Ref: CHECKED

Please see Annex RN1 for supporting information, and the “Introduction” for Health and Safety considerations and advice on the use of the guidance.

1. Agreed Lines of Communication
   It is vitally important that clear lines of communication are agreed with MPA and operator staff, prior to the commencement of any new stage during restoration (e.g. replacement of overburden or soil), particularly if such works are to commence at short notice.

2. Gaining Approval to Commence Work
   The MPA should agree with the operator how approval (or otherwise) of requests to commence work will be communicated. This particularly applies if formal written approval will take too long. Regardless of communication method, clear records need to be maintained.

3. Delegated Authority
   It is important to be aware of who on the site has authority to make decisions concerning site working or requests to the MPA. If the site manager has delegated authority to another member of staff, how experienced is that person? Conversely, the operator needs to be aware of who to contact at the MPA with requests for information or notification of work proceeding.

4. Monitoring
   During the restoration phase, the operator should agree procedures for inspecting key phases such as the landform contours after overburden and soil replacement. The MPA also needs to be sure that the on-site supervisor of key phases in restoration has sufficient knowledge and experience. (See Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture (DoE 1996) (Annexes A & B).

5. Awareness of the Restoration Proposals
   Are the landowners or future occupiers aware of the restoration proposals?

   On waste sites, the MPA should ensure that good communication exists with those persons monitoring compliance with the Waste Management Licence to ensure there are no conflicts.
For more detailed information see:
• Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture (DoE 1996) (Pages 24-27, Annexes A & B)
• *PPG10 Planning & Waste Management* (DETR 1999) (Paragraphs 19-23)

Cross references:
• AP 5
• SW 1, 7
• RN 2
• AC 1
1. Agreed Lines of Communication

In most cases there will be a planning condition which establishes how much written notice the operator should give to the MPA of the commencement of works. The standard Defra recommended condition states that the MPA shall be notified in writing at least 5 days prior to the commencement of several key stages, including each phase of soil replacement. However, it has to be recognised by all parties that often a shorter notice period will be required for practical reasons. For example, the timing of soil replacement will largely depend on the weather. Therefore it is good practice for the MPA, operator and other consultants (if applicable) to agree clear lines of communication prior to the commencement of restoration. Matters to be agreed should include:

- the method of communication (e.g. phone, fax or e-mail)
- who to contact (and named alternatives), and
- minimum time for notifying

2. Gaining Approval to Commence Work

Similar to the notification above, the MPA should also agree how approval (or otherwise) of short notice requests to commence work will be communicated to the operator. For the reasons stated above, written notification may be too long in some instances. Matters to be agreed should include:

- the method of communicating MPA approval (phone, fax or e-mail)
- names of staff with authority to approve commencement of work
- where approvals should be directed (e.g. site manager)

Regardless of the method of communication, records should be kept both in the site and MPA offices.

3. Delegated Authority

It is important to be aware of who on the site has authority to make decisions concerning site working or requests to the MPA. If the site manager has delegated authority to another member of staff, how experienced is that person? Conversely, the operator needs to be aware of who to contact at the MPA with requests for information or notification of work proceeding.

4. Monitoring

From the agricultural perspective, monitoring of work during the restoration phase is one of the most crucial things to be done. If the restoration is not carried out properly, no matter how good the aftercare management is, it is unlikely that the site will be ever be reclaimed to its former ALC quality. On sites where the aim is to restore land which was BMV agricultural land pre-working, it is essential that regular monitoring by both the
MPA and operator is undertaken. Ideally, a schedule of monitoring visits should be produced. Things to check for during monitoring visits may include:

- stone content and size - are they below the parameters established in the planning conditions
- the condition of the soil - should be dry and friable
- the correct soil types are being replaced in the right location
- the correct soil types are being replaced in the right order through the soil profile
- the different soil types are being replaced to the correct depths
- that the lower subsoil layer is not compacted before the upper subsoil layer is replaced (same applies to upper subsoil prior to the replacement of topsoil), and
- the landform and gradients are suited to the final after-use and target agricultural land quality

Following each site inspection, assuming work is satisfactory, soil replacement plans should be signed and dated by the operator and MPA, with copies held in the site office and with the MPA.

5. Awareness of the Restoration Proposals

The MPA and operator should ensure that those with a long-term interest in the site are fully aware of the final approved restoration proposals. This is necessary to ensure that what is being proposed is acceptable to the landowner or occupiers, managing or farming the land. Whilst farmers and landowners will probably have seen restoration proposals at the initial application stage, it is not necessarily the case that they will have been consulted on later amendments or where such details were left as reserved matters. The final restoration proposals are normally subject to negotiation between the MPA and operator. However, it would be practical and courteous to consult those with a long-term interest in the site, otherwise there is a danger that key components of the restoration plan may get amended or removed following the completion of formal aftercare.


On mineral sites where waste disposal is also taking place, the MPA should liaise with the Environment Agency staff who will be monitoring compliance with the approved Waste Management Licence. This is necessary to ensure that the operator(s) are not faced with apparently conflicting demands between the Waste Management Licence and Planning Conditions.