for certain what will happen to the level of coal production in the USA or Russia if this mine goes ahead? Of course not. But, Mr Chairman what we do know for certain is that demand from the British and European steel industry is driving strip mining in the Appalachians and mining in Russia today; and that if this mine goes ahead, to the extent that the British steel industry buys coal from Cumbria instead, it will not be.

Finally, Mr Chairman, if you approve the officer recommendation today you will change three main things from the application you approved in March 2019.

The first will be to bring the legal agreement on the cycleway up to date what is possible given the negotiations with the landowner. This simply reflects reality.

The second is to add a condition limiting the output of greenhouse gases from the proposal.

The third and most significant is to remove the element of “middlings coal” representing an eighth of the proposed mine’s output which was not for metallurgical use.

Mr Chairman, I understand why objectors would want this council to use all our powers to fully monitor the promises made in this area and ensure that they are actually delivered. That would make sense.

What is perverse and self-defeating to the point of lunacy is for anyone calling themselves an environmental campaigner to object, not to the original application which this committee has already approved but, as anyone asking you to vote against the recommendation is effectively asking you to object to the removal of the middlings coal element.

Finally, Mr Chairman, I asked last time if any changes to the conditions and the 106 agreement could come back to this committee. I thank the officers for doing that last year and ask that they continue to do so. Thank you very much.

A member of the Committee asked Mr Whiteside if he thought the application fully represented the three overarching objectives of the National Planning Policy Framework and whether they would mitigate and support each other. Mr Whiteside considered this to be the case and referred to the points made in his statement. He added that in terms of the economy, the development could address poverty issues in his division. In environmental terms, he believed the 101 conditions mitigated any environmental impact and that mining the coal in Cumbria would be less impactful environmentally and less costly than importing it into the country and transporting it around the world. He stressed the importance of the conditions being properly enforced.

Emma Williamson – read out by the Senior Democratic Services Officer
The community that I represent is steeped in coal mining history and traditions, and it is an honour to represent the people of the community and those that worked within the pit industry. West Cumbria mining are offering a generational opportunity to reintroduce mining into West Cumbria and I believe this is an opportunity that we should be seizing with both hands.

The creation of 500 jobs, skilled jobs with appropriate levels of pay is a major boost for our communities. 80% of these jobs are guaranteed to be created within a 20 mile radius of the mine. These jobs will not only be life changing for the employees but will also give the surrounding communities a much needed economic injection via indirect employment and local businesses enjoying the knock on effect of people being able to spend locally.

The effects of Covid-19 has already began to have a significant impact towards employment opportunities in West Cumbria and the reality is that employment opportunities of the kind being proposed by West Cumbria mining are increasingly rare in our deprived communities.

This is a chance for our young people to be aspirational in their career options as our reliance as previously leant towards the nuclear sector the mine is another industry that will offer long term sustainable investment not only in our communities but also in our people.

I want to work to attract more businesses off the back of the success of the mine.

I want more businesses that provide the people of Copeland - particularly the younger generation and those still in school – with the opportunities to use their skills and talents and build successful prosperous lives.

I have worked with WCM to bring forward a project that is supported by your ward and by the community at large. I have spoken to and visited groups such as pit craic who gave me a fantastic insight into the life of a coal miner, they described the camaraderie of communities the pits created and the feelings of accomplishment having employment that was the lifeblood of communities.

Levels of poverty in our local communities are far too high especially child poverty which I fear will only increase as the Covid pandemic continues to grip us.

What is abundantly clear is that this is a very unequal country and that we are a community desperately short of opportunity.

This is a chance for change, to change for a better hope of well-paid aspirational employment and I for one am fully supportive of it as these type of life changing chances don’t come around very often.

We only have one planet, one environment and we all share it. Denying permission for the mine won’t solve our environmental crisis, but granting permission can help to improve it because of the reduction in Co2 emissions through coal imports and other measures laid out in the environmental impact assessment.
I recognise that there is opposition to the mine and you don’t dismiss the motives behind this opposition. We all care about the environment and we all care about the economic opportunities for this County. I say to those opposed to this application - let’s talk, not fight. I care about the environment as much as you, and I want you to understand just how important this project is for this part of Cumbria.

Estelle Worthington

My name is Estelle Worthington, I’m representing Friends of the Earth England, Wales, Northern Ireland and I welcome this opportunity to object to Whitehaven coal mine application.

We trust the councillors will realise that the environmental, including climate change elements of this application have been underplayed. Any need for metallurgical coal beyond the short term is highly doubtful as the government reasoned in their recent rejection of planning permission for an opencast coal mine at Druridge Bay in Northumberland. Accordingly, in terms of NPPF paragraph 211 the environmental impacts of the scheme are not outweighed by the purported local, national or community benefits and it should be refused.

Friends of the Earth (FoE) considers the officer recommendation to approve the mine is not backed up by the evidence and maintains three key objections.

The first is that coal must be left in the ground to help the UK play its part in avoiding catastrophic climate change. Very important to FoE’s arguments and objections, I’m not going to labour this point as it’s been covered extensively in other objections heard today.

The second objection is about new coal being likely to increase coal use and climate-wrecking emissions overall. Aside from proposed methane capturing systems to address fugitive emissions from inside the mine or AECOM evidence to suggest the end-use of the coal is not an indirect impact required for consideration under the 2011 EIA regulations, we’re troubled that the potential for additional global emissions impacts are being underplayed in the report.

The officer asserts that the mine would “reduce global GHG emissions as a result of savings made from reduced transportation distances of coal” and gives moderate weight to a “healthier global climate overall”. Neither of these claims is justified since they are based in the erroneous assumption that Marchon coal would substitute impacts of US coal - including production and transport emissions – “as these mines would scale back as a result”. Dr Bristows’ contention that the US would simply roll back on coal exports has been heavily disputed by Professors Paul Ekins and John Barrett in their submissions. Professor Ekins describes such thinking as “economic nonsense”.

It seems likely that in the absence of evidence to the contrary global coal markets will simply act self-interestedly, with each member digging and selling its coal wherever it can. While the EU may decide to buy Whitehaven coal, the US would
continue to export, possibly under government subsidy, in the hope of finding markets further afield. Arguably the mine will result in more coal being dug up, possibly with further distances travelled by coal ships.

For any chance of avoiding the worst excesses of climate change, we must simply rapidly move away from fossil fuels meaning leaving coal in the ground.

I come to our third objection. There are huge doubts over the market for the mine’s coal beyond the very short-term

The officer’s report claims demand for steel and coking coal will continue to exist within the UK for the foreseeable future. But it’s clear that this isn’t the case and the Secretary of State Robert Jenrick in his recent rejection of planning permission for an opencast coal mine at Druridge Bay in Northumberland, concluded that there is limited objective evidence that the demand for coal for industrial purposes will remain at current levels beyond the very short term.

Steel production is already starting to move beyond using coal and the first plant trialling hydrogen produced from renewable energy instead of coal recently opened in Sweden. It’s aiming to make steel for commercial production by 2026.

So, with little to no demand for coal beyond the very short term this mine risks becoming a white elephant, or worse, artificially extending reliance on a use of coal. So, in that context it’s hard to see how the granting of planning permission can be justified. Thank you for the opportunity to speak.

No questions were asked of Ms Worthington.

**Mark Kirkbride** – Applicant West Cumbria Mining

I am Mark Kirkbride, CEO of West Cumbria Mining.

I’m grateful for the opportunity to update you all again on the status of the project, although I have to say that I would need much more than five minutes to be able to respond to all of the points raised today, many of which are simply not correct. And for example, Druridge Bay was for thermal coal and not for steel making and there were various misquotes about that particular project. So as such, I’m happy to answer any questions from members.

The word “coal” has become an evil talisman for harm to the climate. Images of old coal mines are graphic and long held. But it is vital that judgments are not made on such a superficial basis.

This application is not about a mine for cheap thermal coal to be used in ageing polluting power stations. It is for a mine that will supply much rarer and high quality coal to be converted into coke and used within the UK and EU steel industries.
The UK government fully supports our steel industry and is not seeking to exclude the use of metallurgical coal, because it recognises it as a key part of the steel making process.

As presented earlier, most equivalent coal comes from the US. If this permission were to be refused, it will still carry on coming from the US. This will mean that UK and EU steelworks can source coal from much nearer without the long and polluting trips from the US.

Every tonne of coal from WCM is a tonne that will not be transported across the ocean thereby saving on greenhouse gas emissions. Moreover, this mine will be state of the art and heavily regulated unlike many others that are old and very poorly regulated.

In terms of steel making greenhouse gas emissions, these represent less than 2.6% of all UK emissions as the steel industry has already made significant progression in emission reduction.

So, even taking the view, as the officers do, that the emissions from the steelworks using our coal are material considerations or indirect effects of our development which we do not it makes no difference to the emissions from the steelworks which are regulated themselves. There remains a clear decrease in greenhouse gas emissions because the coal is transported from a much closer place. This a very significant point.

The clear evidence presented by our independent experts again confirms the demand for metallurgical coal remains consistent over at least the next 30 years. Those in opposition who claim to have expert evidence to counter this are wrong.

No such evidence has been submitted by any coke making, steel making or coal marketing experts with reliance instead being placed upon those with more general energy and economics interests.

The claims of a climate emergency continue to ignore the climate benefits of this project as a result of reduced shipping distances and regulated practices. It is convenient for those opposed to the scheme to seek to offshore our carbon responsibilities and deny that these industries will continue, despite there being no proven, practical or affordable alternatives, never mind the realistic prospects for practical carbon capture, utilisation and storage being part of the net zero carbon future.

There have also been strong accusations today that WCM is deeply connected to the nuclear industry and is a Trojan horse for deep disposal. This is complete nonsense and I’m restating here that this project has no relevance whatsoever to the UK nuclear legacy.

The real facts are that the UK will continue to import over 5 million tonnes of coal a year from overseas for many years.
The EU steel industry is still the second largest globally, producing 160m tonnes of steel annually and importing around 60m tonnes of met coal a year. Hydrogen steel making is a very distant ambition which will be less than .05% of EU steel output.

We remain completely aware of our responsibilities in terms of a transition to a low carbon future, and we will put in place extensive environmental controls so that we are the leader amongst peer projects, globally.

What has changed in 2020 is the COVID position we find ourselves in. UK GDP has seen the largest drop on record, and we are now in a deep recession. We need urgently to provide viable jobs. This is stark in Cumbria particularly.

We are a clear example of a 100% private investment with fast job creation in a time when the country needs to drive exports and generate income. We will deliver more than 1% of the UK trade deficit.

Summing up, the benefits are real from the project and obviously I need much longer than 5 minutes. We are ready to go, we have secured and are in the process of closing the multi million pound funding despite what other people have tried to say. We are ready to get going.

The Chair invited members of the Committee to ask questions of Mr Kirkbride.

In referring to the earlier point regarding the geological strata upon which the mine was located, a member asked Mr Kirkbride if he was satisfied that enough geological research had been undertaken and whether it was a stable site. Mr Kirkbride reported on his extensive experience as a mining engineer, the geologists and independent experts that had been employed to research the site, the exploratory boreholes that had been drilled and the data that had been produced from exploratory work. He confirmed that there was detailed understanding of the geology on the site and that the development would be situated on sedimentary rock. He explained the rock formation in detail.

After commenting that the general consensus was that there was a need for steel in the future, a member gave a synopsis of four things that would impact on the returns for investment, such as stricter restrictions and the use of hydrogen replacing coal in future. He asked Mr Kirkbride how sure he was that the development was viable. Mr Kirkbride explained how as a private business, publishing its financial information into the public domain was restricted so this had led to some misinterpretation of some figures relating to salaries for example. He talked about how financial details regarding input and output were drilled down and how the financial model was robust. He confirmed that the costs of the mine would be paid back in five years. He added that the private developer had spent millions of pounds in order to provide jobs and there would not be the same job creation in green industries. He considered that the development made economic sense, stating that the mine would be competitive and commented on the average salary of jobs provided by the mine.

The same member asked about the 0.5% of steel output coming from hydrogen processes. It was queried if this was the current position and how would it increase
over the time the mine operated. Mr Kirkbride advised that 0.5% would be per annum over a decade but it was currently an unproven process. He noted that there was potential for hydrogen processes in future and this had been taken into consideration in the forecasts. He reported on the continual growth and consumption of steel globally and advised that there would still be a need for metallurgical coal even if circumstances changed. He advised on the tonnage of steel produced in the EU and globally and the tonnage of coal produced globally. He stated that the mine would be part of a jigsaw of the global annual production of coal.

A member referred to the ecology at the site and asked what impact the mine development might have on existing woodland, woodland animals and the wider natural environment. Mr Kirkbride considered that there would be little or no impact, instead there would be improvements. Mr Kirkbride talked about the current brownfield site and the improvements such as extensive planting and screening, referring to the extensive replanting to replace the ancient woodland and how the water course would not be affected.

The same member highlighted that there was no guarantee that the 500 projected jobs would be locally based. Mr Kirkbride outlined the pre-registration process for employment. He explained where the jobs would be based, the working relationship with Lakes College and West Cumbria Mining’s focus on competence, training and development. The intention to recruit from the local workforce was highlighted as was the intention for the local workforce to train other workers.

In referring to the report, which stated that the coal would be washed, a member asked where the sludge would then go. Mr Kirkbride explained the washing process and how the sludge would be dried and returned to the mine, underground.

The same member asked about the 85% of coal that would be exported and where the savings in transport would be sourced from. Mr Kirkbride compared the methods for transportation, the time it took to transport coal and the distances that Cumbrian coal would be transported compared to other countries, highlighting Russia as an example.

In referring to the reassurances he had received during consideration of the planning application previously in terms of methane and other gasses capture and re-use, a member asked for similar reassurance at this meeting that every effort would be made to capture harmful gasses. Mr Kirkbride talked about the work undertaken and the plans made for the capture of methane and the importance to do this for the safety of the mine. The method to capture methane and how it would be used on site was described for the Committee and reference was made to the planning condition for methane capture.

A member asked what would happen to the gas produced at the proposed development. Mr Kirkbride explained the coal washing and transportation to steel works processes. He described in detail how gas would be emitted at other plants as part of the steel making process.
As the UK would be leaving the EU, a member was interested to know if the Applicant had undertaken an analysis of the market opportunities given the context that trade discussions were still ongoing. Mr Kirkbride commented that the market was continually reviewed and talked about trade tariffs but noted that there would not be an impact on the development at present and he was not concerned about the matter. In response to a question from the member about whether the US currently had tariffs with Europe, Mr Kirkbride confirmed this was not the case.

The Programme Lead - Infrastructure Planning asked for further clarification about the earlier point raised about the disposal of waste material after washing the coal. The full process was explained for the Committee and it was confirmed for the Chair that this process would take place within the on-site buildings.

A member raised a Point Of Order through the Chair, asking whether both officers and members could question speakers during the public participation part of the meeting. The Senior Democratic Services Officer confirmed that this was allowed as it was included in the Committee’s Public Participation Scheme.

A member asked for confirmation that the process would be to make coke into pig iron then into steel. Mr Kirkbride explained this was the case and outlined this process in detail for the Committee. The member asked about the amount of coal to be produced. Mr Kirkbride advised on the complexity of the coal’s performance, its characteristics and how the mine would produce the amount of coal needed for steel makers to blend with other types of coal to make steel. After being asked if the other proportions of coal needed to make steel could be made in the UK, Mr Kirkbride confirmed this was the case. He talked about the characteristics of coal from other coalfields in the UK and considered that other coalfields could be opened in the UK.

The Chair invited members to ask questions of officers present in the meeting.

A member talked about heritage in the local area, highlighting how each era left its historical marks on the landscape. He was disappointed in the lack of heritage details in the report and asked if additional research into the area’s history could be undertaken. The Programme Lead - Infrastructure Planning referred members to the two proposed conditions relating to archaeology which were attached to the planning permission, outlining the work to be undertaken by the applicant.

A member queried the employment opportunities available, other than those proposed at the mine itself and asked how the development could impact on tourism in the area. The Manager, Development Control and Sustainable Development explained that the development would be a significant employment generator which would have positive knock on effects in the area, however the rail loading facility would cause disruption on the Coast to Coast route and had therefore been recorded as a negative aspect of the proposed development.

A member referred to disturbance of the sea bed, which had been raised in the officer presentation. He asked whether any concerns had been raised by Sellafield Ltd on this matter or about subsidence and pollution from the development. The Head of Waste and Resource Management at WYG confirmed that there had been
no change to the issue of disturbance of the sea bed since members considered earlier reports, Sellafield had not objected to the proposal during the consultation process and that the application before members was on land only. It was confirmed that no statutory bodies had raised objections and there would be a separate MMO consent application and Environmental Impact Assessment which would deal with the area under the sea in more detail.

A member talked about the current ways of producing steel. He asked whether there were any developments in electric arc furnacing to enable it to produce higher quality steel. The Programme Lead - Infrastructure Planning talked about issues with quality in electric arc furnacing, explaining the limitations of the steel that was made using this method and the impact of the availability of scrap steel on this type of steel production.

After stating that he had listened to all of the participants statements including information on emissions, officers were asked if emissions figures on a daily and per annum basis were available. The Manager, Development Control and Sustainable Development explained the difficulty in comparing emissions data with mines similar to the proposal as they were located in countries with fewer regulations and therefore may have higher emissions in comparison to the proposed development. He acknowledged that the emissions for the operation of the time plus the burning of the coal at steel plants was likely to be similar to that quoted by public participants, but that did not take into account the likelihood of substitution.

A member highlighted his concern at the point made by a public participant that parts of Cumbria could be underwater in the future. He asked if there were any studies available on sea level changes in Cumbria in the next fifty years. The Head of Waste and Resource Management at WYG informed members that a study on the potential for a rise in sea levels over the next one hundred years had been referenced for a planning application for the Low Level Waste Repository at Drigg and confirmed that some of that section of coast may flood or be subject to erosion in future. He highlighted that global warming was a complicated issue and it would be difficult to establish a direct link between the proposed development and this increase in sea levels.

Officers were asked by a member if they were satisfied that any negative effects on woodland and woodland animals of the development would be negligible and how certain they were that any jobs created would be for local people. The Manager, Development Control and Sustainable Development commented on the extensive ecological surveys undertaken, the concerns that had been raised by officers about contaminants on the site and the potential effect on seabirds. He reported on the limited amount of habitats on the site at present. He highlighted an area of ancient woodland which although not in great condition, was protected by policy but would be affected by the proposed development. Consequently this had been recorded as a negative aspect of the proposal. To mitigate this, he explained that the applicant would be undertaking extensive planting. The size and location of the area was described following a member request for further details.
The meeting adjourned from 3.05pm to 3.10pm with a roll call taken following the adjournment.

At this point in the meeting, members entered into debate.

In referring to an announcement made over 50 years ago about the world entering into an ice age which had not happened and highlighting other scientific predictions that had been made but not materialised, it was suggested by Councillor Gray that scientific theory was not always correct. She considered that granting planning permission would increase the number of jobs which was important in what she considered to be an unstable world. She explained that she did not want to sit on the fence in making the decision so moved that Planning Permission be granted, subject to conditions set out in Appendix 1 to the report, including those revised conditions reported in the update to members during the presentation given to the meeting (and as published on the County Council website) and that the applicant and other relevant interest holders first enter into a Section 106 legal agreement with Cumbria County Council.

In seconding the motion, Councillor Markley acknowledged the points made by participants, both positive and negative, and welcomed the opportunity that the development would provide for economic sustainability in West Cumbria for future generations. He referred to the area being part of Britain’s Energy Coast, considered that the development would be a major contributor towards local and national energy and looked forward to West Cumbria prospering internationally.

After informing the Committee that his relatives had worked in mines and the organic chemical industry a member urged the Committee to be cautious about what it agreed. He supported the expansion of the steel industry but questioned if there was a need for the coal as there was not a global shortage. He considered that the decision should be based on two issues: whether the coal would be a substitute for American coal and whether there was a global need for the coal. He commented on the downward trend for coking coal. He considered substitution to be a crucial issue as if the coal wasn’t a substitute then it would be an environmental disaster. He talked about the American President’s support for the steel industry and the coal markets in other continents which the US could sell to which confirmed that American coal industry would not cease to operate. He therefore thought there would not be a need for the coal at this time. He stated his support for the planet, expressing that he would vote against the proposal. He asked members what would be lost if planning permission was refused.

In expressing his support for granting planning permission, highlighting that he had read the report and listened to everyone presenting at the meeting, a member commented that he respected the views of the member speaking against the proposal.

In highlighting that he had worked in the steel industry for many years and how much the development would benefit the people of Whitehaven, a member expressed his support for granting planning permission.
A member stated that he had heard a lot of global views during the meeting. He explained that he had been elected to represent a Cumbrian electoral division. He considered that the mine would bring economic prosperity and if the mine was not economically viable then that was West Cumbria Mining’s risk. He added that he would vote for planning permission to protect the sustainability of his electoral division and town.

After commenting on the interesting contributions from everyone in the meeting, a member raised his concerns about earlier discussions about the opportunities for newer technology for making steel such as using hydrogen. He referred to the processes used in the hydrogen method and the demands on energy when using hydrogen. He talked about changes to the nuclear industry and how it could be used in future to replace hydrogen in steel making. He remained concerned about the EU market given that the UK would be withdrawing from the EU. He stated his respect for the views of other contributors to the meeting but advised that on balance, he was in favour of the development.

In expressing his support for the proposed development in terms of providing additional jobs and a boost for the economy especially in Copeland, one member stated that even though windfarms were an alternative energy source, the turbines were made with steel and there was still demand for steel for items such as cars which, most contributors to the meeting would own.

A member stated that this was the most difficult planning application she had dealt with. She referred to the planning application as previously considered but felt the revised application to be a more finely balanced decision which had been evidenced by the large number of conditions attached to the planning permission. She thought that modifications to the application before members had shown improvement but she had found some descriptions misleading. She acknowledged that the proposal extended beyond the normal expertise of County Council officers. She thought that any planning application that needed so many conditions attached to it in order for it to be approved was not a straightforward application.

Agreeing with the previous statement that it was a finely balanced decision, but highlighting that he had not yet made up his mind, a member considered that he had not received enough information on the use of hydrogen in steel making, geology and heritage of the area. He considered that the application had not addressed alternative employment. He reported that many people in opposition to the development had emailed him but this had not affected how he would make his decision. As a reminder for members, he advised that he had not taken part in determining the previous Committee decisions on the planning application.

After taking into consideration the response from the Manager, Development Control and Sustainable Development regarding the mitigation measures for the ancient woodland, having regard to the member who spoke against the development during the debate and after listening to Councillor Williamson, Local Member who had her statement read out earlier in the meeting, a member stated that he would vote in favour of the development.
A member gave a personal account of his knowledge of the historical production of a high standard of iron produced in Millom. He hoped that the mine would continue to contribute to the production of the high standard of iron in the UK.

After echoing the thanks of many members, to officers, on their work in the production of the report, a member acknowledged the difficulty of making the decision. He thanked the public for their contributions also. He noted that sometimes, passion clouded fact and recognised that obtaining a member consensus was going to be difficult. He stated that currently there was a need for steel but this may change in the future as a replacement was found for coal. However, at present, steel making needed to use coking coal. He concluded that if steel was needed then Cumbria’s role was to offer the high grade coal. Voting in favour of the development would also lead to the creation of additional jobs and help the economy. He stated that he would vote to grant planning permission.

A member referred to the intervention of the Secretary of State should planning permission be granted and noted that should the application be refused, a lot of research and effort would have been wasted. He mooted the idea of deferring the application to allow further research in areas where some members felt extra information was warranted. He thought the planning conditions were adequate and he highlighted that he was mindful of the number of conditions attached to the planning permission but wondered how they could all be monitored. He considered the number of jobs to be created and how important this issue was. He thanked officers and also the public for all of their representations. He stated that he had received many emails from objectors to the proposed development. Some had suggested that he had already predetermined the application, but, he confirmed that this was not the case.

Mr K Hamilton advised the meeting at this point that his connection to the live meeting had dropped out for a short time.

A member referred to the Holding Direction from the Secretary of State. He asked if the Secretary of State did not agree with the decision of the Committee, had he predetermined the application as he thought this should not be tolerated. He considered that if there was current demand for the type of coal outlined in the planning application, the market may be wider than currently anticipated.

In summing up, the Chair commented that a lot of technical and emotive information had been presented but agreed with other members that it was a difficult decision to make as it was so finely balanced.

In response to the earlier member query about the Secretary of State, the Partner, Freeths provided clarification on the Holding Direction procedure. The Secretary of State had not made any decision to call-in the application nor was there any indication of what decision might be made. At this time, it was only a Holding Direction preventing the issue of the Decision Notice should the Committee resolve to grant planning permission until the Council heard further from the Secretary of State.
The Chair proceeded to the roll call vote. Members were asked to confirm if they had been present and connected for the duration of the Agenda item. Councillor K Hamilton confirmed that he had not and therefore would not vote. The vote was cast as follows: 12 in favour, 3 against and 2 abstentions. Therefore it was,

RESOLVED that,

Having first taken into consideration the environmental information as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 submitted in connection with the application and the Habitats Regulations Assessment which concludes that there is no adverse effect from the project on the integrity of any European site, alone or in combination with any other plan or project and having taken into account all other material considerations that Planning permission be **GRANTED** subject to:

i. the Secretary of State’s holding direction being lifted without the application being called-in;
ii. the conditions set out in Appendix 1 to the report as updated in the Committee meeting presentation; and

ii. the applicant (West Cumbria Mining) and other relevant interest holders first entering into a Section 106 legal agreement with the County Council to cover:

• HGV Routeing;
• Public Rights of Way Contribution;
• Highways Contribution;
• Travel Plan Monitoring Fee;
• Council S106 Administration Costs;
• Extension to the Aftercare Period;
• Heritage Asset Enhancements;
• Pedestrian and Cycle Path obligation securing part of the pedestrian route and contribution;
• Restoration of Main Band Colliery
• Restoration Bond / Securities;
• Drain Surveys & Maintenance;
• Residential Land Restriction (Lake View and Stanley House properties); and
• GHG obligation

**165 DATE AND TIME OF NEXT MEETING**

The next meeting of the Committee would be held on 9 October at 9am.

The meeting ended at 3.54 pm