

Rebecca Evans MS,  
Cabinet Secretary for Economy, Energy and Planning,  
Welsh Government

11 February 2026

Dear Rebecca,

### **Restoration of opencast mining sites**

At our meeting on 11 December 2025, we considered correspondence in relation to Merthyr (South Wales) Ltd.'s planning application to vary the previously approved Ffos-y-Fran Land Reclamation Scheme. [Coal Action Network](#), [Friends of the Earth Cymru](#) and [Merthyr Tydfil residents](#), Chris and Alyson Austin have written to us expressing their desire for the Welsh Government to intervene and to call in the application.

As you know, the Committee has taken a keen interest in issues arising from the closure of Ffos-y-Fran, which led to our inquiry into the restoration of opencast mining sites. We subsequently wrote to you in [March 2025](#) seeking clarity on the Welsh Government's position in relation to the planning application and what options, if any, are available to it to intervene.

Stakeholders and local residents have raised significant concerns with us about the revised restoration scheme, particularly in relation to the safety of the site, specifically steep slopes, new coal tips, and a water-filled void. Concerns have also been raised about the actions and motivations of Merthyr Tydfil County Borough Council and Merthyr (South Wales) Ltd.

Stakeholders want to see the full restoration scheme, as originally approved, but Merthyr (South Wales) Ltd have claimed that they have insufficient funds to carry out the work, hence their application. Concerns have been raised with the Committee on a number of occasions that Merthyr (South Wales) Ltd have actually put aside sufficient funding for full restoration and that they are trying to have the reduced scheme approved to avoid costs. It is concerning, as we set out in our [report on opencast mining](#), that the site operator at Ffos-y-Fran, like many others, has taken profits from the site but now the money promised for restoration is not there.

The received correspondence suggests that the cost of this revised scheme is £15 million, which is to be funded by the money set aside in an escrow account that was established when Merthyr (South Wales) Ltd first received permission to mine for coal at Ffos-y-Fran. It is suggested that the escrow agreement between Merthyr Tydfil County Borough Council and Merthyr (South Wales) Ltd was amended but that the council has refused to release the updated agreement despite a direction from the Information Commissioner to do so. Friends of the Earth assert that “this document is crucial to the integrity of the planning process” and that “a decision cannot be made without public and statutory consultees being able to scrutinise it”.

A lack of clear accountability and transparency was a key theme in our inquiry into the restoration of opencast mining sites. In our report, we recommended that Merthyr Tydfil County Borough Council should publish the application for the revised restoration plan and the planning officer’s associated reports. As part of this, we believe that all associated documents, such as the escrow agreement, should be made available to ensure greater transparency with regards to restoration funding.

We wrote to you on 18 March 2025 asking if the Welsh Government had assessed Merthyr (South Wales) Ltd’s financial capacity to deliver the restoration scheme that was initially agreed. You confirmed that the Welsh Government had not undertaken an assessment of the company’s financial capacity beyond considering their published accounts. I would be grateful if you could clarify whether that is still the case.

We raised concerns in our report that local authorities such as Merthyr Tydfil County Borough Council are in an invidious position, and that the financial burden they face is such that they are left with little choice than to accept what the site operator is prepared to offer. However, it is crucial that the local authority seeks accurate restoration cost estimates and a full understanding of Merthyr (South Wales) Ltd’s financial situation. Most importantly, as set out in our report, the Council must ensure that the revised restoration plan reflects, as a minimum, the objectives of the original restoration plan.

In your letter to us of 17 April 2025 you set out the options available to the Welsh Ministers for intervention in the planning application, including to call in the Section 73 application for their own determination; to use reserve powers of enforcement to compel the developer to complete the already approved restoration scheme; and to consider planning appeal. I would be grateful if you could confirm whether you have considered taking any of these actions.

In that letter, you also said that the Local Planning Authority has formed a Technical Working Group (TWG) which is attended and supported by Welsh Government planning and coal tip safety officials, as well as Natural Resources Wales, the Health and Safety Executive, the Mining Remediation Authority and other stakeholders. I would be grateful if you could provide an update on the work of this group and what steps the Welsh Government is taking to ensure the best possible outcome for local residents.

I should be grateful for a response as soon as possible and by 11 March at the latest.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Llyr', with a stylized flourish underneath.

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

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.