

DMQTWB 12 - Evidence from: Jacobs UK Limited, Cardiff

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Tomenni Mwyngloddiau a Chwareli Nas Defnyddir (Cymru) | Disused Mine and Quarry Tips (Wales) Bill

1. What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?

The Bill principles are sound and the proposed legislation should provide the overall mechanism to deliver the policy.

2. What are your views on the Bill's provisions (set out according to Parts below), in particular are they workable and will they deliver the stated policy intention?

▪ Part 1 - The Disused Tips Authority for Wales (sections 1 to 5 and Schedule 1)

No comments.

▪ Part 2 - Assessment, registration and monitoring of disused tips (sections 6 to 32 and Schedule 2)

In our Company's extensive experience, extending over 50+ years, of coal tip investigation and management in Wales (for the National Coal Board, the Coal Authority [now re-branded Mining Remediation Authority] and South Wales Local Authorities), that whilst the Bill will provide the necessary legislation, it will be the set-up of the technical work required in delivering the stated policy intention that will ultimately determine how successful the delivery is. It is appreciated that those sorts of details would not form part of the Bill. For successful and consistent delivery across Wales (which can be expected to be by many different technical/engineering organisations) the Authority should be setting the baseline requirements for coal tip assessment and management. This would normally be achieved through procedures and guidance documentation, that would be

followed by those undertaking the work. For efficient working, record making and records retrieval there should be a single database set up that can be assessed and used by these organisations. This could include observation records, management records etc.

▪ **Part 3 - Dealing with tip instability and threats to tip stability (sections 33 to 54 and Schedule 3)**

No comment.

▪ **Part 4 - Supplementary (sections 55 to 70)**

Minor comment noting that the Coal Authority has been re-branded as the Mining Remediation Authority. This is also referred to in Part 7.

▪ **Part 5 - General (sections 71 to 88)**

No comment.

3. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

No comment.

4. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)

No comment.

5. Are any unintended consequences likely to arise from the Bill?

The Bill will generate a considerable amount of work on tips. If there are no guidelines/standard(s) established that are to be followed by those undertaking the assessment work, then the work and any associated deliverables (reports, designs etc) can be expected to be of variable quality and standard. In some cases the stated policy intention may not actually be delivered with consequences for the Authority and Welsh Government. Without guidelines/standard(s) established, the Authority can also expect larger numbers of tips with disputed condition.

The Bill will result in the production of a vast amount of records, which could make prompt retrieval of specific current and historic records (if an incident arises) difficult. Use of best practice electronic data capture and record storage, could overcome such a problem. This, however, brings its own data management procedure issues and also in terms of the cost of hosting of such a service and its day-to-day management.

6. What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

No comment.

7. Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?

Ultimately successful deliver of the stated policy intention will come down to the consistency and quality of the technical delivery of the work. The knowledge, experience and lessons learned by the technical/engineering community in Wales in this work over the last 50+ years could be expected to greatly assist the Authority in establishing the overall delivery of the stated policy intention.