

Proposed surface mine at Highthorn, Northumberland, NE61 5EE

[Planning application 15/03410/CCMEIA to Northumberland County Council by HJ Banks & Co. Ltd]

“It would be shameful were the UK to open this new coal mine at precisely the moment the world at large is recognising the dreadful effect of burning coal on our planet’s climate.”

(Sir David Attenborough OM CH CVO CBE FRS FLS FZS FSA FRSGS)

“The threat of climate change is now so obvious and so deeply worrying that we need to be closing coal mines as quickly as possible, not opening new ones. The individuals pushing ahead with the proposals are either profoundly ignorant of the risks of climate change, or so blinded by money as to be a menace to our children and grandchildren.”

(Professor Sir John H. Lawton CBE FRS, Former Chair of the Royal Commission on Environmental Pollution)

A call to the Secretary of State for Housing, Communities and Local Government, Rt Hon James Brokenshire MP, asking him to confirm the Government’s rejection of the application to create a new surface mine at Highthorn, in order to send an unambiguous message that the use of thermal coal should be terminated at the earliest possible opportunity, world-wide.

From:

Sir David Attenborough

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Cont’d

We call on the Secretary of State for Housing, Communities and Local Government, Rt Hon James Brokenshire MP, to:

Have the courage of the Government's previous convictions and confirm the rejection, by Rt Hon Sajid Javid MP (on 22nd March 2018), of the application to create a new surface mine at Highthorn, and overturn the decision by Mr Justice Ouseley (23rd November 2018) to quash the Secretary of State's ruling on this issue. It should do this in order to send an unambiguous message that it is the UK's policy to *both* end the use of thermal coal at the earliest possible opportunity and encourage other countries to do the same, *and* to discourage the creation of new coal mines, anywhere in the world.

In contrast to the limited perspective exemplified by Mr John Woolcock, the Inspector who conducted the Public Inquiry, and Mr Justice Ouseley, we ask the Government to adopt a more strategic perspective on the UK's obligations and interests, and attach to considerations of climate change the weight they deserve.

In a letter to David Golding on 12th June, the Minister of State for Energy & Clean Growth, Rt Hon Claire Perry MP, wrote that, "*I believe... there is more that we could do across HM Government and I am keen to work with my colleagues in other departments to explore ways to ensure policy on coal is as climate coherent as possible*". [Our emphasis]

An excellent opportunity has arisen for the Secretary of State to ensure that policy on coal is '*climate coherent*', by issuing a definitive rejection of the application to create a new surface mine at Highthorn, thus confirming the earlier decision by Rt Hon. Sajid Javid MP, the former Secretary of State for Housing, etc.

The Inspector refused to 'Send Signals', but the Government can and should do so

"Much of the climate change objection to the proposal is really about persuading the Government... to send out a 'message' or a 'signal' to encourage investment and to play a role in diplomacy.... [However] the application must be determined on the basis of policy as it stands now, not on what it should be or what it might be at some future date". [Report by John Woolcock, para. 85, our emphasis.]

Whereas:

"It is vital that governments recognise the serious challenge posed by climate change and urgently scale up their efforts... It is only through signals such as these that investors will have the confidence necessary to allocate the required capital to the low-carbon and climate-resilient transition." (Stephanie Pfeifer, CEO of the Institutional Investors Group on Climate Change, whose members have more than \$21tn in funds, 16th December, 2018, our emphasis)

The Inspector rejected the submission by opponents of the mine that he should take into account the signal that the decision would send: "*Much of the climate change objection to the proposal is really about persuading the Government... to send out a 'message' or a 'signal' to encourage investment and to play a role in diplomacy.... [However] the application must be determined on the basis of policy as it stands now, not on what it should be or what it might be at some future date*". [John Woolcock's Report, paragraph 85.] Ironically, his decision to recommend acceptance of the proposal itself sent out a 'message' and 'signal' – namely, "*Carry on polluting!*"

Thus the Inspector refused to take into account the radical implications of the UK's ratification of the Paris Agreement and he would, presumably, also have rejected arguments relating to Claire Perry's instigation of the 'Powering Past Coal Alliance', launched in Bonn on 16th November 2017, given that he also explicitly discounted the relevance of UK's longstanding diplomatic stance. [Report, Paragraph 85]

In contrast, it is just such 'signals' for which well-informed industrialists are calling! For example, Stephanie Pfeifer, CEO of the Institutional Investors Group on Climate Change, whose members have more than \$21tn in funds, said (16th December, 2018), *"It is vital that the world's governments recognise the serious challenge posed by climate change and urgently scale up their efforts... It is only through signals such as these that investors will have the confidence necessary to allocate the required capital to the low-carbon and climate-resilient transition."* [Our emphasis.]

The implications of the Paris Agreement on 18th November cannot be discounted in considering the Highthorn application. By ratifying the Agreement (on 17th November, 2016), the UK committed itself to *"pursue efforts to limit the temperature increase...to 1.5 degrees Celsius"* and we are morally bound in consequence to take radical action to try to achieve this enormously challenging goal. **Of even greater relevance is the Government's 'Powering Past Coal Alliance', at the launch of which at COP 23 in Bonn on 16th November 2017, Claire Perry stated that "The time for coal has passed", and quoted her Canadian counterpart, Catherine McKenna, as saying, "Coal is not coming back".**

We are no starry-eyed optimists – as Professor James Hansen, NASA's former Chief Climate Scientist, put it: *"They talk about goals which sound impressive, but... the actions are such that it will be impossible to reach those goals."* However, we do not believe that ministers expressed their support for the Paris Agreement and initiated the Coal Alliance as an example of cynical 'grandstanding'. Rather, we choose to believe that they adopted this stance in good faith and are sincerely committed, as the Agreement puts it, *"to fully support the [Agreement's] objectives and help bring their ambitious goals to life with real action"*. Included among the "efforts" and "real action" of which the Agreement speaks are inevitably those 'signals', both domestic and international, for which Stephanie Pfeifer has called.

Signals of a diplomatic nature are of utmost importance as a result of high levels of greenhouse gases emitted by many foreign countries. The British government deserves much credit for its work in this area, since, as Mr John Ashton CBE, who served three Foreign Secretaries as Special Representative on Climate Change, told the Highthorn Public Inquiry in 2017: *"The goal of UK climate diplomacy has been to accelerate the move away from fossil energy, and especially from unabated coal, across all the major economies..."*

However, consent for any new coal mine would constitute a grave threat to these endeavours, and to our country's reputation more generally. As Mr Ashton said, *"The foundation for all effective diplomacy is action at home. If you do not walk your talk, those you seek to influence stop listening... If we were to press ahead with the development of new coal resources at home... we would be cutting our climate diplomacy off at the knees, and undermining our fundamental national interest in a successful global response to climate change."*

NO NEW COAL! Consent for new coal mines is not preferable, or even equivalent, to permission for the continuing use of coal from existing mines, whether from sources in the UK or elsewhere, whilst running down both the extraction and use of this most polluting of fuels.

Although the then Secretary of State, Rt Hon Sajid Javid MP, rejected the application by HJ Banks & Co, his ruling also stated that, “*the evidence points to a likely need for the amount of coal that the Highthorn site would provide during its operational life in order to ensure a sufficient supply to provide the energy the country needs.*” [Statement made on 22nd March 2018, Paragraph 32] Mr Justice Ouseley’s decision to quash the Secretary of State’s rejection of the application seems to have been very heavily influenced by this statement.

We do not agree that the UK needs the Highthorn coal, or an equivalent amount (see Note 1, below). Although the continuing use of coal is assumed in the Committee on Climate Change’s current Carbon Budgets (now under review, at the request of Claire Perry, according to a communication from her office to David Golding, 4th February, 2019), the need for it could be removed by further Government action on renewables – we believe such action would be the best possible way forward.

But that is not the point! Even in the absence of such action, and assuming that the UK needs the coal, we reject the conclusion that the coal should come from Highthorn, or from any other new mine, for the following reasons:

First, the ‘No New Coal’ slogan on campaign placards may sound simplistic, but under current circumstances it makes for good policy! Every new mine will, almost inevitably, increase the total amount of CO₂ released into the atmosphere when the coal is burnt – of course it will! More mines create more greenhouse gas emissions!

Second, the Government has made it clear it wishes to see a run-down in the extraction and use of thermal coal, both at home and abroad, and consent for the development of new sources is the very antithesis of the ‘coherence’ to which Claire Perry referred. Consent for a new mine will send a most damaging message to British finance and industry, and to the wider world, whereas its rejection will constitute a small but significant step forward on our journey to environmental sustainability.

Third, rejection of the application will signal the UK’s recognition that the overwhelming majority of coal reserves must be left in the ground if we are to avoid the worst excesses of climate change. According to research published by McGlade C. *et al.*, of the UCL Institute for Sustainable resources, in Nature, in January 2015, over 80% of coal is ‘unburnable’ if we wish to limit global warming to 2C – and the figure is much higher than 80% if we aim for 1.5C, as we must.

Indeed, according to a report by Oil Change International published in 22nd September 2016, the world cannot even afford to burn all the fuel from the coal mines and oil and gas fields currently being exploited. To open up new sources of coal, the most polluting of fuels, under these circumstances would be sheer madness – “*insane*” (Professor Chris Kilsby)!

Finally, the claim that coal imported from abroad would inevitably come at a higher carbon cost than Highthorn coal is unjustified. This may be so, but it has not been established – indeed, the opposite may be true. (See Note 2)

In Conclusion

Mr Justice Ouseley wondered whether the Rt Hon Sajid Javid MP had “*misread and misunderstood*” crucial passages of the conclusions of the Public Inquiry’s Inspector. We, in turn, wonder whether the judge has ‘misread and misunderstood’ the implications of the UK’s ratification of the Paris Agreement, the Government’s ‘Powering Past Coal Alliance’, or the fearsome warnings of IPCC Special Report on Global Warming of 1.5°C, released on 8th October.

Or, with supreme and bitter irony, the report of the World Meteorological Organisation on the very day the judge handed down his verdict, according to which, *“The science is clear. Without rapid cuts in CO2 and other greenhouse gases, climate change will have increasingly destructive and irreversible impacts on life on Earth. The window of opportunity for action is almost closed”*.

The Government has a choice as to which parts of British industry it wishes to provide succour and encouragement: to the likes of HJ Banks & Company, set in their atavistic mind set, or to the likes of Scottish Power, whose chief executive, Keith Anderson, explained his company’s new focus on renewable energy with reference to climate change and the IPCC’s stark warnings of 8th October 2018, by stating that, *“My absolute belief is that [industrial] organisations need to be at the forefront of that change [called for by the IPCC]. We can’t be part of the problem, we have to be part of the solution.”* (20th October 2018)

The *“absolute belief”* of opponents of the Highthorn mine is that the Government should set aside Mr Justice Ouseley’s ruling and confirm Sajid Javid’s earlier rejection of the application. It should, more generally, adopt a more strategic perspective on the UK’s obligations and interests; and attach to considerations of climate change the weight they deserve.

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Note 1.

“Renewable energy is already making a strong contribution to UK electricity supply and is growing rapidly. There are more than adequate renewable energy resources available to the UK to provide for UK electricity demand. This will be alongside the rapidly diminishing but important role that gas and nuclear will play in the grid in the period over which Highthorn is operational.” (Proof of Evidence, part 6.1, of Professor Phil Taylor BEng, EngD, CEng, FIET, SMIEEE, Dip Man Sci, FHEA, for a public inquiry into a planning application 15/03410/CCMEIA to Northumberland County Council, April 2017.)

Note 2.

It has not been established that the *overall* level of emissions resulting from mining operations at Highthorn would be less than those from such operations in other countries. Most obviously, the procedures involved in developing the Highthorn site for mining, and in restoring the environment after closure, would both involve significant emissions and such considerations probably don’t apply to coal extraction from large, well-established mines elsewhere. Furthermore, the carbon cost of transport of the coal is not necessarily correlated with the distance involved, given the contrasting methods involved. There may well be other differences – the relative carbon costs of extraction from mines of widely differing sizes, for example - we simply don’t know.

Supplementary statements by supporters of this submission:

Sir David Attenborough OM CH CVO CBE FRS FLS FZS FSA FRSGS

"It would be shameful were the UK to open this new coal mine at precisely the moment the world at large is recognising the dreadful effect of burning coal on our planet's climate."

Professor John Barrett

"I can't quite believe that we could still be considering projects like this in the face of overwhelming evidence on climate change."

Professor John R. Barrett, **Professor** of Energy and Climate Policy, and Chair of School of Earth & Environment, University of Leeds.

Professor Sir Tom Blundell FRS FMedSci

"Any new developments to burn coal threaten efforts moves to more environmentally friendly renewable sources of energy. This development must be opposed if we are to avoid the further impacts of CO2 emissions on our climate."

Professor Sir Tom L. Blundell FRS FMedSci
Chair of the Royal Commission on Environmental Pollution, 1998-2005
Department of Biochemistry, University of Cambridge.

Professor Hayley Fowler

"The opening of new sources of coal seems in direct contradiction to the implications of the recent report on the differences between impacts at 1.5 degrees and 2 degrees of warming by the IPCC and the targets set by the Paris Agreement, both of which suggest that we need to be moving away from carbon-intensive energy production, and quickly."

Professor Hayley J. Fowler, **Professor** of Climate Change Impacts, Newcastle University, and Fellow of the American Geophysical Union.

Professor Sir John Houghton CBE FRS

"New sources of fossil fuel burning should not be allowed. This applies with particular force to coal, since it is the most carbon-polluting, by far, of all the commonly available types of fuels. A future with carbon-free energy sources will be more healthy, save many lives and also reduce damaging sea level rise. The sooner we get on with it the better the future will be."

Professor Sir John T. Houghton FRS, Chair of the Royal Commission on Environmental Pollution, 1992-1998; Chair/Co-Chair of the IPCC, 1988-2004; Author of "Global warming, the complete briefing", 5th Edition, 2014.

Professor Chris Kilsby

"We must re-double our efforts to reduce fossil fuel use in all forms and wherever we can - time is running out as evidenced by the past four years being the hottest on record! By taking action within our control, such as actively developing renewable energy, reducing demand and leaving fossil fuels in the ground, we will send an unequivocal message that coal has no part in our future."

Professor Chris G. Kilsby, Professor of Hydrology and Climate Change, Newcastle University, & Fellow of the Royal Meteorological Society.

Professor Sir John Lawton CBE FRS

"You have my absolute 100% support for your objections to the new open-cast coal mine at Highthorne. The threat of climate change is now so obvious and so deeply worrying that we need to be closing coal mines as quickly as possible, not opening new ones. The individuals pushing ahead with the proposals are either profoundly ignorant of the risks of climate change, or so blinded by money as to be a menace to our children and grandchildren."

Professor Sir John H. Lawton CBE FRS, Chair of the Royal Commission on Environmental Pollution, 2005-2011. York, UK.