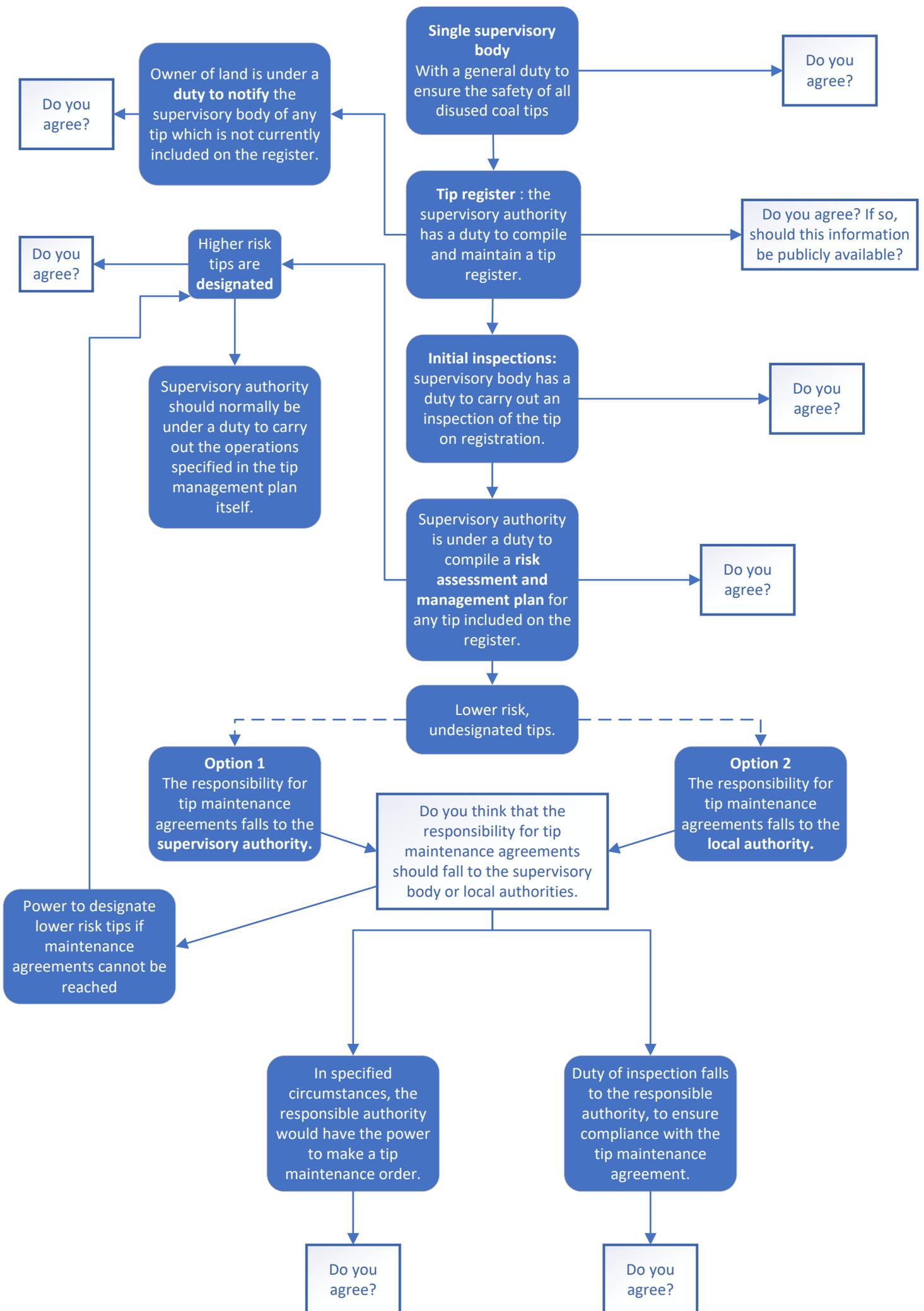




Law Commission
Reforming the law
Comisiwn y Gyfraith
Divygio'r gyfraith

A quick visual guide to
the proposed regime for
coal tip safety in Wales



Single supervisory body
With a general duty to ensure the safety of all disused coal tips

Owner of land is under a **duty to notify** the supervisory body of any tip which is not currently included on the register.

Do you agree?

Tip register : the supervisory authority has a duty to compile and maintain a tip register.

Do you agree? If so, should this information be publicly available?

Higher risk tips are **designated**

Do you agree?

Supervisory authority should normally be under a duty to carry out the operations specified in the tip management plan itself.

Do you agree?

Supervisory authority is under a duty to compile a **risk assessment and management plan** for any tip included on the register.

Do you agree?

Option 1
The responsibility for tip maintenance agreements falls to the **supervisory authority**.

Option 2
The responsibility for tip maintenance agreements falls to the **local authority**.

Do you think that the responsibility for tip maintenance agreements should fall to the supervisory body or local authorities.

Power to designate lower risk tips if maintenance agreements cannot be reached

In specified circumstances, the responsible authority would have the power to make a tip maintenance order.

Do you agree?

Duty of inspection falls to the responsible authority, to ensure compliance with the tip maintenance agreement.

Do you agree?

Single supervisory body

With a general duty to ensure the safety of all disused coal tips

CQ5: We provisionally propose that a supervisory authority with responsibility for the safety of all disused coal tips should be established. Do you agree?

CQ6: Should it be an existing body or newly created body?

CQ7: If a newly created body, what form should the body take?

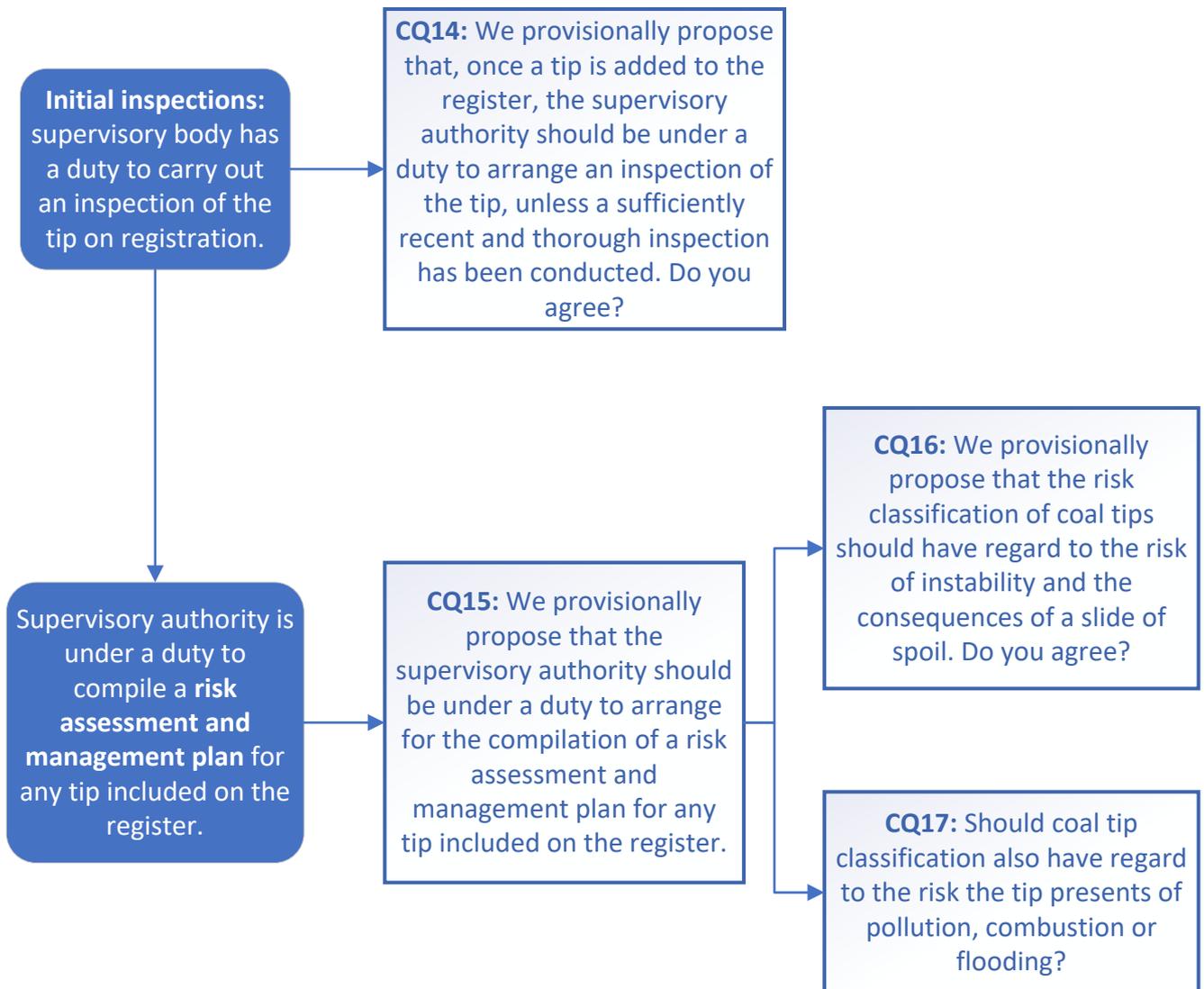
CQ8: We provisionally propose that the supervisory authority's duty to ensure the safety of tips should be framed as a general one, rather than one limited to specific risks. Do you agree?

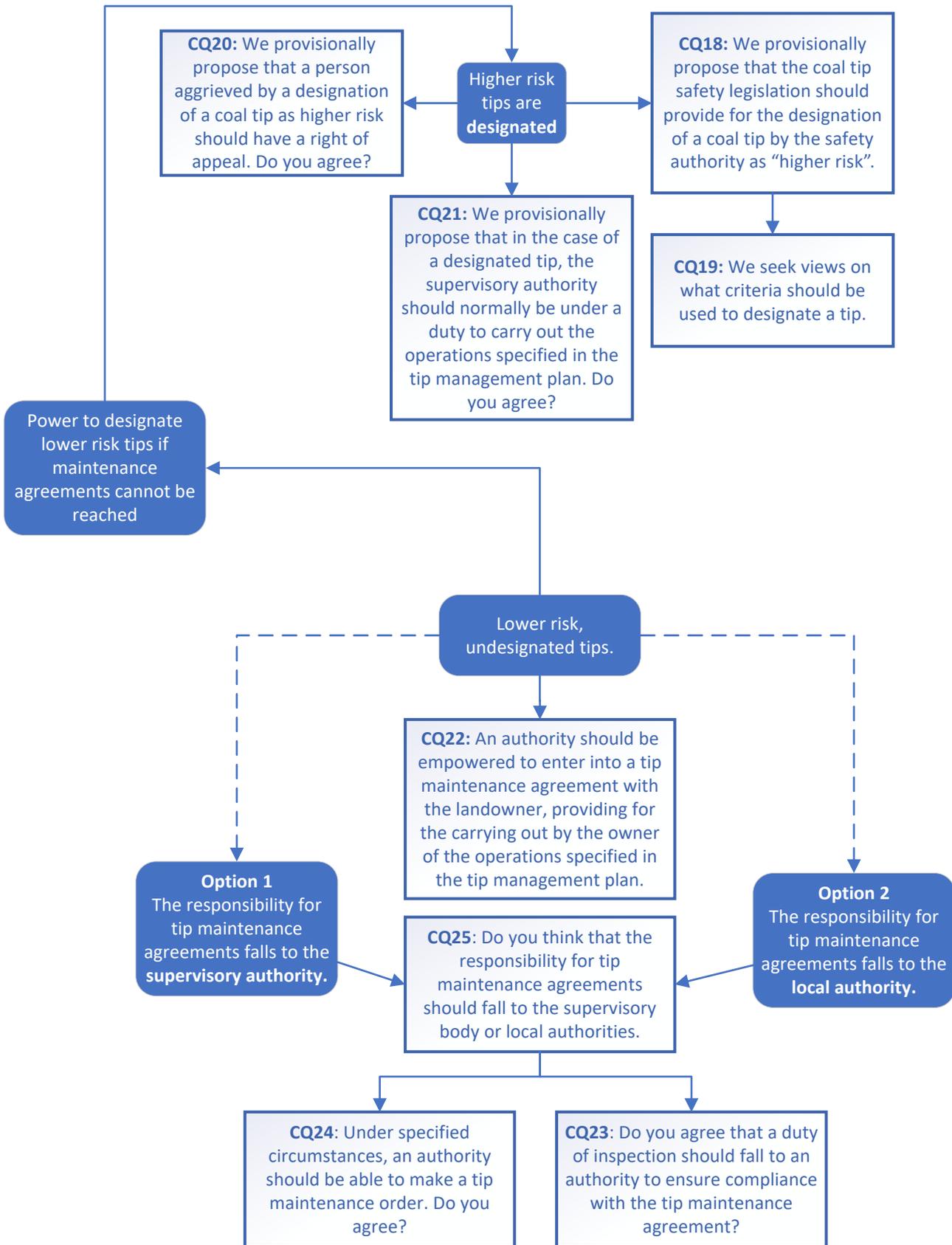
Tip register : the supervisory authority has a duty to compile and maintain a tip register.

CQ 9: We provisionally propose that a central tip register should be compiled and maintained. Do you agree?

CQ13: Do you think that the information in the tip register should or should not be publicly available?

CQ11: Should the supervisory authority have a duty and a power to include any tip is aware of? Should landowners have a right of appeal against this?





RESPONDING TO THIS PAPER

This is a summary of the full consultation paper, available on our website at <https://www.lawcom.gov.uk/project/regulating-coal-safety-tips-in-wales/>.

We are committed to providing accessible publications. If you require this consultation paper to be made available in a different format please email CoalTips@lawcommission.gov.uk

Duration of the consultation: We invite responses from 9 June 2021 to 10 September 2021.

Responses to the consultation may be submitted using an online form available at <https://www.lawcom.gov.uk/project/regulating-coal-safety-tips-in-wales/> . We are happy to accept comments in other formats. Please send your response:

By email to CoalTips@lawcommission.gov.uk

OR

By post to Regulating Coal Tip Safety in Wales Team, Law Commission, 1st Floor, Tower, 52 Queen Anne's Gate, London, SW1H 9AG.

If you send your comments by post, it would be helpful if, whenever possible, you could also send them by email.

Responses may be made public

We may publish or disclose information you provide in response to our papers. Additionally, we may be required to disclose the information under the Freedom of Information Act 2000.

If you want information that you provide to be treated as confidential or if you wish your response to be anonymous, please contact us first. We cannot give an assurance that confidentiality can be maintained in all circumstances.

The Law Commissions will process your personal data in accordance with the General Data Protection Regulation.

Further information about how we handle data is available at:

<https://www.lawcom.gov.uk/document/handling-data/>.