

## **DMQTWB 21 - Evidence from: ICE Wales Cymru Ground Engineering Group**

---

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?**

- There is a clear need for new legislation to deliver the stated policy intention
- The general principals of a risk-based approach to protecting the public from risks to life posed by legacy tip instability are sound.
- The bill lays out the requirements for risk assessment, and creates an authority responsible for inspection and monitoring of tips and intervention to protect life.
- The power provided to the authority to access land to protect life are considered to be proportional to the potential consequences of tip failure.
- The Bill is likely to improve the stability of disused tips through improved management which will result in fewer failures
- Communities surrounding disused tips are likely to benefit from improved safety and risk of environmental pollution events
- The categorisation of tips will increase awareness of risk and aid with setting out management requirements
- The Bill will aid will addressing challenges presented by climate change

### **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)**

- It is considered that a separate authority covering all of Wales is essential to ensure consistency and independence in risk assessing tips and the use of powers granted by the Act.
-

· A single team will act as a focal point for expertise, facilitating technical excellence and continuous improvement.

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

· The bill provides robust powers to the Authority which are commensurate with the risk to life posed by high risk tips. The ability to enter properties containing tips, and those adjacent to them, if needed, is critical to ensuring that action is taken in time to prevent risk escalation and ultimately tip failure.

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

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

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

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

**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)**

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

· The Bill will likely result in higher expenditure for tip owners as a result of improved 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?**

· Improved management regimes will reduce the cost of larger scale remediation, however, costs for basic maintenance by private owners may be high due to requirements for plant/machinery. It will be key to ensure funding on behalf of private owners is consistent and related to risk/categorisation

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