

P-04-472 Make the MTAN Law – Correspondence from the Petitioner for P-04-575 Call in All Opencast Mining Planning Applications to the Committee

Response letter for Petitions Committee

UVAG would like to make some comments on the petition; UVAG totally supports the petition and would like to give some background on the MTAN 2.

I am chairman of the Residents Against Ffos-y-Fran group (RAFF) as well as the chairman of United Valleys Action Group (UVAG), RAFF was instrumental in getting the 500 metre buffer zone put in the MTAN 2, initially the Welsh Government (WG) wanted only a 200 metre buffer zone in the draft MTAN 2, but RAFF campaigned and obtained 5,500+ letters calling for the WG to have a 500 metre buffer zone in the MTAN 2, these letters came from 24 towns around South Wales from Llanelli in the west to Newport in the east and from Brecon in the north and Cardiff in the south, these letters were presented to WG at the Senedd, from this the WG put in a 500 metre buffer zone in the MTAN 2.

Our utopia was short lived and was soon dismissed when it was apparent that although we won the battle for a 500 metre buffer zone in the MTAN 2 the WG cleverly had included up to 10 clauses or opt outs as we called them included in the MTAN 2 that allowed the local planning authority or planning inspector to interpret the MTAN 2 as they wanted and therefore they could dismiss the 500 metre zone on opencast applications and allow opencast right up to a properties garden, like myself who lives just 37 metres from the Ffos-y-Fran opencast in Merthyr Tydfil, this is basically ruling out everywhere in South Wales that would qualify for a 500 metre buffer zone.

An example of this interpretation of the MTAN 2 500 metre buffer zone is the Varteg opencast application, the Torfaen Council refused permission because a school and residents were only 200 metres from the opencast, the planning inspector overturned this and approved the opencast only for the WG Minister to overturn the inspector decision and refuse permission making a complete mockery of the MTAN.

So basically it came down to the decision makers interpretation of the MTAN, this is why we want the MTAN to be made law, so every decision maker on opencast planning application would make the same decision regarding a 500 metre buffer zone.

Therefore Petitions committee we support this petition to make the MTAN law that cannot be open to miss interpretation by any local authority, planning inspector or decision maker

Terry Evans UVAG