



Report No: <b>C0394</b>	Date: <b>September 2014</b>
Project: <b>MINING RISK ASSESSMENT REPORT – PROPOSED HOUSING DEVELOPMENT AT GOOLE ROAD, FFORESTFACH</b>	
Client: <b>D &amp; L Construction Ltd</b>	

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**MSc, FGS, CGeol**

Signature:

Report status: **Information**

Approved for issue: **Dylan Gravell**  
**BEng, PgDIP, CEng,**  
**MStructE**

Signature:

Date:

**CB3 Consult LTD**  
**7 St James Crescent**  
**Swansea**  
**SA1 6DP**

### Issue History

Date	Revision	Revision Notes
15/09/2014	First Revision	

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## 1.0 Introduction

### 1.1 Instruction

CB3 were commissioned to undertake a Coal Mining Risk Assessment for the developer, D and L Construction Ltd, of an area of land, adjacent to Goole Road, Ravenhill, Swansea SA5 5DX.

### 1.2 Scope of Works

The requirements of a Coal Mining Risk Assessment are described within the Coal Authority document PLN65, as such:

The Coal Authority considers that a Coal Mining Risk Assessment Report should comprise three key stages:

**Stage 1:**

Obtain coal mining information for the development site

**Stage 2:**

Use the information to identify what risk coal mining poses to the development

**Stage 3:**

Identify how coal mining issues have influenced the proposed development and any other mitigation required

#### **STAGE 1: OBTAIN COAL MINING INFORMATION**

The Coal Mining Risk Assessment Report must be based on up-to-date coal mining/geological information.

#### **STAGE 2: IDENTIFY WHAT RISKS COAL MINING POSES TO THE PROPOSED DEVELOPMENT**

The Coal Authority would expect an assessment of the site specific coal mining information, and the identification of any risk to the proposed development, to include consideration of the **cumulative impact** of the following issues:

Are there **recorded coal mine entries** within the site or within 20 metres of the site boundary? Is the proposed development in the likely zone of influence of **past underground coal mining**? Is the proposed development in the likely zone of influence of any **present underground coal workings**?

Is the proposed development within the likely zone of influence of **underground coal workings at shallow depth** (depths of less than 30m)? Is there a possibility of **unrecorded shallow mine workings and/or mine entries**? Is there a record of **mine gas** emissions within the site boundary?

Is the proposed development in an area for which the Coal Authority is determining or has granted a **license to remove coal** by underground methods? Are there known **faults or other**

**lines of weakness** due to coal mining at the site? Has the site been subject to remedial works by, or on behalf of, the Coal Authority under its **surface hazard** call out procedures?

Is the proposed development within the boundary of a **surface mining/ opencast site from which coal has been removed** by surface mining/ opencast methods? Is the proposed development within 200 metres of a **surface mining/ opencast site from which coal is being removed**?

**STAGE 3: IDENTIFY HOW COAL MINING ISSUES HAVE INFLUENCED THE PROPOSED DEVELOPMENT AND WHETHER ANY OTHER MITIGATION MEASURES ARE REQUIRED**

The Coal Mining Risk Assessment Report should conclude by identifying how any coal mining issues have influenced the proposed development – for example through influencing the design and layout of the proposal by identifying areas where built development should not take place owing to the presence of coal mining features, such as mine entries.

The Coal Mining Risk Assessment Report should also identify any other mitigation/treatment/remediation measures that are necessary to ensure that the development is not subject to land instability or other public safety risks associated with former coal mining activities. This could include, for example, the need to incorporate gas proof membranes within buildings and/or the need to treat shallow coalmine workings to ensure stability of land prior to development.

**NOTE**

Any intrusive activities, which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority.

The Coal Mining Risk Assessment Report should note whether Coal Authority permission has been obtained/will be required for any site investigation and/or mitigation works.

**1.3 Limitations**

**This report is limited to a review of information contained within a Coal Authority Mining Report, published geological data, and a search of information regarding historic boreholes in the vicinity.**

## **2.0 Information review**

### **2.1 Historic Maps**

County series maps have been inspected as part of this report. The earliest readily available map dates from 1879.

#### **1879**

The area is already industrialised. Worcester Colliery is extant (the sod having been cut in 1845), to the immediate south west. An “Old Shaft” is noted in the southern area of the site, but it is not known if it was part of the Worcester Colliery complex.

There is an earthwork central to the site, which may be a remnant of a former coal pit.

#### **1898-9**

As above, but the “Old Shaft” note has been removed.

#### **1916**

Worcester Colliery is now disused. The earthworks are still shown.

#### **1936,**

As 1916, with the addition of new housing along Middle Road.

#### **1950**

More housing is shown along Carmarthen Road. Earthworks are still shown.

#### **1964 and 1971**

Partial coverage.

### **2.2 Geology**

The geology of the site is shown on the 1:50,000-scale British Geological Survey (BGS) map. This indicates that the site is underlain by superficial deposits, comprising glacial till formed up to 2 million years ago in the Quaternary Period.

The underlying bedrock is shown to be coal measures, particularly the Swansea Member – Sandstone, of Carboniferous age, this being Sedimentary Bedrock formed approximately 307 to 309 million years ago in the Carboniferous Period. The Swansea Member is cyclothemic, with numerous coal seams.

### **2.3 Borehole Data**

An inspection of published borehole data shows no information close to the site.

### **2.4 Coal Authority Report**

A Coal Authority Report was procured for the site, and is appended.

The Coal Authority Report provides the following salient information regarding the site.

#### **Underground Coal Mining**

- The site is in the likely zone of influence from workings in 3 seams of coal, at 140m to 310m last worked in 1900.
- The site is not in the likely zone of influence of any present underground coal workings.
- There is no plan to extract coal in the future, and no licence has been granted.
- No notice of the risk of the land being affected by subsidence has been given.

#### **Mine Entries**

- The Coal Authority suggest that there are 4 mine entries within the boundary of the site, or within 20m of the site.
- There is no record of three of the shafts having been treated. One shaft (262196-009) is shown to have been filled at some time in the past with Rock. The shaft was to be capped with an 8.2mx8.2mx0.46m reinforced concrete raft by West Glamorgan County Council.

#### **Coal Mining Geology**

- The Authority is not aware of damage due to the geology being affected by coal mining.

#### **Opencast Coal Mining**

- The property is not within the zone of past, present or future opencast coal mining operations.

### **Coal Mining Subsidence**

- The Coal Authority has not received a damage notice, or claim for properties within 50metres, since 31 October 1994.
- There is no current stop notice,

### **Mine Gas**

There is no record of mine gas emission.

### **Hazards Related to Coal Mining**

No notices under the Emergency Surface Hazard Call Out procedures.

## **3.0 Recommendations**

### **3.1 Risks**

It is evident from the available historical, geological and Coal Authority information, that there is a significant risk of the presence of Coal Mine entries at the site.

Historic data, and the CA Report, indicate at least four entries at the site. It is noted however, that the CA plan does not tally with the 1879 County Series map, on which a single “Old Shaft” is noted.

The CA confirm that they have no information to suggest that three of the four “shafts” have been treated,

Thus, there is a risk associated with potential collapse, and subsidence associated with it. There is a risk that the shafts may require treatment.

There is a risk associated with possible shallow mine workings. The rock cover over these workings, and the depth of superficial strata, mean that void migration to surface for these depths of cover would be unlikely. However, should workings exist directly beneath the site, due to the strata geometry they may indeed be shallower, or the rock strata cover may be less than at the adjacent site. Thus, there is a risk of migration of voids to surface, and thus subsidence. There is a risk that grouting operations would be required to stabilise the site.

Ground gases are considered a risk due to the proximity of mine workings, and will need to be assessed in future investigations.

### **3.2 Further Recommendations**

To understand the extent of each of the risks noted, it would be necessary to undertake further investigations at the site.

It is recommended that the following operations be undertaken:

- A walkover survey to determine if any physical evidence is visible relating to the anticipated mine entries at site,
- A ground investigation, with associated reporting, comprising initially a geophysical survey, followed by a sequence of rotary drilled probe holes to depths in the order of 35m to determine the geological sequence, superficial cover, and possible mine workings,
- Install gas monitoring standpipes within the boreholes to allow a gas monitoring exercise over a period of varying atmospheric conditions.

These recommendations do not include for general site investigations for foundation selection, earthworks, contamination assessment etc, which would also be recommended in order to progress the design process.

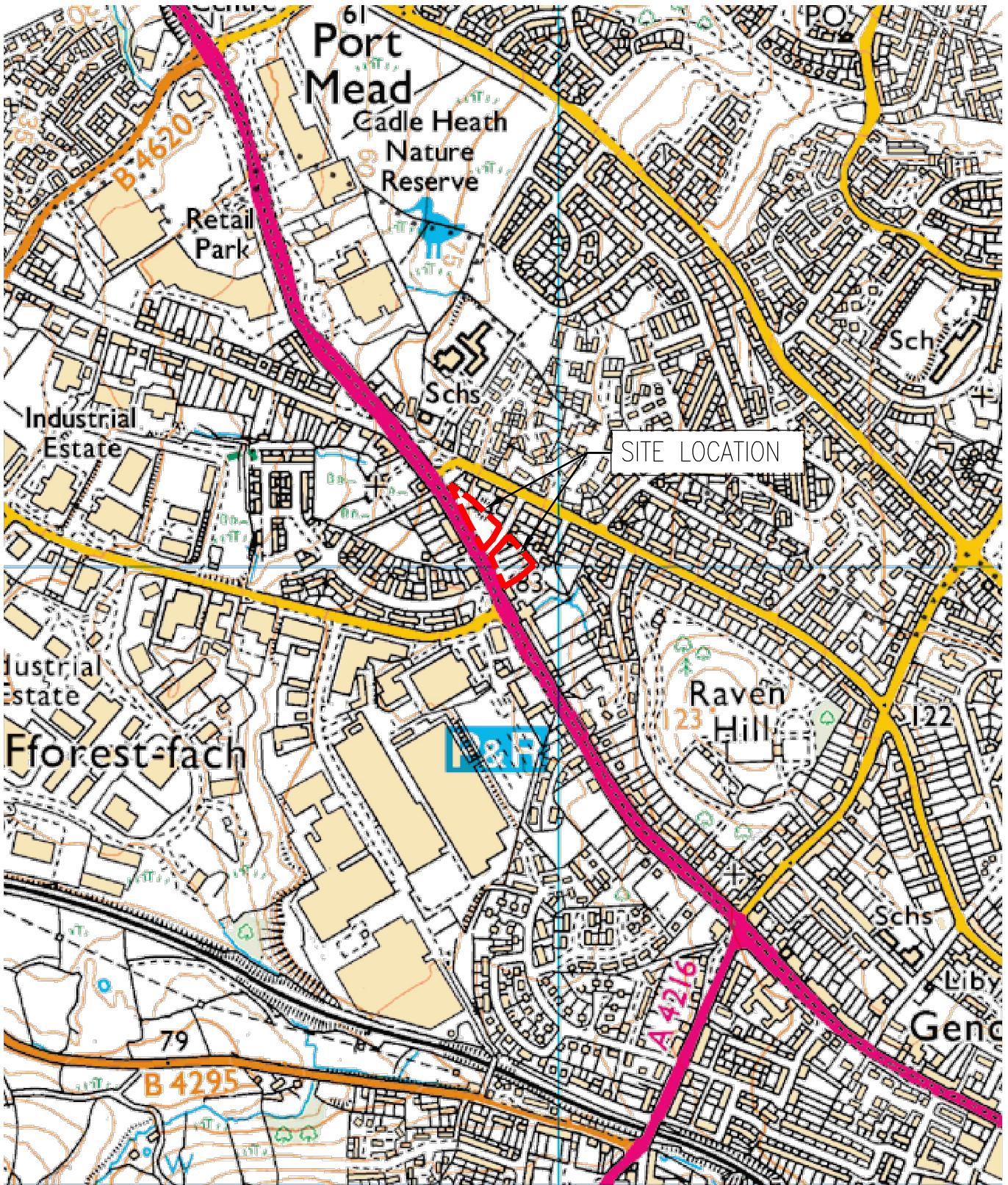


**Any drilling operations to locate mine workings will require a licence from the Coal Authority prior to commencement.**



## **Appendix 1**

### **Site Location Plan**



Structural & Civil Engineering Consultants

First Floor  
7 St James Crescent  
Swansea  
SA1 6DZ

Telephone +44 1792 473 182  
e-mail admin@cb3consult.co.uk  
web www.cb3consult.co.uk

Project

PROPOSED HOUSING  
DEVELOPMENT AT GOOLE ROAD,  
FFORESTFACH, SWANSEA

Drawing Title

SITE LOCATION PLAN

Drawn  
DH

Scales  
N.T.S

Checked  
HE

Date  
15.09.14

Status

INFORMATION

Project No.

C0394

Drawing No.

C-SK01

Revision

—

Autocad

T:\G:\Projects\14\140914\140914\_01\_Site Location Plan.dwg



## Appendix 2

### Coal Authority Report



Issued by:

The Coal Authority, Property Search Services, 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire, NG18 4RG  
Website: www.groundstability.com Phone: 0845 762 6848 DX 716176 MANSFIELD 5

**SPECTRUM GEO SERVICES  
FOXGLOVE COTTAGE  
TONDU  
BRIDGEND  
MID GLAMORGAN  
CF32 0EH**

Our reference: **51000624674001**  
Your reference: **Goole Road, Ravenhill,**  
Date of your enquiry: **03 September 2014**  
Date we received your enquiry: **03 September 2014**  
Date of issue: **04 September 2014**

This report is for the property described in the address below and the attached plan.

**Residential Coal Authority Mining Report**

**CHERRY TREE LODGE, GOOLE ROAD, RAVENHILL, SWANSEA, SA5 5DX**

This report is based on and limited to the records held by, the Coal Authority, and the Cheshire Brine Subsidence Compensation Board's records, at the time we answer the search.

Coal mining	See comments below
Brine Compensation District	No

**Information from the Coal Authority**

**Underground coal mining**

**Past**

The property is in the likely zone of influence from workings in 3 seams of coal at 140m to 310m depth, and last worked in 1900.

Any ground movement from these coal workings should have stopped by now.

In addition the property is in an area where the Coal Authority believe there is coal at or close to the surface. This coal may have been worked at some time in the past. The potential presence of coal workings at or close to the surface should be considered prior to any site works or future development activity. Your attention is drawn to the Comments on Coal Authority Information section of the report.

**Present**

The property is not in the likely zone of influence of any present underground coal workings.

**Future**

The property is not in an area for which the Coal Authority is determining whether to grant a licence to remove coal using underground methods.

The property is not in an area for which a licence has been granted to remove or otherwise work coal using underground methods.

The property is not in an area that is likely to be affected at the surface from any planned future workings.

However, reserves of coal exist in the local area which could be worked at some time in the future.

No notice of the risk of the land being affected by subsidence has been given under section 46 of the Coal Mining Subsidence Act 1991.

### **Mine entries**

Within, or within 20 metres of, the boundary of the property there are 4 mine entries, the approximate positions of which are shown on the attached plan.

Our records disclose the following information:

262196-011. No treatment details.

262196-009. This shaft was filled with Rock at some time in the past. The shaft was to be capped with an 8.2m x 8.2m x 0.46m reinforced concrete raft by West Glamorgan County Council.

262195-019. No treatment details.

262196-014. No treatment details.

For an additional fee, the Coal Authority will provide a supplementary Mine Entry Interpretive Report. The report will provide a separate assessment for the mine entry (entries) referred to in this report. It will give details based on information in the Coal Authority's possession, together with an opinion on the likelihood of mining subsidence damage arising from ground movement as a consequence of the existence of the mine entry/entries. It will also give details of the remedies available for subsidence damage where the mine entry was sunk in connection with coal mining. Please note that it may not be possible to produce a report if the main building to the property cannot be identified from Coal Authority plans (ie. for development sites and new build).

For further advice on how to order this additional information visit [www.groundstability.com](http://www.groundstability.com) or telephone 0845 7626 848.

### **Coal mining geology**

The Authority is not aware of any evidence of damage arising due to geological faults or other lines of weakness that have been affected by coal mining.

### **Opencast coal mining**

#### **Past**

The property is not within the boundary of an opencast site from which coal has been removed by opencast methods.

#### **Present**

The property does not lie within 200 metres of the boundary of an opencast site from which coal is being removed by opencast methods.

#### **Future**

The property is not within 800 metres of the boundary of an opencast site for which the Coal Authority is determining whether to grant a licence to remove coal by opencast methods.

The property is not within 800 metres of the boundary of an opencast site for which a licence to remove coal by opencast methods has been granted.

### **Coal mining subsidence**

The Coal Authority has not received a damage notice or claim for the subject property, or any property within 50 metres, since 31st October 1994.

There is no current Stop Notice delaying the start of remedial works or repairs to the property.

The Authority is not aware of any request having been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

## **Mine gas**

There is no record of a mine gas emission requiring action by the Coal Authority within the boundary of the property.

## **Hazards related to coal mining**

The property has not been subject to remedial works, by or on behalf of the Authority, under its Emergency Surface Hazard Call Out procedures.

## **Comments on Coal Authority information**

The attached plan shows the approximate location of the disused mine entry/entries referred to in this report. For reasons of clarity, mine entry symbols may not be drawn to the same scale as the plan.

Property owners have the benefit of statutory protection (under the Coal Mining Subsidence act 1991\*). This contains provision for the making good, to the reasonable satisfaction of the owner, of physical damage from disused coal mine workings including disused coal mine entries. A leaflet setting out the rights and the obligations of either the Coal Authority or other responsible persons under the 1991 Act can be obtained by telephoning 0845 762 6848 or online at [www.coal.decc.gov.uk/en/coal/cms/services/claims](http://www.coal.decc.gov.uk/en/coal/cms/services/claims).

If you wish to discuss the relevance of any of the information contained in this report you should seek the advice of a qualified mining engineer or surveyor. If you or your adviser wish to examine the source plans from which the information has been taken these are normally available at our Mansfield office, free of charge, by prior appointment, telephone 01623 637235. Should you or your adviser wish to carry out any physical investigations that may enter, disturb or interfere with any disused mine entry the prior permission of the owner must be sought. For coal mine entries the owner will normally be the Coal Authority.

The Coal Authority, regardless of responsibility and in conjunction with other public bodies, provide an emergency call out facility in coalfield areas to assess the public safety implications of mining features (including disused mine entries). Our emergency telephone number at all times is 01623 646333.

\*Note, this Act does not apply where coal was worked or gotten by virtue of the grant of a gale in the Forest of Dean, or any other part of the Hundred of St. Briavels in the county of Gloucester.

In view of the mining circumstances a prudent developer would seek appropriate technical advice before any works are undertaken.

Therefore if development proposals are being considered, technical advice relating to both the investigation of coal and former coal mines and their treatment should be obtained before beginning work on site. All proposals should apply good engineering practice developed for mining areas. No development should be undertaken that intersects, disturbs or interferes with any coal or mines of coal without the permission of the Coal Authority. Developers should be aware that the investigation of coal seams/former mines of coal may have the potential to generate and/or displace underground gases and these risks both under and adjacent to the development should be fully considered in developing any proposals. The need for effective measures to prevent gases entering into public properties either during investigation or after development also needs to be assessed and properly addressed. This is necessary due to the public safety implications of any development in these circumstances.

## ***Information from the Cheshire Brine Subsidence Compensation Board***

The property lies outside the Cheshire Brine Compensation District.

### **Additional Remarks**

This report is prepared in accordance with the Law Society's Guidance Notes 2006, the User Guide 2006 and the Coal Authority and Cheshire Brine Board's Terms and Conditions 2006. The Coal Authority owns the copyright in this report. The information we have used to write this report is protected by our database right. All rights are reserved and unauthorised use is prohibited. If we provide a report for you, this does not mean that copyright and any other rights will pass to you. However, you can use the report for your own purposes.

Where this Report is for a residential property, insurance is included to cover any loss in property value caused by any changes in the information contained in this report. Please see the attached certificate of insurance for the terms and conditions of this insurance. The insurance does not cover non-residential property or interpretive reports.

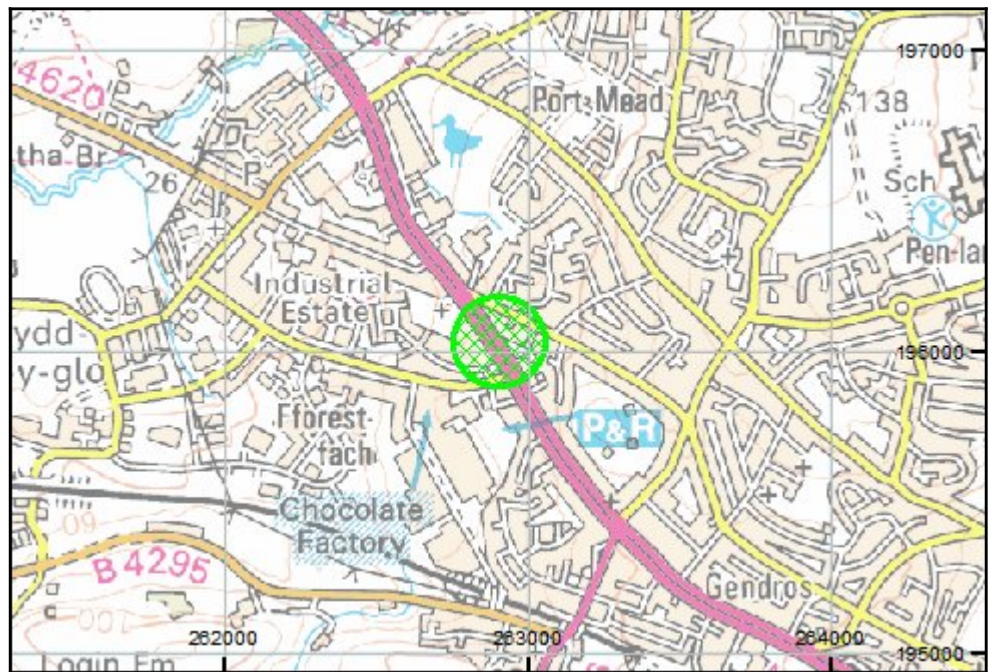
Issued by:	The Coal Authority, 200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG
Tax Point Date:	03 September 2014
Issued to:	SPECTRUM GEO SERVICES FOXGLOVE COTTAGE TONDU BRIDGEND MID GLAMORGAN CF32 0EH
Property Search for:	CHERRY TREE LODGE, GOOLE ROAD, RAVENHILL, SWANSEA, SA5 5DX
Reference Number:	51000624674001
Date of Issue:	04 September 2014
Cost:	£25.00
VAT @ 20%:	£5.00
Total Received:	£30.00
VAT Registration	598 5850 68



## Location map



Approximate position of property



## Enquiry boundary

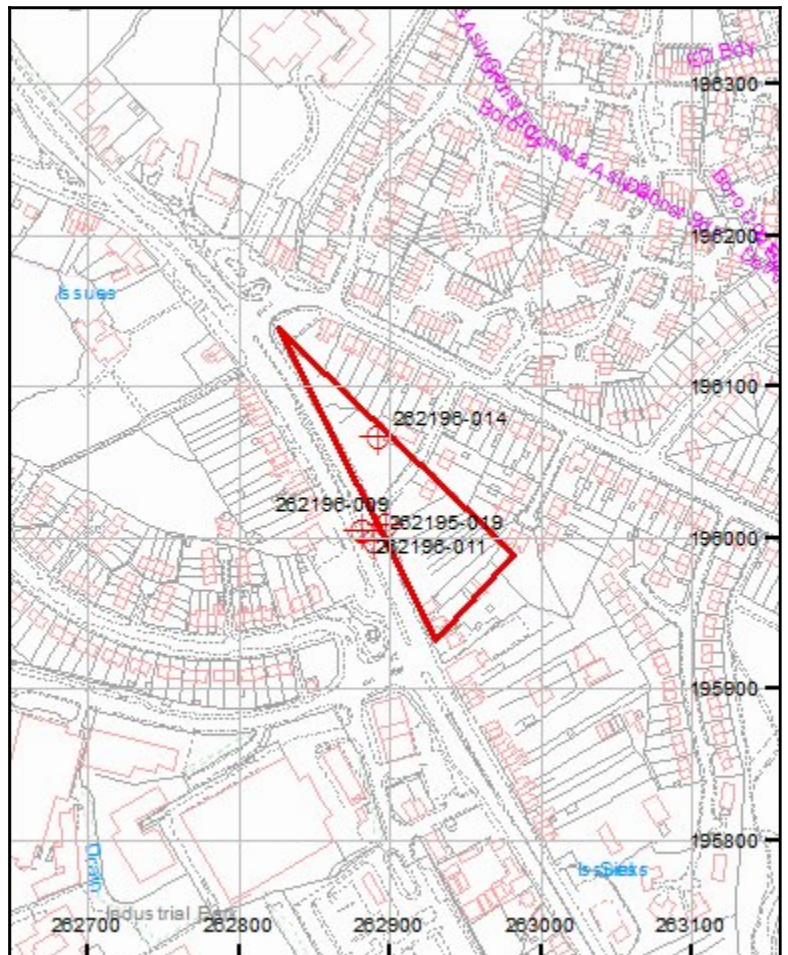
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## Key

Approximate position of enquiry boundary shown



Disused Adit or Mineshaft



## Policy Summary – Coal & Brine Search Report Insurance

This is a summary of the policy and does not contain the full terms and conditions of the cover which can be found in the policy document. It is important that you read the policy document carefully when you receive it.

### Name of the Insurer

The insurer is Aviva Insurance Limited. Registered in Scotland No. 2116. Registered Office: Pitheavlis Perth PH2 0NH. Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

### The Coal Authority

The Coal Authority, a NDPB (non-departmental public body) sponsored by DECC (Department for Energy and Climate Change) 200 Lichfield Lane Mansfield Nottinghamshire NG18 4RG is responsible for producing the coal & brine search report, issuing the policy, collecting the premium and declaring the existence of the policy to Aviva Insurance Limited.

### Type of Insurance and Cover

- a. The policy is evidenced by the policy that is attached to the coal & brine search report provided by The Coal Authority in respect of a search in form CON29M (2006).
- b. Where a coal & brine search report has been obtained in connection with a sale of the property, cover is provided for the benefit of a purchaser and their lender; in the case of a re-mortgage or where the existing owner chooses to obtain a coal & brine search report, cover is provided for the benefit of the owner and their lender.
- c. The policy offers protection against loss sustained by the owner of the property if any new problems or adverse entries are revealed in a subsequent coal & brine search report which were not revealed by the original report to which the policy was attached.

### Significant features or benefits under the policy and the term/duration of the policy

- a. Cover is provided for loss that you suffer up to an amount of £50,000.00.
- b. For the purposes of the policy loss includes:-
  - (i) any reduction in the market value of the property directly attributable to changes in the information revealed in the coal & brine search report compiled against the property; and
  - (ii) all other costs and expenses incurred which we have agreed, in writing, to cover.
- c. A single premium has been paid in respect of the cover provided under the policy; the policy remains in effect until you sell the property, or if you are the lender, the debt secured by the mortgage has been repaid.
- d. You cannot transfer the benefits of the policy to anyone else. However, if you die whilst you still have the benefit of the cover provided by the policy, the benefit will pass to your estate and beneficiaries.

### Significant or unusual Exclusions or Conditions under the policy

- a. Full details can be found in the Cover and Exclusions sections of the policy.
- b. The policy does not cover your costs in relation to the loss of a transaction for the sale or purchase of the property.
- c. The property must be an existing (i.e. it must have been lived in) single residential house, flat or maisonette in the United Kingdom.
- d. The policy does not cover loss relating to structural or other physical damage caused to the property by subsidence, flooding or otherwise.
- e. The policy does not cover you for any loss in relation to any matter revealed in the coal & brine search report to which the policy is attached nor in relation to any matter that you were otherwise aware of on or before the policy was issued.

### Cancellation Rights

You have the statutory right to cancel your policy within 14 days either from the day of purchase of the policy or the day on which you receive your policy, whichever is the later. If you wish to cancel and the insurance cover has not yet commenced, you will be entitled to a full refund of the premium paid.

### How to claim

If you need to make a claim please write to Aviva Legal Indemnities, PO Box 6, 14 Surrey Street, Norwich, NR1 3NS, quoting your policy number. Telephone 0800 158 2236. Please enclose your policy and the coal & brine search report attached to it together with the subsequent coal & brine search report giving rise to the claim.

### Telephone Call Recording

For your and our joint protection telephone calls may be recorded and/or monitored.

### If You Have a Complaint

We hope that you will be very happy with the service that we provide. However, if for any reason you are unhappy with it, we would like to hear from you. In the first instance, please contact The Legal Indemnity Manager. You can write to Aviva Legal Indemnities at, PO Box 6, 14 Surrey Street, Norwich, NR1 3NS, or telephone 0800 158 2236, whichever suits you. We are covered by the Financial Ombudsman Service. If you have complained to us and we have been unable to resolve your complaint, you may refer it to this independent body. Following the complaints procedure does not affect your right to take legal action. The full complaints procedure is set out in the policy.

### Financial Services Compensation Scheme

We are members of the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from this scheme if we cannot meet our obligations, depending on the type of insurance and the circumstances of your claim.

Further information about the scheme is available from the FSCS website [www.fscs.org.uk](http://www.fscs.org.uk), or write to Financial Services Compensation Scheme, 10th Floor, Beaufort House, 15 St. Botolph Street, London, EC3A 7QU.

### Coal & Brine Search Report Insurance Policy

We welcome you as a Policyholder of Aviva, a worldwide organisation offering you a local insurance service for your personal and business requirements.

This Policy is your evidence of insurance and may be required in the event of a claim.

**Property: CHERRY TREE LODGE, GOOLE ROAD, RAVENHILL, SWANSEA, SA5 5DX**

#### Definitions

**You/Your** means the person insured by this Policy. You may be

- i. The person who asked for the Coal & Brine Search Report in connection with your purchase of the Property (and your mortgagee)
- ii. The person who purchased the Property (and your mortgagee) if the person selling the Property has asked for a Coal & Brine Search Report for the benefit of the purchaser as part of a seller's pack or if the Property has been purchased by way of auction
- iii. The owner of the Property (and your mortgagee) if you are re-mortgaging the Property or the owner of the Property who has chosen to obtain a Coal & Brine Search Report.

**We/Us/Our** means the insurer, Aviva Insurance Limited. Registered in Scotland No. 2116. Registered Office: Pitheavlis Perth PH2 0NH. Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

**TCA** means The Coal Authority a NDPB (non-departmental public body) sponsored by DECC (Department for Energy and Climate Change) 200 Lichfield Lane Mansfield Nottinghamshire NG18 4RG. TCA is responsible for producing the Coal & Brine Search Report, issuing this Policy, collecting the Premium and declaring the existence of this Policy to us.

**Coal & Brine Search Report** means the attached Coal & Brine Search Report that TCA has prepared for the Property following a Coal Mining & Brine Subsidence Search providing information compiled from

- i. TCA's records in relation to past, present and future underground and opencast coal-mining activity, shafts and adits (vertical and horizontal entries to mines), coal-mining geology, coal-mining related hazards, coal-mining subsidence and mine gas and
- ii. The records of the Cheshire Brine Subsidence Compensation Board in relation to Cheshire Brine.

**Effective Date** means the date of the Coal & Brine Search Report attached to this Policy.

**Limit of Cover** means an amount of £50,000.

**Market Value** means the value determined by a Surveyor appointed following agreement by you and us (or appointed by an arbitrator in the absence of such agreement).

**Period of Insurance** means the period from the Effective Date until

- i. You sell the Property or
- ii. The debt secured by the mortgage is repaid if you are a mortgagee.

**Premium** means the total amount of £0.95p paid in consideration of the cover provided by this Policy which includes Insurance Premium Tax at the appropriate rate.

**Property** means the property the address of which appears at the top of this Policy and in respect of which TCA has provided the attached Coal & Brine Search Report.

**Surveyor** means a person approved by us who has one or more of the following qualifications: FRICS or MRICS.

#### Cover

Subject to the terms and conditions of this policy and provided TCA has collected the Premium we will cover you up to the Limit of Cover for all claims made during the Period of Insurance in respect of

1. The loss in Market Value of the Property directly attributable to any changes in the information revealed in a subsequent coal & brine search report which was not revealed in the Coal & Brine Search Report attached to this Policy which was carried out on the Effective Date, such loss in Market Value to be calculated at the date of the subsequent coal & brine search report, and
2. All other costs and expenses which we have agreed in writing to cover.

## Exclusions

1. We will not pay more than the Limit of Cover in total for any loss in Market Value of the Property and costs and expenses covered by this Policy. You cannot claim the benefit of more than one policy provided by us in this form in relation to the Property.
2. We will not be responsible for any loss you might suffer:
  - i. if at the date of the claim you are not the legal or beneficial owner of the Property
  - ii. if the Property is not a single private home in the United Kingdom which is used only for residential purposes
  - iii. in relation to loss of a transaction for the sale or for the purchase of the Property nor for any costs incurred by you in relation to the loss of such transaction
  - iv. in respect of structural or other physical damage caused to the Property by subsidence flooding or otherwise
  - v. as a result of any change in information in response to questions 3(a) 3(b) 8(a) or 8(b) of a Coal Mining & Brine Subsidence Search (form CON29M (2006)).For the avoidance of doubt this Policy does not provide buildings or contents insurance cover.
3. We will not be responsible for any loss which happens as a result of
  - i. an entry on any subsequent coal & brine search report after the Effective Date if this entry also appears on the attached Coal & Brine Search Report
  - ii. any problem revealed by the first coal & brine search report after the Effective Date if you or your legal representative knew about the problem on or before the Effective Date
  - iii. any change to the Coal Mining & Brine Subsidence Search (form CON29M (2006)) made after the Effective Date which affects our responsibility under this Policy if we would not have been responsible for the loss before such change
  - iv. any change in the interpretation of data upon which the Coal & Brine Search Report was produced provided such data remains unchanged.
4. We will not be responsible for any loss for which TCA or the Cheshire Brine Subsidence Compensation Board may be required to pay by law.

## Conditions

1. You cannot transfer the benefit of this Policy to anyone else. If you die during the Period of Insurance the benefit of the Policy will pass to your estate and beneficiaries.
2. If you receive information about any claim, loss or incident for which we may be responsible under this Policy you must contact us as soon as possible as set out below in the section; How to claim.
3. If there is any claim under this Policy which is also covered by any other insurance we will pay no more than our rateable proportion of the loss and any costs and expenses connected with it.
4. You agree to do and permit to be done all things that we consider necessary to minimise loss under the Policy. We will be responsible for any expense incurred in complying with this Condition.
5. You must not make any offer promise or payment or incur any costs or expenses unless we have agreed in writing to cover such costs and expenses.
6. If there is a claim under this Policy we have the right to instruct a Surveyor to assess the Market Value of the Property.
7. Where we have accepted a claim and there is disagreement over the amount to be paid the dispute can be referred to an agreed arbitrator (or in the absence of an agreement an arbitrator appointed by the President of the Chartered Institute of Arbitrators) in accordance with the law at the time.

## Cancellation Rights (Statutory Cooling Off Period)

You have the right to cancel your policy within 14 days from the day of purchase of the policy or the day on which you receive your policy, whichever is the later. If you wish to cancel and the insurance cover has not yet commenced, you will be entitled to a full refund of the premium paid.

## Customers with Disabilities

This policy and other associated documentation are also available in large print, audio and Braille. If you require any of these formats, in the first instance, please contact Aviva Legal Indemnities, PO Box 6, 14 Surrey Street, Norwich, NR1 3NS, quoting your policy number. Telephone 0800 158 2236.

## Data Protection Act – Information Uses

For the purposes of the Data Protection Act 1998, the Data Controllers in relation to any personal data you supply are Aviva Insurance Limited and The Coal Authority.

## Insurance Administration

Your information may be used for the purposes of insurance administration by the insurer, its associated companies and agents by reinsurers and TCA. It may be disclosed to regulatory bodies for the purposes of monitoring and/or enforcing the insurer's compliance with any regulatory rules/codes. Your information may also be used for research and statistical purposes and crime prevention. It may be transferred to any country, including countries outside the European Economic Area for any of these purposes and for systems administration. Where this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it.

If you give us information about another person, in doing so you confirm that they have given you permission to provide it to us and for us to be able to process their personal data (including any sensitive personal data) and also that you have told them who we are and what we will use their data for, as set out in this notice.

In the case of personal data, with limited exceptions, and on payment of the appropriate fee, you have the right to access and if necessary rectify information held about you.

Information may also be shared with other insurers either directly or via those acting for the insurer (such as loss adjusters or investigators).

## **Fraud Prevention and Detection**

In order to prevent and detect fraud we may at any time:

- Share information about you with other organisations and public bodies including the Police;
- Undertake credit searches and additional fraud searches;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this.

We can supply on request further details of the databases we access or contribute to.

We and other organisations may also search these agencies and databases to:

- Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
- Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
- Check your identity to prevent money laundering, unless you furnish us with other satisfactory proof of identity.

## **Use of Language**

Unless otherwise agreed, the contractual terms and conditions and other information relating to this contract will be in English.

## **How to claim**

If you need to make a claim please write to Aviva Legal Indemnities, PO Box 6, 14 Surrey Street, Norwich, NR1 3NS, quoting your policy number. Telephone 0800 158 2236. Please enclose your policy and the Coal & Brine Search Report attached to it together with the subsequent coal & brine search report giving rise to the claim.

Please be aware of the Conditions of this Policy.

## **Telephone Call Recording**

For your and our joint protection telephone calls may be recorded and/or monitored.

## **Choice of Law**

The law of England and Wales will apply to this contract unless at the date of the contract you are a resident of Scotland or Northern Ireland in which case the law of that country will apply.

## **Our Promise of Service**

Our goal is to give excellent service to all our customers but we recognise that things do go wrong occasionally.

We take all complaints we receive seriously and aim to resolve all our customers' problems promptly. To ensure that we provide the kind of service you expect we welcome your feedback. We will record and analyse your comments to make sure we continually improve the service we offer.

## **What will happen if you complain**

- We will acknowledge your complaint promptly.
- We aim to resolve all complaints as quickly as possible.

Most of our customers' concerns can be resolved quickly but occasionally more detailed enquiries are needed. If this is likely, we will contact you with an update within 10 working days of receipt and give you an expected date of response.

## **What to do if you are unhappy**

If you are unhappy with any aspect of the handling of your insurance we would encourage you, in the first instance, to seek resolution by contacting The Legal Indemnity Manager. You can write to Aviva Legal Indemnities at, PO Box 6, 14 Surrey Street, Norwich, NR1 3NS, or telephone 0800 158 2236, whichever suits you, and ask your contact to review the problem.

If you are unhappy with the outcome of your complaint you may refer the matter to the Financial Ombudsman Service at: The Financial Ombudsman Service, South Quay Plaza, 183 Marsh Wall, London E14 9SR. Telephone: 0800 023 4567 (free from landlines) or 0300 123 9123. Or simply log on to their website at [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk).

Whilst we are bound by the decision of the Financial Ombudsman Service, you are not. Following the complaints procedure does not affect your right to take legal action.

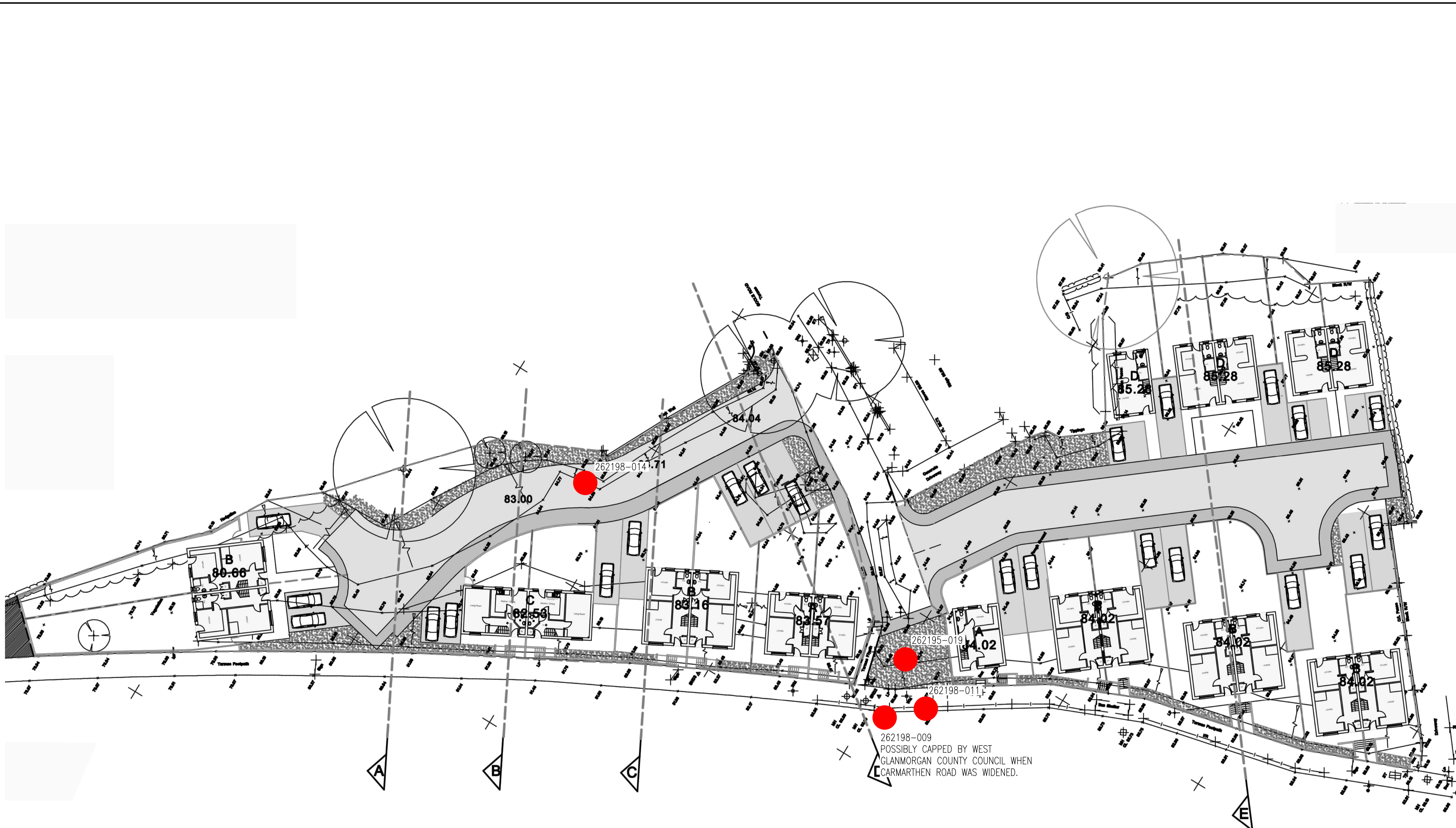
## **Financial Services Compensation Scheme**

We are members of the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from this scheme if we cannot meet our obligations, depending on the type of insurance and the circumstances of your claim.

Further information about the scheme is available from the FSCS website [www.fscs.org.uk](http://www.fscs.org.uk), or write to Financial Services Compensation Scheme, 10th Floor, Beaufort House, 15 St. Botolph Street, London, EC3A 7QU.

## **Appendix 3**

### **Historic Mine Shaft Location Plan**



262198-009  
 POSSIBLY CAPPED BY WEST  
 GLANMORGAN COUNTY COUNCIL WHEN  
 CARMARTHEN ROAD WAS WIDENED.

- NOTES
- DO NOT SCALE THIS DRAWING
  - CONTRACTOR TO CHECK ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ENGINEER

KEY

● MINE SHAFT LOCATION

Rev.	Detail	By	Date
Revisions			

Reinforcement schedules nos.



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 web www.cb3consult.co.uk

Client  
**D & L CONSTRUCTION LTD**

Project  
**PROPOSED RESIDENTIAL  
 DEVELOPMENT AT  
 GOOLE ROAD,  
 FFORESTFACH, SWANSEA.**

Drawing Title  
**MINE SHAFT LOCATION  
 PLAN**

**INFORMATION**

Project No. <b>C0394</b>	Drawing No. <b>C-SK02</b>
Scales 1:250	Date 15.08.14
Drawn DH	Checked DG
Sheet Size A1	Revision -

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