



# Disused Mine and Quarry Tips (Wales) Bill

## Summary

The Disused Mine and Quarry Tips (Wales) Bill ('the Bill') was prompted by a series of coal tip landslides that occurred in Wales following storms' Ciara and Dennis in 2020, including a major landslide of a disused coal tip in Tylorstown.

The Bill seeks to update the Mines and Quarries (Tips) Act 1969, to more effectively manage the 2,573 coal tips and over 20,000 non-coal tips within Wales so they do not threaten human welfare, by reason of their instability. To drive this management framework, the Bill proposes to create a new public body – the Disused Tips Authority for Wales ('the Authority'), which would assess, register, monitor, and manage disused tips.

The Bill is now at the 3rd stage, with the Senedd due to consider final amendments.

## Recommendation

Coal Action Network urges all Senedd Members to support the following amendment at Stage 3 of the Bill:

**If the property disposed of by an owner of land is coal, it must not be sold for the purpose of burning.**

It is vital that the Welsh Government includes this amendment to prevent the Bill inadvertently encouraging the sale of coal from coal tips, for combustion purposes; fuelling the climate change threatening their stability.



# RATIONALE

## Securing the Coal Policy

The Welsh Government's Coal Policy is subject to the interpretation of the current Minister. The upcoming Senedd elections could result in weaker application of the policy, or a shift in policy towards coal under a different Government. Reversing the statute safeguard this amendment provides would be more difficult.

The Coal Policy also includes exceptions for the “safe winding-down of mining operations or site remediation” – which could encourage applications from the private sector hoping to apply that exception. Even if the proposal is ultimately rejected by the Coal Policy, it'll only be after a huge amount of time and costs invested by the applicant, the local planning authority, and the Welsh Government. It is time to send a clearer and enduring message baked into statute: coal is Wales' heritage, not its cleaner, greener future.

## Making tips safe

The amendment would only prevent the sale of coal for combustion – there is nothing that would prevent coal being removed from coal tips for tip stability. If coal is only being removed where necessary for safety, it will reduce the noise and dust impacts on local communities too.

## Within Bill scope

An unintended consequence of the Bill is likely to be an increase in sales of coal within coal tips for combustion. This could drive the kind of climatic changes that's destabilising them, such as heavier and more frequent rainfall. This would undermine the Bill's legislative aim. Coal remains the number one fossil fuel driver of climate change worldwide.



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