Please see Annex AP11 for supporting information, and the “Introduction” for Health and Safety considerations and advice on the use of the guidance.

1. Outline aftercare
The aftercare management of the site must acknowledge the fragile nature of the restored soil profile, i.e., lack of structure, natural drainage, cropping flexibility and poor workability. MPG 7 The Reclamation of Mineral Workings (DoE 1996) (para 58. iv) advises that ‘aftercare begins from compliance with the restoration condition and an operator cannot be asked to complete steps which will stretch beyond 5 years from that point.’ It goes on to say ‘However, aftercare may be extended by mutual consent where this will enable reclamation objectives to be met.’ Although the restoration condition may well have been completed, an agreed aftercare scheme also has to be in place before formal aftercare can commence.

2. Check the proposed after-use
   a. does the application propose restoration to a specific type or types of after-use, i.e. agricultural/non-agricultural
   b. will the commencement of aftercare be on a phased basis, or will the whole site be restored in a single operation
   c. at what stage will aftercare commence
   d. will an aftercare scheme be required by condition, or will the condition include the specified steps to be undertaken

3. Agricultural aftercare information
   Aftercare information needs to be supplied at two levels:
   a. an OUTLINE STRATEGY for the 5 year aftercare period (MPG 7 The Reclamation of Mineral Workings (DoE 1996), Box 5, page 28)
   b. a detailed ANNUAL PROGRAMME for each successive year. (MPG 7 The Reclamation of Mineral Workings (DoE 1996), Box 6, page 29)
For more detailed information see:
- MPG 7 The Reclamation of Mineral Workings (DoE 1996)

Cross references:
- AC 3, 6
- SW 10
- RN 10
1. Outline aftercare

The need for aftercare stems from the recognition that in order for the land to be fully reclaimed, it needs not only the replacement of topsoil and subsoil or other soil making materials (through restoration conditions), it also needs to be cultivated and treated for a number of years after the initial restoration has been carried out, in order to improve the structure and stability of the soil to bring it to a satisfactory standard - (MPG 7 The Reclamation of Mineral Workings (DoE 1996) - para 57).

Aftercare can be likened to a period of physiotherapy, where careful management will, over a period of time, return the land to its most flexible and productive agricultural use, viz., to the required standard. Aftercare should not be seen as a remedy for poor restoration – often it cannot correct poor restoration techniques.

2. Check the proposed after-use

a. does the application propose restoration to a specific type or types of after-use, i.e. agricultural/non-agricultural

It is important to remember, when considering any part of the application document, that the restoration of the site will be to a specified after-use or uses. A lack of such information at this stage may well impose severe limitations on the types of after-use which may possible, and on it’s success or failure.

b. will the commencement of aftercare be on a phased basis, or will the whole site be restored in a single operation

This choice is normally dictated by the size of the site or the mineral being excavated. Small sites of only a hectare or so can be easily restored in a single operation. The larger and more complex sites are likely to be worked on a phased basis. This will enable not only a more efficient method of working to take place, but also facilitate the better management of internal resources. Where restoration of a site is dependent upon the importation of a fill material (inert or putrescible), a phased approach will allow the likely imbalance between outgoing and incoming materials to be managed more effectively.

c. at what stage will aftercare commence

Aftercare begins from compliance with the restoration condition, and an operator cannot be compelled to complete steps which will stretch beyond 5 years from that point. (the 1990 Act Sch. 5 paragraph 2(7)). The actual date of commencement of the aftercare period should be agreed in writing, for completeness of records. Where the restoration is to be phased, it may be that each restored phase has its own specific aftercare period. Thus, throughout the life of the site, different restored parts of the site will be at various stages of aftercare. If individual phases are too small for practical aftercare management to be implemented, they may need to be amalgamated with other phases to produce a viable area of land. In such cases, a period of interim management (also known as ‘care and maintenance’), may be necessary until such time as a
sufficient number of phases have been restored to enable formal aftercare to begin. Interim management will be necessary to ensure weed infestation does not take hold and should include the establishment of a vegetative cover to both protect the soil surface and facilitate the removal of soil water from the restored profile.

d. will an aftercare scheme be required by condition, or will the condition include the specified steps to be taken

An aftercare condition can be imposed in one of two forms (Schedule 5 paragraph 2(3) of the 1990 Act) viz.

i. an aftercare condition imposed at the time of granting planning permission, specifying the steps to be taken, or

ii. a condition which requires an aftercare scheme to be submitted by the mineral operator, or other appropriate person, for approval (after modification if necessary) by the MPA

An aftercare scheme will usually be appropriate with a long-term permission where restoration and aftercare may not commence for a number of years. Where mineral working is short-term and the aftercare reasonably straightforward, or for the first phase, where progressive restoration and aftercare are to be carried out relatively quickly, it may be more appropriate to specify the aftercare steps in the aftercare condition itself.

3. Agricultural aftercare information

a. OUTLINE STRATEGY - is a broad outline of how the site will be managed throughout the aftercare period. General terms regarding the type of cropping, cultivations, drainage, nutrient applications are acceptable at this stage - (MPG 7 The Reclamation of Mineral Workings (DoE 1996) Box 5, page 28). It should also state who is responsible for carrying out the aftercare.

b. ANNUAL PROGRAMME - is the detailed information which will identify the operations/cultivations etc to be carried out. This will include types of cultivation, sowing rate, detailed fertiliser application (usually based on the results of a soil analysis) - (MPG 7 The Reclamation of Mineral Workings (DoE 1996) Box 6, page 29).

Once aftercare has commenced, annual reports should be prepared by the operator. The report, to be circulated to all parties, should record the management of the site in the previous 12 months (where applicable) and provide detailed proposals for consideration for the following 12 months. Annual aftercare meetings should be held to discuss progress to date and agree any remedial actions to be carried out. A formal record of this meeting should be made and circulated to all the parties concerned.