



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637156

E: lisapinney@coal.gov.uk

W: www.gov.uk/coalauthority

John Howells
Director of Climate Change, Energy and Planning
Welsh Government
Email: john.howells@gov.wales

20 October 2023

Dear John,

Further to our discussions and following last week's workshop led by Merthyr Tydfil Council we are writing to reinforce our key concerns about the lack of preparedness for a potentially imminent abandonment of Ffos-y-Fran surface mine by the operator.

As you are aware, Merthyr Tydfil Council are the primary authority for the regulation of the surface mine, through planning permission and enforcement. The Council will be the responsible body if the site becomes abandoned and if it becomes escheat. Despite advice and appropriate partnership support from ourselves and other partners including Welsh Government over many months, the Council have made very little visible progress in preparing for the closure and / or abandonment of the surface mine.

There is no agreed revised restoration plan or emergency response plan in place if the site should be abandoned. Without a clear plan for 'day 1', 'week 1', 'month 1' etc there is a clear risk to public safety and to the environment if the site becomes abandoned.

Managing the restoration and associated public safety of an open cast mine following closure is a matter for the landowner and local authority. The meeting last week demonstrated there wasn't a robust plan for the site's closure, which could happen at any time. For example, there was no understanding of how rising water levels would be managed nor whether they could use the restoration bond that is held in escrow to manage site security if the operator went into liquidation. These are fundamental questions that should be understood at this stage.

We welcome Merthyr Tydfil Council's wish to proceed with a joint technical working group, however, regrettably, we consider this too little at this stage. The current plan for a site visit in November is also extremely late. As we discussed when we met in Cardiff in August there is an urgent need to establish an incident response team to manage the site's closure, public safety management and safe restoration under a number of potential scenarios.

The Coal Authority will continue to take direct enforcement action in relation to the mining beyond the licensed site boundary at Ffos-y-Fran and keep Welsh Government and Merthyr Tydfil Council informed of this. We will also continue to provide appropriate partnership advice, expertise and support to you both as a close partner and civil contingency category 2 responder.

Thank you for your continued leadership on this matter,

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'L. Pinney'.

Lisa Pinney MBE
Chief Executive

A handwritten signature in blue ink, appearing to read 'C. Banton'.

Carl Banton
Operations Director