

Agenda – Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith

Lleoliad: I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 4 Tŷ Hywel a Marc Wyn Jones
fideogynadledd drwy Zoom Clerc y Pwyllgor
Dyddiad: Dydd Mercher, 22 Mai 2024 0300 200 6565
Amser: 09.30 SeneddHinsawdd@senedd.cymru

Hybrid

Rhag-gyfarfod preifat (09.15–09.30)

Cyfarfod cyhoeddus (09.30–12.30)

1 Cyflwyniadau, ymddiheuriadau, dirprwyon a datgan buddiannau
(09.30)

2 Craffu ar Newid Hinsawdd gydag Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig

(09.30–10.45)

(Tudalennau 1 – 14)

Huw Irranca-Davies AS, Ysgrifennydd y Cabinet dros Newid Hinsawdd a
Materion Gwledig

Claire Bennett, Cyfarwyddwr Cynaliadwyedd Amgylcheddol a Newid Hinsawdd
– Llywodraeth Cymru

Jon Oates, Pennaeth Twf Glân – Llywodraeth Cymru

Dogfennau atodol:

Papur briffio Ymchwil y Senedd – Craffu ar Newid Hinsawdd

Egwyl (10.45–11.00)



3 Adfer safleoedd glo brig – sesiwn dystiolaeth 6

(11.00–12.30)

(Tudalennau 15 – 28)

Geraint Thomas, Arweinydd y Cyngor – Cyngor Bwrdeistref Sirol Merthyr Tudful

Ellis Cooper, Prif Weithredwr – Cyngor Bwrdeistref Sirol Merthyr Tudful

Judith Jones, Cyfarwyddwr Gwasanaethau Cymdogaeth – Cyngor Bwrdeistref Sirol Merthyr Tudful

Carwyn Morris, Pennaeth Peirianeg – Cyngor Bwrdeistref Sirol Merthyr Tudful

David Cross, Prif Swyddog Cynllunio – Cyngor Bwrdeistref Sirol Merthyr Tudful

Geraint Morgan, Cyfreithiwr – Cyngor Bwrdeistref Sirol Merthyr Tudful

Dogfennau atodol:

Papur briffio Ymchwil y Senedd – Adfer safleoedd glo brig

4 Papurau i'w nodi (12.30)

4.1 Grŵp Rhyngweinidogol ar yr Amgylchedd, Bwyd a Materion Gwledig

(Tudalennau 29 – 30)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig at y Cadeirydd mewn perthynas â'r Grŵp Rhyngweinidogol ar yr Amgylchedd, Bwyd a Materion Gwledig

Llythyr dilynol gan Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig at y Cadeirydd mewn perthynas â'r Grŵp Rhyngweinidogol ar yr Amgylchedd, Bwyd a Materion Gwledig

4.2 Adfer safleoedd glo brig

(Tudalennau 31 – 50)

Dogfennau atodol:

Tystiolaeth ychwanegol gan yr Awdurdod Glo mewn perthynas â'r ymchwiliad i adfer safleoedd glo brig (Saesneg yn unig)

Tystiolaeth ychwanegol gan United Valleys Action Group mewn perthynas â'r

ymchwiliad i adfer safleoedd glo brig (Saesneg yn unig)

Tystiolaeth ychwanegol gan Protecting and Conserving Together mewn

perthynas â'r ymchwiliad i adfer safleoedd glo brig (Saesneg yn unig)

Llythyr gan Gyfeillion y Ddaear Cymru at Gyngor Bwrdeistref Sirol Merthyr

Tudful mewn perthynas â Chynllun Adfer Tir Ffos-y-Frân – 19 Ebrill 2024

(Saesneg yn unig)

Ymateb gan Gyngor Bwrdeistref Sirol Merthyr Tudful at Gyfeillion y Ddaear

Cymru mewn perthynas â Chynllun Adfer Tir Ffos-y-Frân – 14 Mai 2024

(Saesneg yn unig)

4.3 Cylchoedd gorchwyl y pwyllgorau yn sgil ad-drefnu Cabinet Llywodraeth Cymru yn ddiweddar

(Tudalennau 51 – 52)

Dogfennau atodol:

Llythyr gan y Cadeirydd at Gadeirydd y Pwyllgor Busnes mewn perthynas â

chylchoedd gorchwyl y pwyllgorau yn dilyn ad-drefnu Cabinet Llywodraeth

Cymru yn ddiweddar

4.4 Effeithiau'r diwydiant ffasiwn ar yr amgylchedd

(Tudalen 53)

Dogfennau atodol:

Llythyr gan Faye Baugh at y Cadeirydd mewn perthynas ag effeithiau'r

diwydiant ffasiwn ar yr amgylchedd (Saesneg yn unig)

4.5 Cytundeb Cysylltiadau Rhyngsefydliadol

(Tudalennau 54 – 55)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig

at y Cadeirydd mewn perthynas â Rheoliadau Amodau Ffytioiechydol (Diwygio)

2024

4.6 Bil Seilwaith (Cymru)

(Tudalen 56)

Dogfennau atodol:

Llythyr gan Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio at

y Cadeirydd mewn perthynas â'r Bil Seilwaith (Cymru)

4.7 Craffu blynyddol ar Gomisiwn Seilwaith Cenedlaethol Cymru

(Tudalennau 57 – 58)

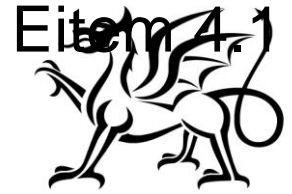
Dogfennau atodol:

Ymateb gan Gadeirydd Comisiwn Seilwaith Cenedlaethol Cymru i adroddiad y Pwyllgor – Craffu blynyddol ar Gomisiwn Seilwaith Cenedlaethol Cymru: 2023

Mae cyfyngiadau ar y ddogfen hon

Mae cyfyngiadau ar y ddogfen hon

Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion
Gwledig
Cabinet Secretary for Climate Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Ein cyf: HID/PO/0132/24

Sarah Murphy MS
Cadair
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

Llŷr Gruffydd MS
Cadair
Pwyllgor Newid Hinsawdd, Amgylchedd a Seilwaith

Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

3 Mai 2024

Annwyl Sarah, Llŷr,

Yn unol â'r cytundeb cysylltiadau rhyng-sefydliadol, roeddwn i eisiau adrodd ar gyfarfod diweddaraf y Grŵp Rhyng-Weinidogol Sero-Net, Ynni a Newid Hinsawdd, a gynhaliwyd ar 13 Mawrth 2024. Mynychwyd hyn gan Lee Waters MS, yn rhinwedd ei swydd flaenorol fel Dirprwy Gweinidog Newid Hinsawdd. Roedd y cyfarfod yn cynnwys cyflwyniad gan y Pwyllgor Newid Hinsawdd ar Gyllideb Carbon 7, a thrafodaethau ar ddatgarboneiddio diwydiannol, a dal carbon, defnyddio a storio carbon (CCUS).

Mynychwyd y cyfarfod hefyd gan Mairi McAllan MSP, Ysgrifennydd y Cabinet dros yr Economi Lles, Sero Net ac Ynni, Conor Murphy MLA, Gweinidog yr Economi, Graham Stuart AS, y Gweinidog Gwladol dros Ddiogelwch Ynni a Net Zero.

Yn gywir,

Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

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Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn cael ei hateb yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi wrth ymateb.

Tudalen y pecyn 29

Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion
Gwledig
Cabinet Secretary for Climate Change & Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: HID/PO/0134/24

Sarah Murphy AS
Cadeirydd
Y Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
Senedd Cymru
Bae Caerdydd
Caerydd
CF99 1SN

8 Mai 2024

Annwyl Sarah,

Yn unol â'r cytundeb cysylltiadau rhyng-sefydliadol, hoffwn eich hysbysu o ganslo'r cyfarfod Grŵp Rhyngweinidogol Bwyd a Materion Gwledig yr Amgylchedd diweddaraf. Roedd disgwyl i'r Grŵp gyfarfod ar 1 Mai, a dyma fyddai'r cyfarfod cyntaf ers mis Medi 2023.

Dywedais yn fy [Natganiad Ysgrifenedig](#) ar 29 Ebrill ar yr Uwchgynhadledd Tywydd Eithafol y byddwn yn trafod effaith ffermwyr a thyfwyr yng Nghymru yn y Grŵp Rhyngweinidogol. Roedd hyn yn un o nifer o drafodaethau pwysig a sensitif i amser yr oeddem i fod i'w cael. Roeddem hefyd yn bwriadu trafod problemau parhaus gyda phapur gorchymyn Fframwaith Windsor, ac roeddem yn bwriadu llofnodi'r Cynllun Gweithredu Strategol Bioamrywiaeth Cenedlaethol a fydd yn cael ei lansio yn ddiweddarach y mis hwn.

Roedd y ffaith bod hwn wedi'i ganslo yn siom ac yn gyfle a gollwyd. Rwyf wedi ysgrifennu at yr Ysgrifennydd Gwladol i fynegi fy siom ac wedi gofyn iddo ymrwmo i ddyddiad newydd ar frys. Rwy'n gobeithio y byddwn yn gallu aildrefnu'r cyfarfod yn gyflym, a byddaf yn eich hysbysu pan fyddwn wedi gallu gwneud hyn.

Rwy'n copïo'r llythyr hwn at Rebecca Evans AS, Ysgrifennydd y Cabinet dros Gyllid, y Cyfansoddiad a Swyddfa'r Cabinet, a Chadeiryddion y Pwyllgor Newid Hinsawdd, Amgylchedd a Seilwaith a Phwyllgor yr Economi, Masnach a Materion Gwledig.

Yn gywir,

Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs

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Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth Gymraeg sy'n dod i law yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 30
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

From: Clare Tasker

Sent: Thursday, May 9, 2024 11:36 AM

To: Climate Change, Environment, and Infrastructure Committee | Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith <SeneddClimate@senedd.wales>

Cc: Toni Favill; Carl Banton; Cheryl Jordan

Subject: RE: 24 April 2024 - Restoration of opencast mining sites

Good morning Lukas,

Thank you for your patience, please find below information provided by our Operations and Sustainability Director, Carl Banton for the Committee. We are also happy for our response to be published as you kindly informed us on 30 April.

Following the Ffos y Fran technical meeting we said we would respond to the CCEI committee with an estimate on the volume of water within the void at the site.

At this stage the Coal Authority are only able to provide a high level estimate on the volume of water within the void at the site as we have been unable to obtain the detailed 3D excavation model required to calculate something more accurate. The water level reported at the technical meeting on 24 April was 281m AOD. Using this and the limited information we hold, we have estimated the water to be in the range of 1.4 to 1.7 million m3.

We would be happy to assess a more accurate water volume once we receive the 3D model of the excavation.

Please let me know if you have any further questions.

Best wishes,

Clare



Clare Tasker

Operations Business Manager

Website: coal.gov.uk

My pronouns: she / her / hers

How to pronounce my name
(phonetic spelling)

Clare Tasker
klair TASS-ker



Committed
to being an
Inclusive
Employer



From: Climate Change, Environment, and Infrastructure Committee | Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith <SeneddClimate@senedd.wales>

Sent: 25 April 2024 11:28

To: Carl Banton

Cc: Climate Change, Environment, and Infrastructure Committee | Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith <SeneddClimate@senedd.wales>; Lisa Pinney; Toni Favill; Rebecca Kerr

Subject: [External] 24 April 2024 - Restoration of opencast mining sites

Dear Carl,

Thank you for giving oral evidence at the Climate Change, Environment, and Infrastructure Committee's meeting on Wednesday 24 April in relation to the restoration of opencast mining sites.

I'm writing to follow up a question asked by Delyth Jewell MS during yesterday's Committee meeting in relation to the potential compulsory purchase of the land and the possibility of water drainage - you mentioned you would be able to share a note of the discussions at the technical meeting you were in afternoon.

Thank you for your support and kind regards,
Lukas

Additional evidence from United Valleys Action Group in relation to the inquiry on the restoration of opencast coalmining sites

-Merthyr Tydfil County Borough Council leaflet shared with local residents / 2003 Ffos-y-Fran land reclamation project.

**FFOS-Y-FRAN LAND RECLAMATION PROJECT
WHAT ARE THE ISSUES?**

One of the themes we have discovered, in discussions with many local customers, is that many people did not believe they were adequately informed of the facts and the issues involved. This CONTACT Special Edition aims to clearly inform you of these issues and the enclosed response slip will allow you to give us feedback.

The Project
The proposal is that Miller Argent would develop the currently derelict site at Ffos-y-Fran, situated to the northeast of the A4060, for the purpose of opencast coal extraction.

The Issues
The issues are summarised below; in response to frequently asked questions about the proposal however, if you would like to find out more details regarding this project, we have organised four public information sessions, to be held at the venues and times shown at the bottom of this page.

What will be the economic effects of the Proposal?
If the proposal does go ahead, there would be major economic benefits to the Merthyr Tydfil region. It would establish 200 new jobs actually on or related to the site and approximately 400 new jobs indirectly related to the investment. It represents around £50 million in after-tax local spending potential as well as income to MTCBC estimated at over £5 million (equalling 0.5% of annual council expenditure) thus reducing council tax pressure on customers.

How much will the reclamation cost the inhabitants of Merthyr Tydfil?
The reclamation of this large tract of derelict land would be at no public cost. The plan also includes reactivating the currently not operational, freight rail link (that would cost millions of pounds to put in place) free of public cost.

How much would Merthyr Tydfil inhabitants face paying if the project doesn't proceed?
The legal consequences appear very severe, leaving Merthyr Tydfil CBC liable to an estimated £15 million in likely costs. It could be more. That £15 million would require to be paid, and may require a special charge levied to all households averaging around £900 Band D per household.

Has there been similar land reclamation in Merthyr Tydfil before?
This scheme represents the final phase of the East Merthyr Land Reclamation Scheme. Preceding phases demonstrate benefits of this scheme: both were closer to Merthyr Tydfil than the present scheme.

If the proposal goes ahead, what would be the environmental effects?
Currently, this site is derelict, parts of which are filled with decades of rubbish, estimated at 235,000 metric tonnes of waste. This Land Reclamation project is an opportunity to protect residents from potential airborne or ground contamination removing all potentially hazardous waste, returning this derelict site into urban common ground.

What are the health concerns surrounding the proposal?
This is the final phase of 3 Land Reclamation projects. Phases

icantly closer to Merthyr Tydfil town and local communities than Ffos-y-Fran. There is no evidence of any health impact as a result of Phases I and II. The geography of Ffos-y-Fran's location means that the environmental impacts on Dowlais and surrounding communities are likely to be felt less than Phases I and II. Ongoing environmental monitoring will assess parameters that could have an impact on public health.

What about dust and noise?
During Phases I and II there were no significant levels of complaint relating to dust and noise. Ffos-y-Fran, because it is located significantly further from Dowlais and surrounding communities, is expected to have significantly less impact than might have been anticipated in Phases I and II. The Public Health department will work closely with Miller Argent to minimise impacts of dust and noise.

How would the reclamation affect the Infrastructure of the area?
Upgrading of the currently difficult 'Bogey Road' bridge is included in the plan. The project will reactivate the freight rail link, enabling direct removal of coal from the County Borough, and would also be available for all businesses to utilise. The combined improvements of road and freight rail will enable that northeast part of Merthyr Tydfil to attract new business creating opportunity for a new business hub. The business sector has expressed an early interest in these major developments.

What are the legal implications to the Ffos-y-Fran proposal?
MTCBC inherited a legal agreement in April 1993, for Ffos-y-Fran to be reclaimed as the last of 3 phases: Phases I and II have been implemented. There are no known legal liabilities (no costs) for MTCBC if this agreement is implemented. If this agreement is not implemented, legal liabilities (costs) for MTCBC are estimated at a minimum of £15.2 million. There is no known alternative other than this cost being passed on to Council Tax payers.

Why would Merthyr Tydfil CBC be liable for these costs?
Merthyr Tydfil CBC cannot choose to ignore this legal agreement. It is bound by that agreement to proceed. Merthyr Tydfil CBC would otherwise be liable for the costs of cleaning up this site. The closest guide to this cost is at least £11.5 million. In addition MTCBC faces further recovery of costs estimated at £2.7 million. Further MTCBC liabilities include costs of a failed Compulsory Purchase Order, estimated at £1.0million.

Ffos-y-Fran Information Sessions
The following sessions are being held in your community giving you further opportunity to find out the facts about the Ffos-y-Fran proposal:

Monday 3rd November - 6.00 p.m. - 8.00 p.m.
Treharris Community Centre, Perrott Street
Tuesday 4th November - 6.00 p.m. - 8.00 p.m.
Aberfan & Merthyr Vale Community Centre, Pantglas Road
Thursday 6th November - 6.00 p.m. - 8.00 p.m.
Dowlais Community Centre, Station Road
Friday 7th November - 6.00 p.m. - 8.00 p.m.
Rhydycar Leisure Centre

Any queries you may have about the proposal can be discussed at these information events or by contacting the Planning Division at Merthyr Tydfil CBC on: 01685 726283.

From: Jan Adamson

Sent: Sunday, May 12, 2024 5:29 PM

To: Climate Change, Environment, and Infrastructure Committee | Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith <SeneddClimate@senedd.wales>

Subject: Re: 09.05.2024 - Restoration of opencast mining sites

Best Practice Restoration of opencast sites

In the meeting on the 9th of May, a question was asked as to what site exemplified best practice. Chris Austin replied 'Tower Colliery Opencast Site'. I agree with him on this but would like to add the reason why this restoration could be considered best practice.

The CEO of Rhondda Cynon Taf CBC, Mr Andrew Morgan, insisted that before a spade went into the ground at the start of each year's opencast, the full amount of money needed to fund the planned restoration at the end of the year's mining be paid upfront into an escrow account. Thus at the end of coaling there was £96 million in the escrow fund to pay for the restoration needed. Restoration then went ahead as planned.

Fortunately Tower Colliery Opencast wasn't complicated by progressive opencast where towards the end of one stage of mining the company would submit plans to extend the site down valley either as an extension or under a new name. The problem with assuring restoration funds in such circumstances is that though backfilling may or may not have gone ahead during the mining process, there is always some of the site that will not have been restored as it leads into next stage of opencast. Under those circumstances I would suggest that the a review of the effect of inflation on the cost of any restoration delayed by such ongoing mining be made at the start of each year and the payment, in advance into the escrow fund be increased to equal the inflation.

At Parc Slip Margam, there was 2 years restoration needed on land mined between Law Street and Bedford Road, and a huge overburden mound resulting from previous opencast, mined as Parc Slip Extension by the NCB Opencast Executive when Parc Slip West began operating in 1995/6 following privatisation. Due to the manner of privatisation no bonds or securities were asked of SWRCC or of Celtic Energy and the private companies were exempt for 10 years from providing bonds. When the Margam Deep Mine with associated opencast was granted consent in 2000/2001, the biggest part of the escrow fund for restoration was planned to come from the 40 p/tonne over twenty years from the deep mine with only £5million being paid from the opencast. In the event the deep mine didn't happen and so there was only £5.7 million eventually available towards restoration costs. Not only that but the company hadn't revised the necessary restoration plans and eventually NPT CBC drew suitable plans funded by the Welsh Government. These plans which would have seen the void infilled , the roads restored and vegetation etc reintroduced were not used.

Janice K Adamson

Former member PACT and of Parc Slip Margam Site Liaison Committee

Restoration of opencast mining sites

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Adfer safleoedd glo brig | Restoration of opencast mining sites

Tystiolaeth ychwanegol gan Protecting and Conserving Together (PACT) |
Additional evidence from Protecting and Conserving Together (PACT)

Thank you for allowing us to contribute to the input of the plenary session that we were unable to attend in person. We have tried to answer the given questions.

Overview

share a brief outline of your group's role in relation to opencast mining sites in Wales.

PACT (Protecting And Conserving Together) - the local opposition group to the continued extension down valley of opencast coal mining in this area, came into being following the application for the Margam Deep Mine with associated opencast in 1999. There had been previous strong opposition to the opencast in this area - notably against the application by the NCB Opencast Executive for Parc Slip West in 1989 and again local opposition in 1997 to the continued down valley progression of Parc Slip West Extension in 1997.

The group soon gained strength and widespread support. During our campaigns we had thousands of signatures on petitions in opposition to the extension— both the original plans and the revised, which didn't destroy the woodland (after the Woodland Trust became involved).

Many events were attended by the group, including an information stall at the country show in Margam Park, where more people came on board with our campaign.

We produced an important HIA with Dr Alison Golby of Cardiff University(2005) where focus groups were asked how they felt and what effect the opencast had on their lives. (this is still available online WHIASU

https://phwwhocc.co.uk/whiasu/wp-content/uploads/sites/3/2021/05/Community_led_HIA_Case_Study_1.pdf

We were involved in new buffer zone legislation to strengthen the distance between homes and opencast sites, helped by the growing scientific awareness of the dangers of dust and small particulates to health.

We were present at the 'Energy in Wales consultation, and spoke about Margam Opencast in Parliament. (2007) The written evidence is still online.

<https://books.google.co.uk/books?id=kOhTKh5riYAC&pg=RA1-PA33&lpg=RA1-PA33&dq=gaynor+ball/+opencast&source=bl&ots=wWmSLarUZe&sig=ACfU3U0o23qq2pKQN-qBbOJOP4zxjb8B0g&hl=en&sa=X&ved=2ahUKEwIj2NTI9v6FAxXtZkEAHSS3AYw4FBD0AXoECAQQAg#v=onepage&q=gaynor%20ball%2F%20opencast&f=false>

We also presented written and spoken evidence at the Public Inquiry and attended every day of the week plus attended every single court appeal case.

The Public Inquiry into 'the Margam Mine Extension application 2004- the original plan which depicted the removal of Hafod Heulog Woods, was withdrawn by the company and resubmitted with plans to divert around the woodland. these plans were refused and so a Public Inquiry was held into the decision in Cefn Cribwr (2009)

The associated opencast became the only part of the Deep Mine application to be fulfilled and PACT spent years fighting plans for further extension down the valley.

The Escrow fund for the restoration of the site was mainly dependent on the tonnage from the Deep Mine at 40p per tonne over the 20 years. The opencast element only had to contribute £5 million, which is why on completion of the coaling in October 2008 there was only £5 million in the Escrow account where first £28 million and then over £40 million was required to restore the site properly.

We regularly contacted the council planning departments, WG and UK Government ministers for Bridgend and Port Talbot about numerous related issues.

When, after years of hard and exhausting campaigning, the opencast was turned down by the councils and refused after one Public Inquiry and two court appeals, the long awaited restoration was eagerly awaited and was expected to

begin immediately. Instead, the owners turned off the pumps, allowing the void to fill with water, changed their name and walked away.

PACT petitioned to call in the restoration of the site. This massive petition was handed in to the WG. Then a separate petition was handed in to support the promised re-opening of the cross valley roads, which the company now said was too expensive to do.

Bedford Road should have reopened in 2002. The alternative restoration gave us gravel roads that can't be used as a public highway. The local communities and the wider area have been deprived of roads' temporarily closed' to facilitate opencast mining which gave millions of £'s in profit to a private company with very little employment locally.

Both these petitions showed the local communities desire for the original, proper , long overdue restoration.

Soon after this, all went quiet.

We realised that nothing was going to change as far as the company fulfilling their original promised enhanced restoration and no further information was coming to us.

We decided we had done all that we possibly could and that the authorities and particularly the WG should now be pushing for proper restoration.

Instead we had to settle for a disappointing outcome, an alternative, poor restoration. No restoration of any kind took place until 2018 - ten years after coaling finished

We decided it was time to disband PACT.

How the restoration that has taken place at the site differed from what was originally agreed.

The restoration is completely different to what was originally proposed.

It is a non- restoration in our eyes. Restoration should be putting right the damage to what was originally there. The only action at Margam has been to make safe the industrial hazard that opencast created, but even this is not sufficient eg. The flooded void is very dangerous as it is too deep, too cold and a magnetic attraction for misuse.

Visually it is still bare and barren in places, poorly planted and does not look anything like what was promised.

The public are being kept in the dark as far as ownership, monitoring, further enhancement of the site and aftercare.

It is now open to the public but lacks a green gym and biophilia feeling.

The Welsh government have recently been encouraging tree, hedge and wild meadow planting in order to help combat Climate Change.

Every home was given a tree to plant to create Oxygen hubs.

Farmers have been told to plant trees, hedges and wild meadow spaces etc.

These initiatives could be extended by the Welsh Government to incorporate parts of the large, barren Open Cast site at Margam and, with expert advice, for planting the appropriate native flowers, shrubs and trees in suitable locations there. This would create healthier, greener more natural biophilia inducing green spaces at the Margam site.

The Welsh Government would in this way directly help not only the local amenity at the abandoned site but use its vast, barren space to help combat climate change.

There is plenty of space on site to have many nature features deployed, that will create pleasant surroundings for the locals and help biodiversity and climate change.

The local schools could be involved with the planting as directed by the experts, plus volunteer groups or locals who use site for recreation and want to be involved, –if the Welsh Government provided the resources.

It would also be a chance to educate the schoolchildren about the dangers of the cold, deep water void.

Comments on other opencast sites where restoration is of particular concern

Legislation currently allows companies to change the areas amenity by doing revised so called restoration plans. These do not put back the sense of place, history environment- anything!

Comments on whether any monitoring of (abandoned) sites currently take place and who should undertake regular monitoring:

Celtic Energy's responsibility for the site finished in Sept 2023.

We have no idea if anyone is now monitoring or maintaining the site.

Further comments answering other points.

1. Once planning permission is granted, the companies:

A). Frequently, almost immediately, request amendments to the consent, such as:

i). Extend the area to be mined.

ii). Extend the timeframe.

iii). Modify or change conditions.

This is often frustrating and annoying for the local community.

The main Planning applications are always accompanied with restoration plans, environmental studies etc. If consent is granted, normally for a period of at least 4 years, then the local population suffers the inconvenience, noise, pollution and loss of amenities, patiently awaiting the end of mining and the promised restoration. But, we have found that the process is ongoing, the company applies for an extension or a continuation down valley - sometimes changing the sites name. Restoration does not happen.

Mineral planning Officers can resort to Enforcement notices to control or stop unwanted behaviour. I.e. Stop the mining when it exceeds ground limits or time limits. These notices are rarely used because:

a) the local authority fears high costs in possible court cases.

b) the company appeals - eventually - and enforcement notices can't be served during an appeal.

C) the company blackmails the authority by threatening bankruptcy or/and the closing of other sites it has in the LA area, abandoning sites and the loss of jobs.

The local authorities do not have the the financial resources to effectively control opencast mining. It should be controlled at government level.

Does Legislation need changing?

If Legislation as it stands and the system are not in need of improvement or additions, then obviously the improved strength and change to stop this unacceptable carry on-

(of long term extension after extension , abandoned sites, alternative so called restorations, that never restore historical sense of place, local green amenity, applying for one thing e.g deep mine but actually end up only Open Cast mining, no restoration etc etc)-need to come from enabling / obliging the authorities responsible to use the existing legislation with greater commitment and effectiveness .

The W.G. owe it to the communities living next to coal, to once and for all accept that abandoned unrestored sites in Wales are nothing for them to be proud of under their watch.

There is evidence of Operators manipulating the system as it stands and having the power and financial backing to be in a " Win win " situation that is detrimental to the environment and community next to their sites.

Using Margam as an example .. something drastic has gone wrong with the system.

Was it too weak to stop manipulation by the operators ?

Enforcement notices should be set in stone and obligatory not optional and should be served instantly to encourage a start to restoration in spite of any appeals.

The authorities need the power and backing to achieve this.

The delaying tactic of constant appeals and limbo situation of restoration on hold indefinitely is frustrating and demoralizing for residents local to the site.

A planning process consent area in the system that has been frustrating and unhelpful to provide fair outcomes is the " each application decided on its individual merit " scenario.

This has proved (in relation to Margam) to enable a greedy rogue operator to abandon one site / sell it off and not restore whilst at the same time still carrying on working gaining finance at other sites, applying for extensions etc .

(This happened at Margam whilst the same company worked at East Pit/Gwaun Cae Gurwen and other sites)

There should be rules in place to blacklist these operators and stop them continuing this manipulation of a system. Their assets could be seized to restore the abandoned site, and licenses at other sites could be withdrawn and extensions refused based on bad practice elsewhere.

The Coal Authority should be informed by the Welsh Government that they need to clearly understand that, in Wales, the abandoned industrial open cast flooded voids are a cheap avoidance tactic, an unacceptable legacy of bad mining practice and these voids are not even worthy of the terminology of "alternative restorations" and are certainly not acceptable, enhancing local features, not only because of the dangers they create but also because of the historical network of local countryside tracks, flora and fauna they obliterate.

The Welsh government can see for themselves the ugly scars and dereliction of the environment caused by unrestored mining sites.

It is up to them to commit to preventing further corporate abuse of what can only be seen as an inadequately functioning system that has not properly protected the communities and environment, their green space local amenity, historical sense of place, from being exploited and left abandoned with meagre, sad, so called alternative if any restorations.

There is now a changing emphasis.

Climate Change and targets are at the forefront of policy decision making..

In Wales planning system there is now a " Presumption against "coal mining .

Wales must demonstrate the political will to move away from coal and

"Leave it in the ground."

Sustainable developments that meet the needs of the people in ways that are socially, environmentally and economically acceptable are vital.

Wales has produced the Future Generations Act .The Welsh Government need to ensure that it is incorporated into ongoing decisions and plans, plus in any new legislations.

There is no longer a Welsh national need for coal as Aberthaw has gone and Tata Coke ovens are phasing out.

People living next to coal and particularly TIPS need to be reassured of them not having to fight further Open cast exploitation.

It is not without reason that one may be concerned now about the worry that Open Cast Operators may start up using "Tip reclamation" as the new excuse to gain access to Open Cast mining.

We have seen this practice at Margam with Open Cast being allowed on the back of a Deep mine promise, (which in reality lead to multiple Open cast extensions, years of disruption dust, noise and loss of local amenity, which has not been properly put back).

We have also seen it with Open Cast being allowed on the back of so called Land reclamations.(Merthyr) but the reality is more money for the Operators and a long term loss of amenity leading to abandonment.

We need the Welsh Government to sort this out once and for all and properly engage and act in order to protect the local amenity, health and wellbeing , environment, historical sense of place, by strengthening any caveats in the system that have allowed corporate greed to run roughshod over everyone else.

Open cast mining should not be allowed in Wales by our Welsh Government any longer.

It has proved to be a case of the only benefits reach the operators.. whilst for the local communities it is an example of corporate companies digging up peoples' local amenity and causing future trouble environmentally by never restoring after years of dust, noise, particulates and cut off roads etc.

It has been an ongoing environmental and health and wellbeing vandalism and the well documented ,widespread manipulation and unacceptable practices are harmful to the environment and health and wellbeing of Wales .."

No More Open cast destruction !!!

Gaynor Ball- Former Secretary of PACT

Suzanne De Celis

Former Issues co-ordinator PACT

Former member of the Site Liaison Committee

Janice K Adamson

PACT

Former member of the Site Liaison Committee

FAO Judith Jones
Chief Officer Planning, Engineering and Estates
Planning and Neighbourhood Services
Merthyr Tydfil County Borough Council
Civic Centre
Castle St
Merthyr Tydfil
CF47 8AN

Copied to:

David Cross – Principal Planning Officer, MTCBC

By email only:

[REDACTED]

cc:

[REDACTED]

19th April 2024

Dear Ms. Jones,

Re: Ffos Y Fran Land Reclamation Scheme, East of A4060 Slip Road, Merthyr Tydfil, Wales

1. We write to both amplify the voice of the local community – to ensure that their valid concerns are being heard and acted upon by yourselves, and to ensure that the enforcement of extant conditions linked to the mine remains a priority for Merthyr Tydfil County Borough Council; especially in the context of the recent flooding of the mining void, to the north west of the site.

MATTER A) FOI/EIR E-Mail exchange between Natural Resources Wales (NRW) and MTCBC 2013/14)

2. We have been informed of the escalating situation with flooding of the mining void by local residents, as well as on-going dialogue with the Coal Action Network (CAN). CAN has also shared EIR/FOI attained email correspondence between yourselves and Natural Resources Wales (NRW) including discussion on the possible leaching of poor-quality coal seams into the void water (and possibly into wider water network); its limited potential to be classed as a 'large raised reservoir' under the Reservoirs Act 1975 – as well as other issues (see **Appendix A**).
3. Fundamentally, the correspondence (as seen) raises new concerns for us, many of which MTCBC is, no doubt, exploring with your legal, environmental health (and other relevant) departments to find solutions linked to your statutory responsibilities. While we understand the principal duty in resolving/ mitigating these issues also lies with the operator, it remains that MTCBC does have statutory powers at its disposal (including planning enforcement, EHO etc). We trust MTCBC will use them to force both a more equitable interim (and more urgent)

resolution to risks posed by the filling of the void – to satisfy valid local concerns - and to steer the operator towards a sustainable and final restoration outcome.

4. It's also evident from the email exchange that you continue to hold "weekly meetings" with Merthyr (South Wales) Limited (MSW). Despite this, we find it slightly troubling that in the council's response to NRW in February of this year, the operator's mix of ambivalence and dis-interest in the fate of the void is clearly inferred, but equally no suitable remedy is proposed by your representative to challenge and curb such poor operator behaviour. This suggests an unhealthy power imbalance between MSW and yourselves, and we'd recommend its redefining being needed if the restoration of the site is to include any of the original community benefits intended:

'...The undertaker is yet to provide us with the information on their plans for the void, or any survey information so we have not been able to provide specific advice and guidance. We continue to request a range of information from the operator to aid in understanding on a range of hydrogeological-related aspects but like other parties, are continually finding that the information is not forthcoming.'

5. Despite the above impasse, further separate correspondence between MTCBC and local Merthyr resident Mr Chris Austin and MTCBC's Mr David Cross (14th March 2014) shows some progress eventually being made with the operator, but at the same time, **raises further key questions we would like MTCBC to respond to as a matter of urgency:**

- **In response to what MSW is doing to mitigate the range of risks of the void flooding:**

'..MSW are currently in the process of appointing hydrogeologists, hydrologists and water quality consultants to assist in the assessment of the water body within the void and the wider restoration of the mine. This will form part of the on-going discussions between MSW and the Council, as well as other regulatory bodies.' (Mr Cross)

Q1: Noted, but can we know has been appointed, when will their report(s) be published and what will it/they address? Will this include land stability? leaching? flood risk?

Q2: Should MTCBC not be requiring that an interim report on the current risks posed by the void filling with water (re issues raised above) is needed more urgently? While a separate report linked to the forthcoming restoration of the site will be forthcoming from MSW, the above wording sounds like the two will be conjoined, leading to further delay. An interim report is needed much more urgently to alleviate the warranted concerns of local residents. We would appreciate more specific timeframes on this ASAP.

- **In response to the council's view on the perceived risks associated with the void (flooding/instability, leaching of water supplies etc):**

*'The Council are very much alive to the concern you have raised regarding the rising water levels within the mining void, which is no longer being pumped out by Merthyr South Wales Ltd (MSW). This issue has been under constant review by the Council and MSW are actively monitoring the water levels. **At present the Council is satisfied that the water body is well contained within the mining void and it does not currently present a significant concern.** The water levels would have to rise considerably higher before there would be any concern with the water over topping the land around the void....'* (Mr Cross)

Q3: Quite clearly, if no such investigation and report analysis has yet been produced by MSW as to the risks, and presumably the council hasn't undertaken its own impartial analysis - we would like to know to what evidence MTCBC is basing its position? If you are simply awaiting findings from MSW - and we assume you don't have the in-house capacity yourselves - then what robust professional evidence points to these conclusions? If such findings exist, please can you forward us a copy and any associated risk assessments (including the date they were completed), via email urgently.

On the other hand, if no such objective evidence exists, we obviously question the validity of Mr Cross' conclusions in the first instance and ask MTCBC to immediately commission its own report into land stability, leaching and flood risk AND lean more heavily on MSW to issue its own interim findings ASAP - especially due to the unknown nature of risk(s) being posed to the environment, local communities (and possibly), wider public health).

- **In response to future restoration plans:**

'...MSW has informed the Council that a planning application for a revised restoration scheme is scheduled to be submitted in late Autumn 2024. The revised restoration scheme is likely to include the retention of the water body within the mining void with the surrounding land being appropriately re-profiled'.

Q4: We view the submission of a further variation application under the current circumstances - essentially where MSW has initiated a form of 'fait accompli' in allowing the void to flood to then seek to revise its restoration scheme around what is an alien landscape feature - as highly inappropriate; especially compared to the original restoration scheme and wider community benefits that were originally envisaged - although this is less surprising considering MSW's previous behaviour. Is MTCBC pushing back on this approach at all? or has it given up any prospect of a non-water body theme in the re-submission of such plans?

Q5: Such dates seem vague. If the mining operations had finished on time (i.e. 6th September 2022) we would surely have had such detail by now. As MSW did not finish mining till over a year past this date, surely the council is well within its rights to ask for a revised restoration scheme to be submitted ASAP

MATTER B) Request to see other documentation associated with extant planning conditions:

6. Despite mining having - more or less - ceased, and with the pumps turned off last year by the operators, our view is that the site red line remains under the constraints of planning conditions from 2011 (Appeal Ref: APP/U6925/A/10/2129921) i.e. the meaning of "the duration of the development". Those conditions most relevant to the flooding of the void are given below, together with '**Actions**' (where we would be obliged if you could send us relevant planning documents and details via email):
7. Condition 44 - Groundwater monitoring and protection:

'Once the development hereby permitted starts the groundwater monitoring scheme (GMS) approved by the Local Planning Authority in accordance with condition 44 of permission APP 152-07-014 shall continue for the duration of the development'.

(Reason: "to prevent water pollution into the environment".)

Action: Friends of the Earth would welcome a copy of the Ground Water Monitoring scheme from yourselves, especially as no copy is on the website. We note the condition wording states that the GWMS shall “continue for the duration of the development” and does not differentiate between periods of cessation of mining and restoration in this context.

8. Condition 42 – Environmental Management Plan: This mentions the need for an environmental management plan (EMP) to be agreed and signed off by the LPA before commencement of development, and the EMP to be implemented as such.

Action: Again, please send us a copy via email at your earliest convenience.

9. Condition 51: Site Restoration.

Action: Please send us a copy of the restoration plan at your earliest convenience.

10. Condition 59: Environmental Liaison Officer: states: ‘Once the development hereby permitted starts the site operator shall continue to employ an environmental liaison officer approved in writing by the Local Planning Authority who shall oversee all soil stripping/storage, the restoration scheme, habitat re-creation and landscaping works, as required by condition 59’

(Reason: To ensure that the site is reclaimed in an acceptable manner and to a condition capable of beneficial afteruse, in the interests of the protection of residential and visual amenity, and for general public benefit.)

Action: We would welcome details of the assigned environmental liaison officer for the site, and any email exchanges between the council and that party, particularly linked to the void, as well as on site restoration more generally. The reasoning for the condition is indicative of why we are requesting this detail, also”. (N.B We can also seek copies these emails via EIR/FOI request separately, if needed).

11. Overall, we await answers to both **Matter A** and our requests in **Matter B** (above) at your earliest convenience, so we can undertake a full review of the information.
12. We appreciate your cooperation in advance and look forward to your response shortly.

Yours sincerely,

[Redacted]
Senior Planner
[Redacted]

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Croesawn alwadau yn y Gymraeg
We welcome calls in Welsh



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

f.a.o. [REDACTED]
Friends of the Earth
(Via email: [REDACTED])

Dyddiad/Date: 14th May 2024

Ein Cyf / Our ref:
Eich Cyf / Your ref:

Gofynnwch am / Please ask for: David Cross
Llinell Uniongyrchol / Direct Line: [REDACTED]
e-bost / e-mail: [REDACTED]

Dear [REDACTED]

RE: Request for further information regarding Ffos Y Fran Land Reclamation Scheme

I write in response to your email of 19th April 2024, which seeks further information on the current situation of the Ffos Y Fran mine. Your letter sets out a series of questions under 'Matter A' and a request for a copy of documents relating to ground water monitoring, environmental management and restoration, as set out under 'Matter B'. A copy of these documents were recently sent to you, as such this response is focused on the points raised under 'Matter A', which are addressed in turn below:

Q1: Noted, but can we know who has been appointed, when will their report(s) be published and what will it/they address? Will this include land stability? leaching? flood risk?

Merthyr South Wales Ltd (MSW) has appointed Richard Moorehead & Laing Ltd (RML) as their lead consultants who are currently preparing a revised restoration plan for the site. They are also involved in the co-ordination of appropriate assessments by suitably qualified persons. Groundwater Science (Hydrogeologists) have been providing information to MSW, which includes assessments on the potential water levels within the mine. Additionally, samples of the water in the void have been assessed by MSW and has recently been shared with NRW (Natural Resources Wales). In relation to potential flood risks and leaching, this is something that has been raised with NRW and to date they have not expressed any concerns.

A report has been prepared by MSW in relation to the stability of the site, although this has not been made publicly available by MSW. This would also be a matter for The Coal Authority who have also undertaken site inspections and have not raised any significant concerns that require immediate attention.

Any reports submitted with the planning application for a revised restoration plan would be published on the Council's website as part of the appropriate consultation/publicity exercises.

Q2: Should MTCBC not be requiring that an interim report on the current risks posed by the void filling with water (re issues raised above) is needed more urgently? While a separate report linked to the forthcoming restoration of the site will be forthcoming from MSW, the above wording sounds like the two will be conjoined, leading to further delay. An interim report is needed much more urgently to alleviate the warranted concerns of local residents. We would appreciate more specific timeframes on this ASAP.

Although MSW have not provided the Council with an interim report on the risks associated with the water body in the void of the mine, this does not mean the concerns and risks are not being carefully considered.

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The water levels within the void are being monitored closely by MSW with regular reports being provided to the Council's engineers to consider. Discussions have also taken place with NRW regarding the concerns of the rising water levels and any potential requirements under the Reservoir Act.

The bottom on the void is at a level of approximately 264m AOD and based on the Groundwater Science assessments the water within the void was anticipated to rebound to its natural (pre-mining operation) level of approximately 281m AOD. The highest historical recorded water level within the site is understood to be 284m AOD. On the 12th April 2024 the water levels in the void peaked at 281.100 AOD. Since the 15th April 2024 the water level has started to recede and on the 26th April 2024 it was recorded at 280.635m AOD. This provides some indication that the ground water has re-established itself to its normal level, which will continue to be monitored. It should be noted that the presence of water is to be expected and is quite normal, although it is more obvious given that the void remains exposed.

It should be noted that the water quality has been regularly monitored by NRW at various discharge locations around the site. To date, NRW has not indicated that there are any significant concerns. The water quality was regularly monitored throughout the mining operations, which did not give rise to any significant concerns. Additionally, the water in the void is no different to that which was previously being pumped out when the mining operations were taking place, which would have also been monitored at the time. As such, there appears to be no immediate concerns relating to water quality at present.

Q3: Quite clearly, if no such investigation and report analysis has yet been produced by MSW as to the risks, and presumably the council hasn't undertaken its own impartial analysis - we would like to know to what evidence MTCBC is basing its position? If you are simply awaiting findings from MSW - and we assume you don't have the in-house capacity yourselves – then what robust professional evidence points to these conclusions? If such findings exist, please can you forward us a copy and any associated risk assessments (including the date they were completed), via email urgently.

On the other hand, if no such objective evidence exists, we obviously question the validity of Mr Cross' conclusions in the first instance and ask MTCBC to immediately commission its own report into land stability, leaching and flood risk AND lean more heavily on MSW to issue its own interim findings ASAP - especially due to the unknown nature of risk(s) being posed to the environment, local communities (and possibly), wider public health).

As noted above, the water level within the void has been continually monitored since the mining operations ceased on site, which appears to coincide with the assessment carried out by Groundwater Science. An up-to-date topographical survey of the site has been provided by MSW, which indicates the water level within the void would need to rise to approximately 339m AOD before it would potentially topple over the sides of the void. As such it would need to rise approximately 59m above the current water level and given that it would be spread across a much larger surface area, the volume of water would have to far exceed what is currently in the void. At present, the void is considered to be able to suitably hold the ground water and does not present a significant flood risk. The Council's Engineers have also commissioned consultants to review any potential flood risks to the existing watercourses within the surrounding area.

Additionally, there have been a number regimes put in place to monitor the water quality throughout the course of the development within and around the site, which to date has not raised any significant concerns. Advice has also been sought from NRW who are responsible for environmental permitting/monitoring and no significant concerns in relation to water quality has been raised that would suggest that there is an imminent risk that needs to be addressed. Based off the historical data that has been collected over the years, there is no reason at present to believe that the water quality has significantly changed.

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Q4: We view the submission of a further variation application under the current circumstances - essentially where MSW has initiated a form of 'fait accompli' in allowing the void to flood to then seek to revise its restoration scheme around what is an alien landscape feature - as highly inappropriate; especially compared to the original restoration scheme and wider community benefits that were originally envisaged - although this is less surprising considering MSW's previous behaviour. Is MTCBC pushing back on this approach at all? has it given up any prospect of a non-water body theme in the re-submission of such plans?

Pumps were initially utilised by MSW to remove the water from the bottom of the void to assist with the mining operations. Since these operations ceased, certainly in the lower parts of the void, the water has progressively returned to its natural level. The Council did highlight the concern that without the pumps remaining in place, the water levels could reach a point where it might be difficult to backfill. Some effort was made by MSW to start backfilling material at the bottom of the void with the intention of building up the ground to a point above the predicted final water levels. However, this was later postponed due to the sustained period of inclement weather during the winter period, which subsequently made it difficult/unsafe to continue backfilling. It was indicated by MSW that to reinstate the pumps would come at a significant cost given the water level at the time.

It is anticipated that the ground water within the void would likely be seasonal and the levels are expected to fluctuate throughout the year. As such, some consideration was given to MSW's suggestion that it may be appropriate to initiate pumping water out of the void again when the water level starts to recede within the spring/summer period.

Whilst the restoration of the mine is the responsibility of MSW, the Council is also mindful that the restoration fund that has been secured within an Escrow is limited and would not likely cover the full cost of implementing the approved restoration strategy. This is a significant concern particularly in the event that the mine is abandoned. Accordingly, the Council is taking a cautious approach to ensure the most appropriate outcome for the restoration of the site can be achieved in the public interest, mindful of the limited powers it has available.

Q5: Such dates seem vague. If the mining operations had finished on time (i.e. 6th September 2022) we would surely have had such detail by now. As MSW did not finish mining till over a year past this date, surely the council is well within its rights to ask for a revised restoration scheme to be submitted ASAP

Given the viability concerns to implement the approved restoration strategy, the Council has encouraged MSW to submit a planning application for a revised restoration scheme at the earliest opportunity. I am unable to provide a more accurate date of when the application will be submitted, as this may be subject to change. It is necessary for MSW to prepare the relevant documents and assessments to be submitted to ensure the environmental impacts are carefully considered. As highlighted above RML have been appointed as the lead consultants who are currently preparing the future submission.

Yours sincerely



JUDITH JONES
DIRECTOR OF NEIGHBOURHOOD SERVICES

PP

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Elin Jones AS

Llywydd

Cadeirydd y Pwyllgor Business

10 Mai 2024

Annwyl Lywydd,

Cylchoedd Gwaith Pwyllgorau yn sgil ad-drefnu Cabinet Llywodraeth Cymru yn ddiweddar

Ysgrifennaf i ofyn i'r Pwyllgor Busnes ystyried cylchoedd gwaith y pwyllgorau polisi yn dilyn penodiad y Prif Weinidog a'r ad-drefnu o bortffolios y Cabinet yn sgil hynny.

Fel y gwyddoch, mae'r newidiadau i rolau gweinidogion wedi arwain at ailddosbarthu sylweddol o gyfrifoldebau, yn enwedig rhai'r Gweinidog Newid Hinsawdd gynt. Mae cylch gwaith Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith bellach yn ymwneud â phortffolios pedwar Ysgrifennydd Cabinet, gan gwmpasu meysydd polisi amrywiol a sylweddol, fel a ganlyn:

Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg

- Polisi ynni, gan gynnwys ynni adnewyddadwy
- Yr economi gylchol
- Polisi porthladdoedd, gan gynnwys porthladdoedd rhydd
- Goruchwyllo Maes Awyr Caerdydd
- Seilwaith cysylltedd digidol

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig

- Materion newid hinsawdd a'r amgylchedd.

Ysgrifennydd y Cabinet dros Ogledd Cymru a Thrafnidiaeth

- Gwasanaethau rheilffordd drwy fasnachfaint Cymru a'r Gororau
- Gwasanaethau bysiau
- Teithio llesol
- Polisiau ffyrdd
- Trafnidiaeth Cymru



Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio

- Cynllunio, gan gynnwys Cymru'r Dyfodol: y cynllun cenedlaethol 2040
- Y Comisiwn Seilwaith Cenedlaethol
- Diogelwch tomenni glo
- Parciau Cenedlaethol

Ni chredaf ei bod yn realistig disgwyl i'r Pwyllgor allu craffu'n effeithiol ar ystod mor eang o bortffolios. Mae gennyf bryder y bydd yr heriau sy'n codi yn sgil y newidiadau i bortffolios y Cabinet yn golygu na fydd modd craffu ar rai meysydd sylweddol o bolisi Llywodraeth Cymru. Mae craffu ar gyllideb ddrafft Llywodraeth Cymru yn arbennig yn debygol o fod yn anodd, yn enwedig o ystyried y cyfyngiadau sydd eisoes ar bwllgorau o ran amser.

Byddwn yn ddiolchgar, felly, pe byddai'r Pwyllgor Busnes yn ystyried ad-drefnu cylchoedd gwaith pwyllgorau i symleiddio nifer yr Ysgrifenyddion Cabinet y bydd yn ofynnol i Bwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith graffu arnynt. Gallai hyn gynnwys trosglwyddo materion cynllunio a materion cysylltiedig, fel y nodir uchod, i'r Pwyllgor Llywodraeth Leol a Thai. Gallai hefyd gynnwys trosglwyddo'r materion sy'n dod o dan bortffolio Ysgrifennydd y Cabinet dros yr Economi, Ynni a'r Gymraeg i Bwyllgor yr Economi, Masnach a Materion Gwledig.

Byddai'r newidiadau hyn yn lleihau nifer yr Ysgrifenyddion Cabinet y bydd angen i Bwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith o bedwar i ddau. Fodd bynnag, ni fyddai hynny'n effeithio ar nifer yr Ysgrifenyddion Cabinet y bydd angen i'r ddau bwyllgor arall graffu arnynt.

Mae elfen o orgyffwrdd yn perthyn i gylchoedd gwaith y pwyllgorau polisi yn y Senedd, wrth gwrs, ac rwy'n cydnabod na fyddai newidiadau i gylch gwaith y Pwyllgor yn ei atal rhag edrych ar faterion drwy lens yr amgylchedd neu drwy lens newid hinsawdd. Fodd bynnag, byddai'r newidiadau hyn yn golygu nad Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith a fyddai'n bennaf gyfrifol am graffu ar y maes polisi hwnnw.

Rwy'n cydnabod y bydd y Pwyllgor Busnes am ymgynghori â phwyllgorau eraill fel rhan o'r broses hon a byddwn yn hapus i drafod unrhyw faterion â'r Pwyllgor.

Yn gywir,



Llyr Gruffydd AS,
Cadeirydd y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith

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

Climate Change, Environment, and Infrastructure Committee
Welsh Parliament,
Cardiff Bay,
Cardiff,
CF99 1SN

Dear Esteemed Members of the Climate Change, Environment, and Infrastructure Committee,

I write to you today not just as a concerned constituent, but as a passionate advocate for the well-being of our planet and the preservation of our communities. The urgency of our environmental crisis demands immediate action, particularly when it comes to addressing the detrimental impacts of the fashion industry on our environment.

The fashion industry stands as a significant contributor to pollution, resource depletion, and waste generation, casting a shadow over the sustainability of our planet. Yet, amidst these challenges, there exists a beacon of hope, a path towards a more sustainable future through actionable solutions. A key one in my opinion is a circular economy which includes the following.

Circular fashion principles offer a multifaceted approach to addressing the environmental challenges posed by the fashion industry. By prioritising the concepts of reduce, reuse, and recycle, circularity endeavours to revolutionise the way we perceive and interact with clothing. This paradigm shift emphasises the importance of extending the lifespan of garments through various means, including repair, upcycling, and sharing economies. By instilling a culture of conscious consumption, circular fashion principles encourage consumers to reconsider their purchasing habits and opt for pre-owned or second-hand items whenever possible. This not only diverts clothing from landfills but also reduces the demand for new production, thereby curbing the extraction of raw materials and minimising the associated environmental footprint. Moreover, initiatives like clothing swaps, where individuals exchange items they no longer need, foster community engagement and promote the idea of collaborative consumption. Similarly, thrift stores and online platforms dedicated to pre-owned fashion provide avenues for individuals to access high-quality clothing at affordable prices while simultaneously diverting textiles from the waste stream. By embracing circular fashion principles, we not only mitigate the ecological strain imposed by fast fashion but also foster a more sustainable and resilient industry. Through collective action and a commitment to circularity, we can pave the way for a future where fashion serves as a force for positive environmental change.

However, it is imperative to acknowledge the challenges and complexities inherent in these solutions, ranging from accessibility and affordability to scalability. Overcoming these hurdles necessitates a comprehensive and adaptable approach that considers diverse perspectives and stakeholder interests. As stewards of our environment and representatives of our communities, I implore the Climate Change, Environment, and Infrastructure Committee to champion policies that promote sustainability within the fashion industry, prioritising environmental preservation above all else. By rallying behind initiatives that address the multifaceted challenges we face, we can pave the way towards a more sustainable and equitable future for generations to come. Some simple ideas to initiate include implementing tax incentives for companies that adopt circular business models, establishing partnerships between fashion brands and recycling facilities to ensure the proper disposal and repurposing of textile waste, subsidising the cost of eco-friendly materials to encourage their use in garment production, and launching public awareness campaigns to educate consumers about the benefits of circular fashion and responsible consumption habits. These measures, along with broader policy initiatives, can lay the foundation for a thriving circular fashion economy that not only minimises environmental impact but also fosters innovation, economic growth, and social responsibility within the industry.

Thank you for your unwavering dedication to this critical cause. I eagerly await your support and decisive action on behalf of our community and the planet we call home.

Yours Sincerely,
Faye Baugh

Tudalen y pecyn 53



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/HIDCC/05086/24

Llŷr Gruffydd AS
Cadeirydd
Y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

10 Mai 2024

Annwyl Llŷr,

Ymhellach at fy llythyr o 24 Ebrill. Hoffwn hysbysu'r Pwyllgor fy mod wedi cydsynio i'r Gweinidog Gwladol osod Rheoliadau Amodau Ffytioiechydol (Diwygio) 2024 mewn perthynas â Chymru. Rwyf wedi gosod Datganiad Ysgrifenedig sydd ar gael [yma](#).

Mae'r Rheoliadau yn gorgyffwrdd â pholisïau datganoledig a byddant yn gymwys i Gymru. Mae'r Rheoliadau yn cwmpasu Cymru, Lloegr a'r Alban. Mae'r Offeryn Statudol yn ddarostyngedig i'r weithdrefn negyddol a chafodd ei osod gerbron Senedd y Deyrnas Unedig ar 9 Mai 2023. Y dyddiad cychwyn yw 31 Mai 2024 ar gyfer mesurau brys a 9 Tachwedd ar gyfer mesurau nad ydynt yn rhai brys.

Er mai egwyddor gyffredinol Llywodraeth Cymru yw y dylai'r gyfraith sy'n ymwneud â materion datganoledig gael ei gwneud a'i diwygio yng Nghymru, y tro hwn ystyrir ei bod yn briodol i Lywodraeth y DU ddeddfu ar lefel Prydain Fawr. Mae'r Rheoliadau'n ymwneud â maes datganoledig, fodd bynnag, maent yn effeithio ar fewnforio planhigion a chynhyrchion planhigion ar draws Prydain Fawr. Mae llawer o'r newidiadau yn y Rheoliadau yn ymwneud â mewnforio planhigion a chynhyrchion planhigion. Mae'r rhan fwyaf o'r nwyddau hyn sy'n dod i mewn i Gymru yn dod drwy borthladdoedd Lloegr a byddent yn ddarostyngedig i'w deddfwriaeth mewnforio. Gallai cyflwyno rheoliadau ar wahân yng Nghymru a Lloegr greu baich ychwanegol ar yr Asiantaeth Iechyd Anifeiliaid a Phlanhigion (APHA), ac ar fusnesau, masnachwyr a thyfwyr. Mae rheoleiddio ar lefel Prydain Fawr yn sicrhau llyfr statud cydlynol a chyson, gyda'r rheoliadau ar gael mewn un offeryn heb unrhyw risg o wahaniaeth deddfwriaethol ym Mhrydain Fawr. Yn ogystal, mae'n debygol y byddai gwneud Rheoliadau i Gymru yn unig ar gyfer rhai darpariaethau o fewn yr OS hwn yn golygu goblygiadau o ran hysbysu Sefydliad Masnach y Byd (WTO) am y newidiadau.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Huw.Irranca-Davies@llyw.cymru
Correspondence.Huw.Irranca-Davies@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Rwyf wedi ysgrifennu llythyr tebyg at Sarah Murphy AS, Cadeirydd y Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad.

Yn gywir,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Huw Irranca Davies'.

Huw Irranca Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf: MA/JJ/0894/24

Sarah Murphy AS a Llyr Gruffydd AS
Cadeiryddion
Y Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
Y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith
Senedd Cymru
Bae Caerdydd
Caerdydd
CF99 1SN

14 Mai 2024

Annwyl Sarah a Llyr

Fel Cadeiryddion y Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad a'r Pwyllgor Newid Hinsawdd, Amgylchedd a Seilwaith, hoffwn dynnu eich sylw at ddatganiad ysgrifenedig yr wyf wedi'i gyhoeddi'n ddiweddar mewn perthynas â'r Bil Seilwaith (Cymru).

Mae'r datganiad yn nodi manylion am ddau bapur ymgynghori sydd wedi'u cyhoeddi'n ddiweddar yn ymwneud â gofynion ymgynghori cyn ymgeisio a chodi ffioedd.

Mae copi o'r datganiad ysgrifenedig yma: [Datganiad Ysgrifenedig: Bil Seilwaith \(Cymru\) – Cyhoeddi dogfennau ymgynghori \(14 Mai 2024\) | LLYW.CYMRU](#)

Yn gywir,

Julie James AS

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.wales

Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth Gymraeg sy'n dod i law yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



En cyf/Our ref: NICW/24/DCJB / CCEIR

Llŷr Gruffydd AS,
Cadeirydd y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith
SeneddHinsawdd@senedd.cymru

15 Mai 2024

Annwyl Llŷr

Diolch am eich llythyr dyddiedig 15 Ebrill 2024 yn amgáu copi o adroddiad y Pwyllgor Newid Hinsawdd, yr Amgylchedd a'r Seilwaith; "Adroddiad blynyddol ar Gomisiwn Seilwaith Cenedlaethol Cymru 2023". Roedd yn bleser cwrdd â chi a gweddill y pwyllgor ym mis Ionawr i drafod ein gwaith yn y Comisiwn.

Byddwn yn mynd i'r afael â phob un o'r argymhellion ar gyfer NICW yn eich adroddiad yn eu tro.

Argymhelliad 4.

Dylai'r Comisiwn ymrwymo i sicrhau bod y gofyniad i Gomisiynwyr beidio â chymryd rhan mewn trafodaethau neu benderfyniadau pan allai gwrthdaro buddiannau, neu wrthdaro buddiannau canfyddedig, godi yn cael ei fodloni'n gyson. Dylai hefyd ymrwymo i sicrhau bod trefniadau priodol ar waith i fonitro cydymffurfedd â'r gofyniad.

Ymateb:

Mae'r Comisiwn wedi cymryd camau sylweddol yn ystod y misoedd diwethaf i gynyddu ei dryloywder ynghylch gwrthdaro neu wrthdaro buddiannau canfyddedig. Mae hyn yn cynnwys diweddarau ei gofrestr ar-lein ar wefannau Llywodraeth Cymru a CSCC.

Mae gwefan CSCC (<https://nationalinfrastructurecommission.wales/cy/>) yn cynnwys buddiannau datganedig pob Comisiynydd ar eu tudalennau bywgraffiad personol. Ym mhob cyfarfod, cofnodir gwrthdaro buddiannau newydd yn nodiadau'r cyfarfod, a gyhoeddir ar-lein pan gânt eu cymeradwyo.

Gofynnir i Gomisiynwyr nodi unrhyw wrthdaro canfyddedig ar yr agenda ar gyfer pob cyfarfod a gofynnir iddynt adael y cyfarfod ar gyfer eitemau sydd â risg o ganfyddiad o wrthdaro buddiannau. Cofnodir hyn yng nghofnodion y cyfarfod.

Cadeirydd / Chair
Dirprwy Gadeirydd / Deputy Chair

David Clubb
Jenifer Baxter

Comisiynwyr / Commissioners

Helen Armstrong, Stephen Brooks
Aleena Khan, Eluned Parrott
Eurgain Powell a Nick Tune

Ysgrifenyddiaeth NICW Secretariat
nationalinfrastructurecommissionforwales@gov.wales
0300 025 5040 / 0300 025 5200

Comisiwn Seilwaith Cenedlaethol Cymru /
National Infrastructure Commission for Wales

Argymhelliad 7.

Dylai'r Comisiwn ystyried a ellid ymgorffori draenio a storio dŵr, a sut y gellid gwneud hynny, yng ngham ymchwil ei waith ar wrthsefyll y newid yn yr hinsawdd a risg i fodolaeth. Dylai gyflwyno adroddiad i'r Pwyllgor ar y canlyniad wrth ymateb i'n hadroddiad.

Ymateb: Cafodd y pwnc storio a draenio dŵr strategol ei ystyried fel rhan o ymchwil y Comisiwn i lifogydd, yn enwedig mewn perthynas â chynlluniau rheoli dalgyllchoedd. Bydd y gwaith cwmpasu ar gyfer ein gwaith Blwyddyn 3 ar effeithiau newid hinsawdd yn canolbwyntio ar sut mae darparwyr seilwaith ar draws y sector yn rhoi gwybod am y problemau tymor hwy i gymunedau a'r effaith ar eu seilwaith yn y dyfodol. Bydd y darparwyr hyn yn sicr yn cynnwys sefydliadau dŵr a llifogydd. Efallai y carai'r Pwyllgor nodi bod Comisiwn Seilwaith Cenedlaethol y DU wedi cynnal astudiaeth a allai fod yn berthnasol yn 2022 o'r enw [Reducing the risk of surface water](#).

Argymhelliad 8.

Dylai'r Comisiwn:

- *egluro a yw'n ymgysylltu â Phwyllgor y DU ar y Newid yn yr Hinsawdd gyda'i waith, yn enwedig ei brosiect blwyddyn tri ar wrthsefyll y newid yn yr hinsawdd a risg i fodolaeth,*
- *ceisio cynrychiolaeth Pwyllgor y DU ar y Newid yn yr Hinsawdd ar ei Fwrdd Cyngori ar Brosiectau ar wrthsefyll y newid yn yr hinsawdd a risg i fodolaeth.*

Ymateb: Cyfarfu NICW â Phwyllgor Newid Hinsawdd y DU (UKCCC) ym mis Ionawr i drafod ein ffrydiau gwaith a'r potensial i gydweithio ar brosiectau. Rydym hefyd wedi ysgrifennu at Gadeirydd UKCCC yn ddiweddar i ofyn am gyfarfod i drafod ein cynlluniau ar gyfer ein prosiect Blwyddyn 3 ac, yn benodol, sut y gallwn rannu data a syniadau am gyfathrebu am y newid yn yr hinsawdd.

Nid yw'r trefniadau llywodraethu ar gyfer y prosiect hwn wedi'u cwblhau eto ac efallai na fyddant o reidrwydd yn arwain at ffurfio Grŵp Cyngori Prosiect. Fodd bynnag, byddwn yn parhau i ymgysylltu â'r UKCCC yn ein gwaith a byddwn yn gofyn am eu mewnbwn ar bob pwynt perthnasol wrth i'r gwaith hwnnw fynd rhagddo.

Yn olaf, nodwn yn argymhellion y Pwyllgor i Lywodraeth Cymru fod lle amlwg iawn i'r adolygiad o NICW, sydd i digwydd yn 2024. Hoffem gadarnhau wrth y pwyllgor a Llywodraeth Cymru ein bod yn barod i drafod a chydweithio ar y broses hon i sicrhau bod NICW yn dal i gyflawni ei gylch gwaith hyd eithaf ei allu, yn darparu gwerth am arian ac yn rhoi cyngor amserol o ansawdd uchel i Weinidogion Cymru yn y blynyddoedd i ddod.

Edrychwn ymlaen at weithio gyda chi yn y dyfodol.

Yn gywir,



Dr David Clubb
Cadeirydd / Chair



Dr Jenifer Baxter
Dirprwy Gadeirydd / Deputy Chair