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Dear Graham

Opencast Coal Restoration: Effective Restoration – LINK Consultation Response

Scottish Environment LINK welcomes the Scottish Government consultation on the effective regulation of opencast coal. The liquidation of two of the major mining industry operators in 2013 highlighted a massive regulatory and market failure, one of the worst seen in Scotland in recent times. There needs to be an urgent and significant move away from the existing culture of light touch regulation towards a more robust and precautionary regulation of this highly damaging industry, which is in decline. In order to ensure risk to Scotland's environment and communities is minimised from any future open cast coal extraction, we believe the following measures are necessary:

- Avoid consenting coal extraction in sensitive areas that are difficult to restore
- Provide a single, standardised mechanism to ensure developers pay for restoration in full
- Provide specialised support to local authorities from an independent, central resource
- Ensure robust monitoring and enforcement of sites using Mine Progress Plans (MPPs)
- Identify and restrict operators with poor restoration records at the licensing stage
- Prioritise transition from this vulnerable and declining industry to a low carbon economy

It is critical that we learn from this unfortunate episode and improve the assessment and consenting of any future opencast coal operations, or operations in other sectors with the potential to leave a legacy of environmental damage, such as onshore wind, landfill sites and unconventional gas.

I hope these comments are of some assistance to the Scottish Government in your efforts to ensure that the opencast coal industry is regulated more effectively in future.

Scottish Environment  The voice of Scotland's environment community

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Please do not hesitate to contact me should you wish to discuss any matters further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. A. S.' with a flourish at the end.

Convener, LINK Planning Task Force

This response was compiled on behalf of the LINK Planning Taskforce and is supported by:

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