



Llywodraeth Cymru  
Welsh Government

CLOSED CONSULTATION

# Coal Authority mining operation licence approvals: response

A summary of themes in the consultation response and our response.

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# Contents

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The consultation asked respondents whether the draft guidance adequately describes the nature and scope of the information that would be required to support a request for the Welsh Ministers' approval of a Coal Authority licence. The consultation responses confirmed that the guidance was fit for purpose, and therefore, the guidance will be published in full.

The majority of responses also expressed a clear opposition to coal licensing and extraction within Wales, and the view that the Welsh Ministers should not approve licences. The Welsh Government policy objective is to bring to a managed end to the extraction and use of coal. Therefore, the Welsh Ministers do not intend to approve new Coal Authority mining operation licences or variations to existing licences in Wales. Coal licences may be needed in wholly exceptional circumstances and each application will be decided on its own merits, but the presumption will always be against coal extraction.

## **Summary of themes in the consultation response and our response**

### **The draft guidance provided is fit for purpose**

The guidance is necessary for the Welsh Ministers to properly undertake their statutory duty to consider approval requests, and thereby allow for relevant coal and decarbonisation policy to be applied. The consultation responses support publication of the guidance.

### **Opposition to coal licensing and extraction**

It is the policy of Welsh Government to avoid the extraction and consumption of fossil fuels. The Welsh Ministers do not intend to approve new Coal Authority

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mining operation licences or variations to existing licences. However, there are a small number of active mines in Wales which have had licences granted by the UK Government, and variations to these licences may be required in wholly exceptional circumstances. Each request for approval will be decided on its own merits, subject to an assessment against all relevant policy requirements.

## **Support heritage railways as they are important in the tourist industry**

The Welsh Government has long been supportive of our heritage railways and we understand the importance of these cultural and heritage assets. We value the railways as visitor experiences in their own right, and the way they connect communities, enable visitors to experience rural landscapes and create hubs for regeneration.

## **Recognise that environmental permitting is not an appropriate mechanism to apply policy**

All coal mining operations require planning permission and a Coal Authority licence. Coal policy is a material consideration for all planning regime and coal mining operation licencing decisions. It is recognised that the environmental permitting regime is based on the concept of emissions limits, and does not provide appropriate scope to consider wider coal policy objectives.

## **Carbon footprint assessment should be required**

Mine operators are required to submit to the Welsh Government appropriate information and evidence demonstrating how the mining operations comply with the relevant Welsh policies and legislation. They are advised to provide any

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evidence that would identify the likely climate change impact of proposed mining operations. Although a carbon footprint assessment might provide useful information, we are also looking for fully auditable evidence that coal is not entering thermal markets.

## Public register of licences

The Coal Authority remains the licensing authority for all coal mining operations carried out in Wales. Any request for access to individual mining licences should be submitted to the Coal Authority.

Any decision by the Welsh Ministers to approve a licence issued by the Coal Authority will be published on the Welsh Government website.

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