The role of the Coal Authority in safeguarding coal resources for future energy needs

Miss Rachael Bust – Chief Planner

Minerals Engineering Society - Minerals 2014
15 May 2014

Background

- Government Body
  - Established upon privatisation of the coal industry in 1994
  - Responsible to Department of Energy and Climate Change

- Protecting the public and environment in mining areas

- Duties
  - **Statutory consultee to the planning system under planning laws**
  - Manage the historic liabilities from past coal mining
    - Permitting regime to regulate access into coal/coal mine workings to ensure safe site investigations and remediation strategies
    - Emergency service for hazards – land collapsing, gas emissions
    - Subsidence claims for historic coal mining
    - Mine Water – prevent, remediate, operate and manage infrastructure
  - Licensing regime to regulate the privatised coal industry
  - Provide access to mining information

Protecting the public and environment in mining areas
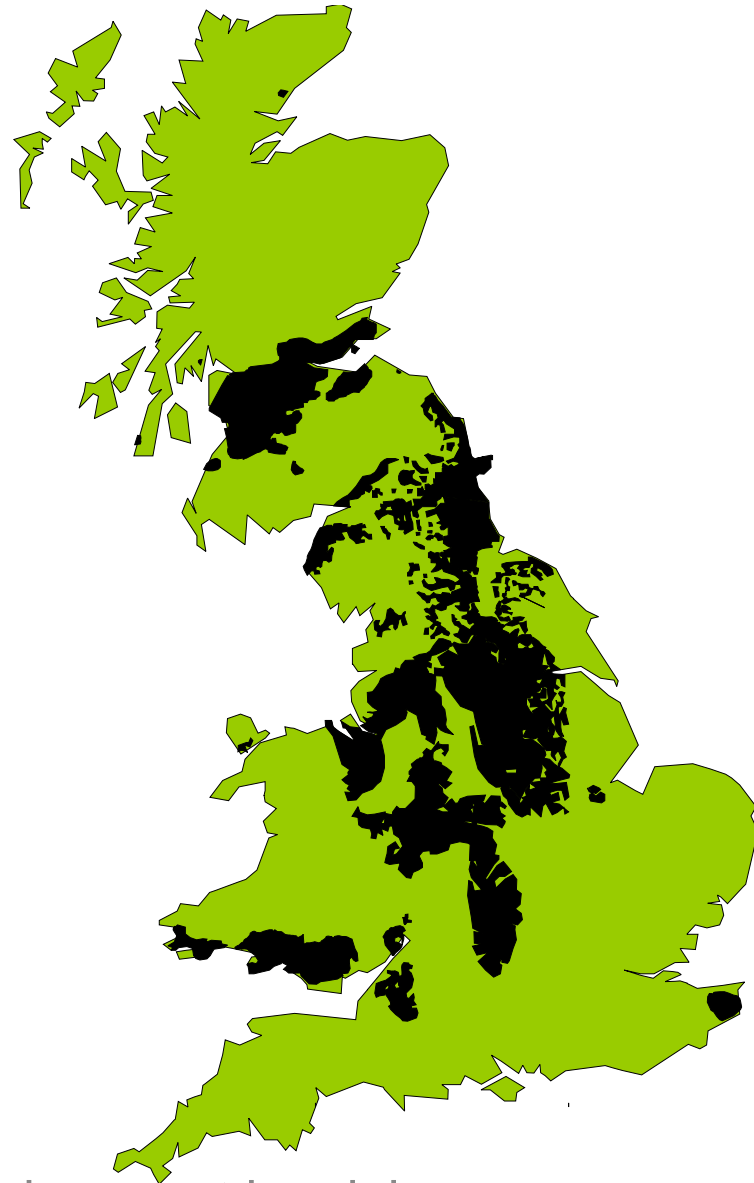
Planning and Local Authority Liaison

- Protect and promote coal resources

- Ensure new development will be safe and stable

- Discharge statutory planning consultee duties – responding to:
  - Emerging national planning policy and legislation
  - Local Authority Development Plans
  - Individual planning applications
  - Development Consent Orders for Nationally Significant Infrastructure Projects

- Primary point of contact for the organisation with Local Authorities and other key stakeholders on the coalfield

Protecting the public and environment in mining areas

Planning and Local Authority Liaison

- On going liaison with 179 coalfield Local Authorities

- Working across the planning systems of England, Scotland and Wales, different:
  - Legislation
  - Policy
  - Procedures

- Statutory planning consultee
  - Bespoke, locally distinctive and constructive comments to add value to the planning process
  - Deadlines set by legislation
  - Performance monitored by Government

Context for Safeguarding Coal Resources

- Coal still part of the energy mix for UK
  - accounted for 40% of electricity supplied in the UK during 2013

- However, an increasing reliance on imports:
  - Indigenous coal production in 2013 was 12.8 million tonnes; a 25% reduction from 2012
  - Imports of coal were 10% up in the same period, to 49.4 million tonnes

(Source: DECC statistics 2013)

Protecting the public and environment in mining areas

Safeguarding Coal Resources

"Since minerals are a non-renewable resource, minerals safeguarding is the process of ensuring that non-minerals development does not needlessly prevent the future extraction of mineral resources, of local and national importance."

Coal is defined as a nationally important mineral

(Source: National Planning Practice Guidance for England 2014)

Safeguarding Coal Resources

- ## National Planning Policy:
  - National Planning Policy Framework and Planning Practice Guidance for England
  - Minerals Planning Policy Wales and Minerals Technical Advice Note 2: Coal
    - Mineral Safeguarding Areas and Areas of Search for Extraction
  - Scottish Planning Policy
    - Areas of Search for Extraction only

- ## Additional professional guidance:
  "Mineral safeguarding in England: good practice advice"
  Published jointly with British Geological Survey in 2011

Safeguarding Coal Resources Planning Policy

- We seek relevant emerging Development Plans to:
  - Define a Mineral Safeguarding Area
    - Based on geological fact for whole surface coal area
  - Include a criteria based mineral safeguarding policy
    - Promote prior extraction ahead of non-mineral development
    - Require developers to assess potential for prior extraction/mineral recovery as part of their development
  - Assess implications on mineral resources when allocating sites for future non-mineral development
  - Include flexibility in policies for emerging technologies
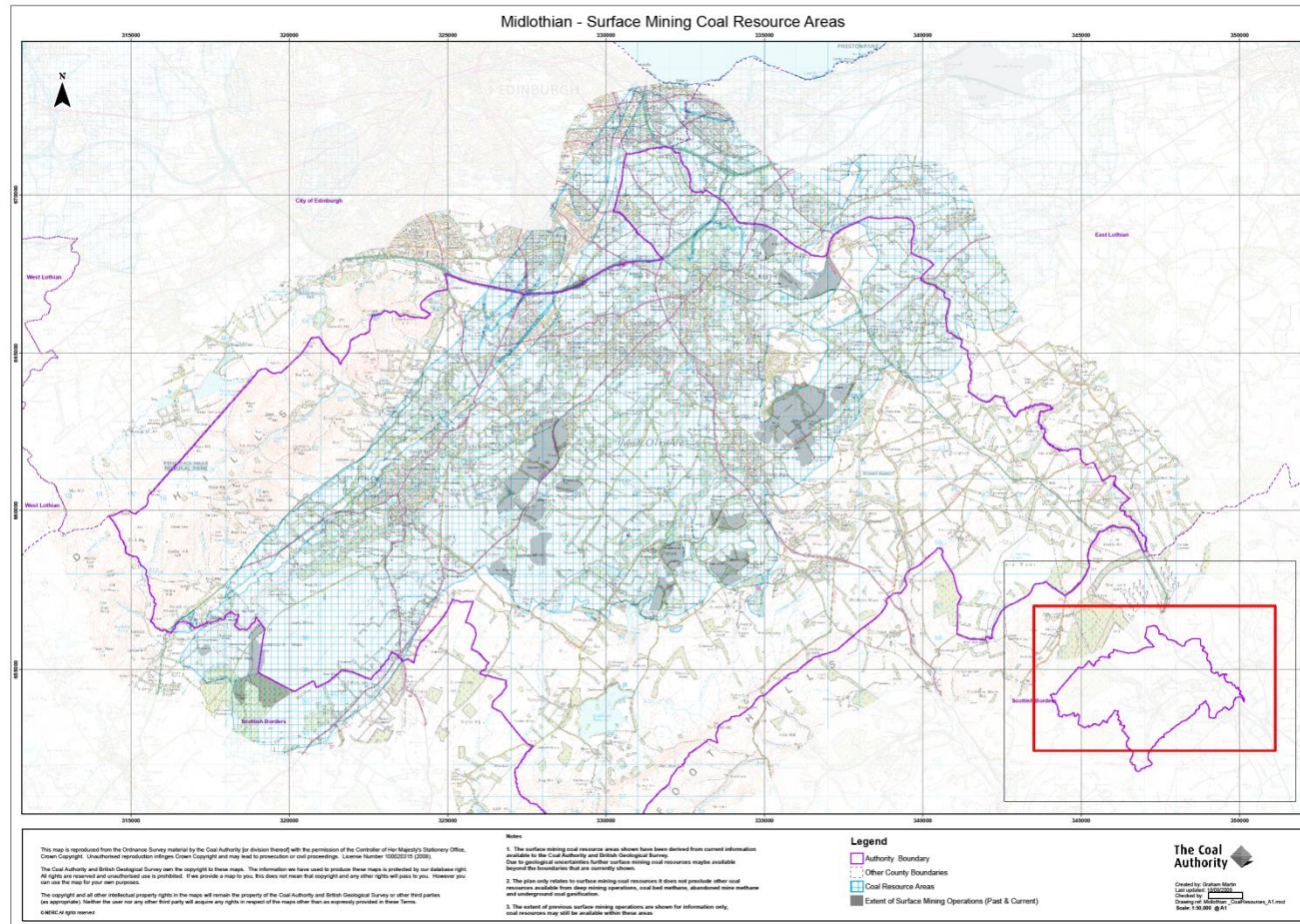 - Define areas of search or constraint for future mineral extraction

Protecting the public and environment in mining areas

Safeguarding Coal Resources Planning Policy

Example – Surface Coal Resource Plan provided to Local Authorities

Midlothian - Surface Mining Coal Resource Areas

Protecting the public and environment in mining areas

Safeguarding Coal Resources Planning Policy

Progress to date on Development Plans

- 57 of 96 (59%) of all coalfield local authorities now safeguard surface coal resources

    England: 67% of plans

    Wales: 57% of plans

    Scotland: 43% of plans now include some policy context to protect coal resources from sterilisation

- 39 of 96 (41%) plans awaited to comment on and influence

- Consultation responses on planning applications in relation to coal resources:

  - Promote prior extraction

    - Especially where instability exists from past shallow mining activity

    - Publish on-line monthly list of planning applications where prior extraction has been recommended

  - Review 'Prior Extraction Feasibility Reports' / 'Coal Recovery Reports' prepared by developers

  - Advise on licensing regime for prior extraction process

Protecting the public and environment in mining areas

Prior Extraction of Surface Coal Resources

Prior Extraction of Surface Coal Resources

- Prevents sterilisation of nationally important mineral resource – national policy requirement

- Financial contribution to the development

- Alternative remediation option for unstable land

  – Incorporated into remediation strategy at the planning application stage

  – Removes risk of gas from abandoned mine workings

  – Creates greater certainty for ground conditions

The Coal Authority

- We will continue to protecting and promote coal resources for future generations to access to meet their energy needs

- We will remain a statutory consultee to the planning process
  - Local planning policy
  - Individual planning applications
  - Development Consent Orders for nationally significant infrastructure projects

The role of the Coal Authority in safeguarding coal resources for future energy needs

Miss Rachael A. Bust

B.Sc.(Hons), MA, M.Sc., LL.M, AMIEnvSci., MCMI, MInstLM, MRTPI

Chief Planner

Planning and Local Authority Liaison
Direct Telephone: 01623 637 119
Direct Email: coalresources@coal.gov.uk
Direct Email for Consultations: planningconsultation@coal.gov.uk
Website: www.coal.decc.gov.uk

Protecting the public and environment in mining areas