

Julie James MS

Minister for Climate Change

24 July 2023

Dear Julie,

Ffos-y-Fran opencast mining site

I am seeking clarification on several issues related to the ongoing situation at the Ffos-y-Fran opencast coal mine in Merthyr Tydfil.

As you are aware, the mine has been a source of significant controversy and concern for the local community and environmental campaigners for many years. Despite the expiration of its planning permission in September 2022, the mine has continued to operate, extracting almost 200,000 tonnes of coal in the months following the expiry of its planning permission. The operator, Merthyr (South Wales) Ltd, recently appealed an enforcement notice to stop coal extraction, a process that could allow the mine to continue operating for another year or more.

The situation raises significant questions about the environmental impact of the mine, the effectiveness of the legal and regulatory framework, and the effect on the local community. I would appreciate your response to the following questions.

Environmental impact

- Given the potential for several more months of coal mining at the site, what measures is the Welsh Government considering to mitigate the environmental impact of the continued extraction?
- We understand that the cost of restoring the land is estimated to be between £75m and £125m. It has been reported that the mining company has put aside only £15 million for this process. Can you confirm your understanding of the position? Can you confirm what steps you can take to ensure the mining company pays the full restoration costs?

Legal and Regulatory Framework

- The operator of Ffos-y-Fran has appealed the enforcement notice to stop coal extraction. Can you provide more insight into the appeal process and the factors that will be considered in making a decision?
- The appeal could take 12 months or more to resolve. Is it your understanding that coal extraction will continue during this time?
- What measures are available to the Welsh Government to expedite this appeal process and prevent further extraction?
- The BBC has reported that the Welsh Government has said it cannot comment further on the appeal as it may "jeopardise any future decision Welsh ministers may have to make on the matter". Can you clarify what this means and how it constrains the Welsh Government's ability to take action?
- Merthyr Tydfil Council and the Welsh Government have been accused of potentially acting unlawfully in failing to deal with the matter more urgently and issuing a "stop notice". What is your response to these accusations?

Community Impact

- According to BBC reports, the operator of Ffos-y-Fran has stated that it is in discussions with the local authority to ensure "a safe cessation of coaling". Can you provide more details of your involvement in these discussions and the measures being considered to ensure a safe cessation?
- The Ffos-y-Fran mine is a significant employer in the area, with about 180 staff. What plans does the Welsh Government have to support these workers and the local economy as the mine closes?

We understand these are complex issues requiring careful consideration and the balancing of various interests. However, the Welsh Government must clarify its position to maintain public trust, and must ensure its actions align with its commitments to addressing climate change and protecting the environment.

Yours sincerely,



Llyr Gruffydd MS,
Chair, Climate Change, Environment and Infrastructure Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg./ We welcome correspondence in Welsh or English.