

**Environmental
Geotechnical
Specialists**



REPORT

job number	site address
date	
written by	
checked by	issued by

Rogers Geotechnical Services Ltd

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GEO TECHNICAL
ENVIRONMENTAL



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Report on a Coal Mining Risk Assessment

Location: 113 Westfield Lane
Wyke, Bradford, BD12 9LY

For: City Developments (Yorkshire) Ltd

Report No. J3942/17/EDS

Report date: June 2017

For and on behalf of **Rogers Geotechnical Services Ltd**



Rob Palmer MSc FGS
Geotechnical & Environmental Engineer



Charlotte Mason BSc FGS
Graduate Geotechnical Engineer

1. Introduction

It is understood that as part of the planning application at the site, a Coal Mining Risk Assessment has been requested by the planning authority. Consequently, a desktop study was commissioned in order to assess the risk to the development from coal mining. This report presents the findings of the study.

2. Geological Desk Study

The geological desk study has been undertaken using the following sources of information.

- British Geological Survey map sheet¹.
- British Geological Survey *Geology of Britain Viewer*².
- Coal Authority Report³.
- British Geological Survey *Borehole Records*⁴.

2.1 British Geological Survey Maps and Viewer

The appropriate map sheet for the site and the geology viewer has been examined and the following table presents the indicated geology:

¹ Sources: British Geological Survey (NERC) Map Sheet 77 ; Huddersfield Solid and Drift Editions

² Sources: British Geological Survey (NERC) Geology of Britain Viewer [online resource from www.bgs.ac.uk]

³ Coal Authority Reference: 51001391486001 dated 26th March 2017.

⁴ Sources: British Geological Survey (NERC) Borehole Records [online resource from <http://www.bgs.ac.uk/>]

Table 1: Geological Data for the Site

Strata Type	Strata Name ⁵	Previous Name ⁶	Description ⁶
Superficial Geology			None recorded.
Solid Geology	Pennine Lower Coal Measures Formation - Sandstone	Lower Coal Measures	Interbedded grey mudstone, siltstone and pale grey sandstone, commonly with mudstones containing marine fossils in the lower part, and more numerous and thicker coal seams in the upper part.

The site is situated upon an unnamed sandstone member of the Pennine Lower Coal Measures Formation. There are no dip indicators relevant to the site (i.e. within 500m of the site or within the same fault block) on the geological map. However, taking into account the structure of the regional geology and outcrop patterns, it can be anticipated that the solid geology within the local area dips at angles of between 10° and 15° to the east-south-east. In addition, the site is situated within a heavily faulted area, with a general regional fault trend pattern of north-south and east-west.

There are two coal seams that are shown to outcrop within the local area. These seams are summarised as follows:

Table 2: Summary of coal seams within the vicinity of the site.

Seam Name	Seam thickness ^{5*}	Outcrop distance from site ^{5*}	Anticipated depth below site
Trub Coal	0m to 0.5m	130m NW	30m to 35m
Shertcliffe Coal	0m to 0.8m	230m NW	50m to 55m

*All distances are given as approximations only. It should be noted that coal seam thicknesses vary over relatively short distances

The above mentioned coal seams are indicated to outcrop to the north-west of the site. Considering the generalised vertical section on the map, the site is stratigraphically above these coal seams.

In light of the above, and taking into account the regional structural geology and the topography of the area, it is anticipated that two seams may be present beneath the site. In particular, the Trub Coal seam is anticipated to present at depths of around 30m below the surface of the site.

⁵ Sources: British Geological Survey (NERC) Map Sheets 77; Huddersfield; Solid and Drift Edition, and Geology of Britain Viewer [online resource from www.bgs.ac.uk]

⁶ Sources: British Geological Survey (NERC) Lexicon of Named Rock Units [online resource from www.bgs.ac.uk]

2.2 Coal Authority Mines Report

As part of this study a Non-residential Coal Authority Mining Report has been obtained. The report is presented as Appendix 2 and for the purposes of discussion has been summarised below:

Table 3: Summary of the Non-residential Coal Authority Mining Report			
Has the search report highlighted evidence or potential of:			
Ref	Mining Feature	Yes/No	Comments
1	Underground Coal Mining: Past	Yes	The property is in a surface area that could be affected by underground mining in 2 seams of coal at 80m to 120m depth, and last worked in 1914. Any movement in the ground due to coal mining activity should have stopped. 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 the Coal Authority information section of the Coal Authority report.
2	Underground Coal Mining: Present	No	The property is not within the likely zone of influence of any present underground coal workings.
3	Underground Coal Mining: Future	Yes	The property is not in an area where the Coal Authority has plans to grant a licence to remove coal using underground methods. The property is not in an area where a licence has been granted to remove or otherwise work coal using underground methods. The property is not in an area likely to be affected from any planned future underground coal mining. However, reserves of coal exist in the local area which could be worked at some time in the future. No notices have been given, under section 46 of the Coal Mining Subsidence Act 1991, stating that the land is at risk of subsidence.
4	Mine Entries	No	There are no known coal mine entries within, or within 20 metres of the boundary of the property.
5	Coal Mining Geology	No	Please refer to CON29M Non-residential mining report (51001391486001)
6	Opencast Coal Mining: Past	No	
7	Opencast Coal Mining: Present	No	
8	Opencast Coal Mining: Future	No	
9	Coal Mining Subsidence	No	
10	Mine Gas	No	
11	Hazards Related to Coal Mining	No	

2.3 Geological Survey Borehole Records

The British Geological Survey (NERC) keeps borehole records from across Britain which are available for public viewing through their website⁷. As part of this study, the records in the area around the site have been reviewed in order to assist in establishing the geological conditions.

Unfortunately in this instance, there are no borehole scans available within the vicinity of the site that will assist with this assessment. Whilst there are borehole scans present within 500m to the north, south and east of the site, these boreholes are situated on outcrops stratigraphically below the Trub Coal and Shertcliffe Coal seams. Therefore, these seams are not present within these boreholes. Furthermore, other borehole scans are available at a greater distance to the site within other faulted blocks. However, these are not anticipated to represent comparable ground conditions to those anticipated to be present below the site.

3. Risk Assessment

The risk to the stability of the proposed residential development has been evaluated from the data obtained and with reference to the following ratings and definitions:

- Low - The possibility of instability is unlikely therefore no further action is necessary.
- Moderate - The possibility of instability is likely and further investigation or remedial action may be required.
- High - The possibility of instability is highly likely and further investigation or remedial action will be necessary.

Table 4: Development specific risk assessment			
Item	Risk of Instability	Coal Seam(s) Considered	Risk Rating
1	Shallow coal seams	Trub Coal	Low
2	Coal workings at depth	Shertcliffe Coal	Low
		The property is in a surface area that could be affected by underground mining in 2 seams of coal at 80m to 120m depth, and last worked in 1914.	Low

On the basis of all of the information provided above, one coal seam is anticipated to be present within 30m of the surface at the site. Therefore, the possibility of this seam being worked below the site cannot be ruled out. Historic coal mining activity is evident in the nearby area and therefore it is considered that if coal was known to be close to ground level, it could have been removed illicitly via shallow mining methods with relative ease.

It may be noted that guidance available from both the NHBC and the CIRIA publication, SP32 - *construction over abandoned mine workings*, suggests that competent overburden thickness above a coal seam should be greater than 10 times the thickness of a seam plus seam thickness in order that the collapse of workings would pose a low risk to surface structures.

On this basis, assuming a maximum thickness of the coal seam, the table below suggests the thickness of competent overburden required above the seam to mitigate instability at the surface.

Table 6: Required thickness of competent overburden

Seam Name	Seam thickness	Anticipated depth below site	Required thickness of competent overburden.
Trub Coal (J)	0m to 0.5m	30m to 35m	5.5m

Based on the above information, it is considered that there will be a sufficient thickness of competent overburden above the seam in order to prevent the risk of instability posed by the presence of any illicit workings. In addition, it should be appreciated that the Coal Authority does not have claim records of coal mining subsidence within 50m of the property. Therefore, a low risk rating has been placed on this seam and no further investigation is recommended to prove or disprove the presence of illicit mining activity.

In regard to deeper mining which could affect the site, the property is indicated to be in a surface area that could be affected by underground mining in 2 seams of coal at 80m to 120m depth, and last worked in 1914. However, the Coal Authority report states that any movement in the ground due to coal mining activity should have stopped. In addition, the Shertcliffe Coal seam is anticipated to be present at significant depths with a limited thickness. Therefore, there is considered to be a low risk of instability at the site due to workings at depth.

4. Conclusions

This risk assessment has revealed that economically workable coal is unlikely to be present at or within 25m depth of the surface of the site. Therefore, taking into consideration the assumed thicknesses of the named seams, it is considered that there is sufficient overburden above any potential coal workings as to mitigate the risk of surface instability.

In view of this, it is not considered necessary to undertake any further investigation or specific construction methods to reduce the risk of instability within the development at the site.

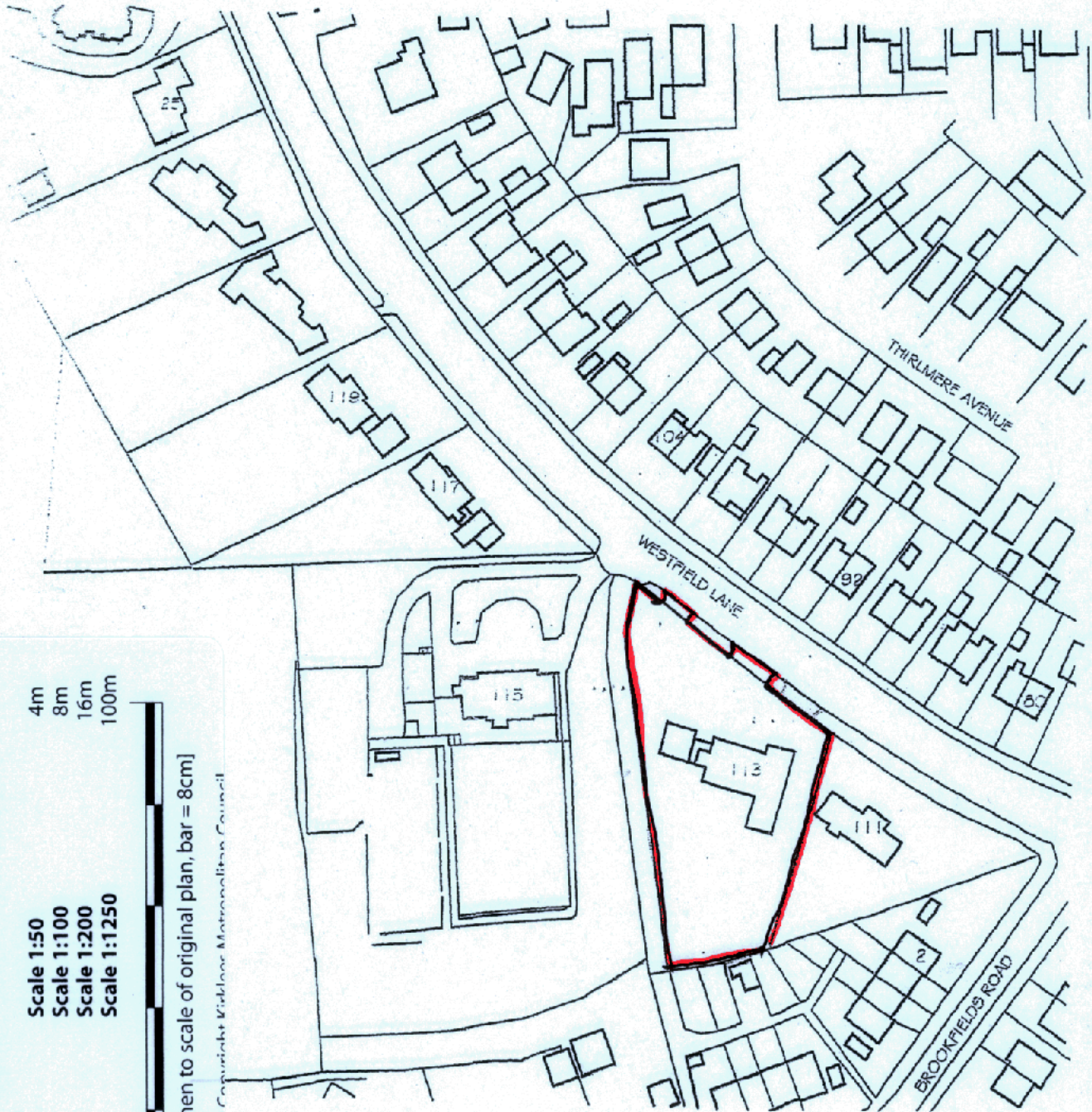
Appendix 1

Site Plan

08/60/93379/E1

113 WESTFIELD LANE,
SCHOWES-
WYKE.

OFFICE COPY



4m
8m
16m
100m

Scale 1:50
Scale 1:100
Scale 1:200
Scale 1:1250

[When to scale of original plan, bar = 8cm]

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LOCATION PLAN 1:1250

REVISED DATE

30 SEP 2008

OF RECEIPT

WIRRAL METROPOLITAN BOROUGH COUNCIL
11 SEP 2008

RECEIVED

Appendix 2

Coal Authority Report



The Coal
Authority

Resolving the **impacts** of mining

CON29M Residential Mining Report

113 WESTFIELD LANE
WYKE
BRADFORD
WEST YORKSHIRE
BD12 9LY

Date of enquiry: 26 March 2017
Date enquiry received: 26 March 2017
Issue date: 26 March 2017

Our reference: 51001391486001
Your reference: LNX1-AKRGE4/CAS



CON29M Residential Mining Report

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.

Client name

YORKSHIRE WATER - SAFE MOVE

Enquiry address

113 WESTFIELD LANE, WYKE, BRADFORD, WEST
YORKSHIRE, BD12 9LY

How to contact us

0345 762 6848 (UK)
+44 (0)1623 637 000 (International)

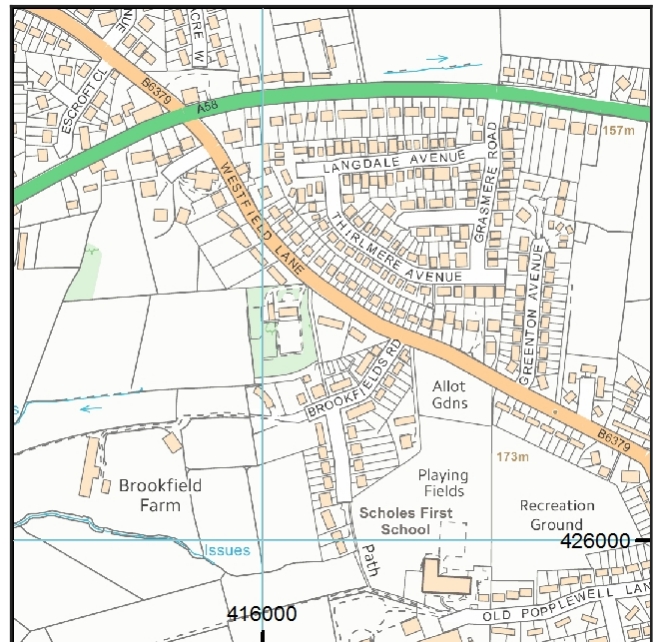
200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

www.groundstability.com

 /company/the-coal-authority

 /thecoalauthority

 /coalauthority



Approximate position of property



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Summary

Has the search report highlighted evidence or potential of		
1	Past underground coal mining	Yes
2	Present underground coal mining	No
3	Future underground coal mining	Yes
4	Mine entries	No
5	Coal mining geology	No
6	Past opencast coal mining	No
7	Present opencast coal mining	No
8	Future opencast coal mining	No
9	Coal mining subsidence	No
10	Mine gas	No
11	Hazards related to coal mining	No
12	Information from the Cheshire Brine Subsidence Compensation Board	No

For detailed findings, please go to page 4.

Detailed findings

1. Past underground coal mining

The property is in a surface area that could be affected by underground mining in 2 seams of coal at 80m to 120m depth, and last worked in 1914.

Any movement in the ground due to coal mining activity should have stopped.

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 the Coal Authority information section of the report.

2. Present underground coal mining

The property is not within a surface area that could be affected by present underground mining.

3. Future underground coal mining

The property is not in an area where the Coal Authority has plans to grant a licence to remove coal using underground methods.

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

The property is not in an area likely to be affected from any planned future underground coal mining.

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

No notices have been given, under section 46 of the Coal Mining Subsidence Act 1991, stating that the land is at risk of subsidence.

4. Mine entries

There are no known coal mine entries within, or within 20 metres of, the boundary of the property.

5. Coal mining geology

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

6. Past opencast coal mining

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

7. Present opencast coal mining

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

8. Future opencast coal mining

There are no licence requests outstanding to remove coal by opencast methods within 800 metres of the boundary.

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.

9. 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 31 October 1994.

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

The Coal 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.

10. Mine gas

The Coal Authority has no record of a mine gas emission requiring action.

11. 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.

12. Information from the Cheshire Brine Subsidence Compensation Board

The property lies outside the Cheshire Brine Compensation District.

Comments on the Coal Authority information

The Coal Authority own the copyright in this report and the information used is protected by our database right.

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.

Additional remarks

Information provided by the Coal Authority in this report is compiled in response to the Law Society's Con29M Coal Mining and Brine Subsidence Claim enquiries. The said enquiries are protected by copyright owned by the Law Society of 113 Chancery Lane, London WC2A 1PL. Please note that Brine Subsidence Claim enquiries are only relevant for England and Wales. 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 applicable at the time the report was produced.

If 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.

Disclaimer

The Coal Authority owns the copyright in this report and the information used to produce this report is protected by our database rights. 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.

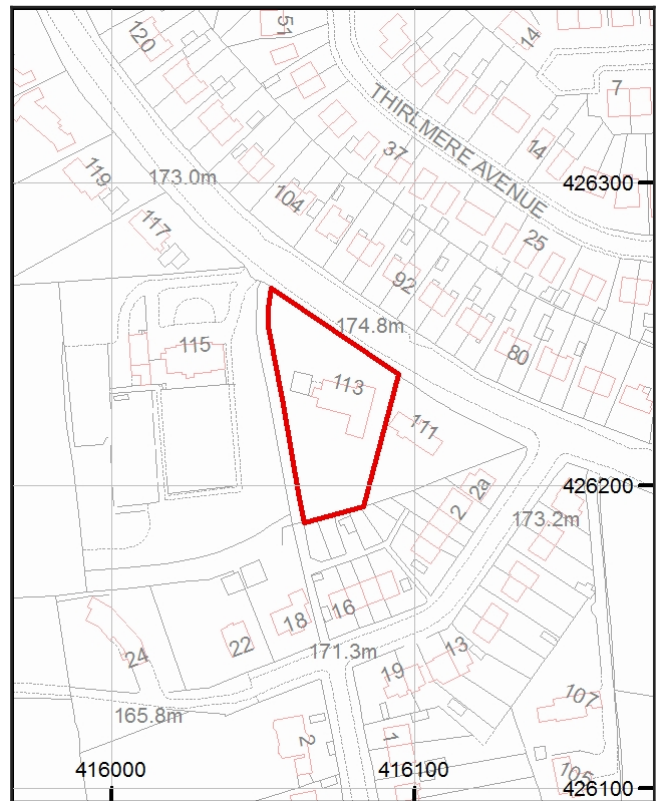
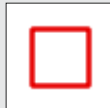
Alternative formats

If you would like this report in an alternative format, please contact our communications team.

Enquiry boundary

Key

Approximate position of enquiry boundary shown



How to contact us

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Key facts document

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, or write to Financial Services Compensation Scheme, 10th Floor, Beaufort House, 15 St. Botolph Street, London, EC3A 7QU.

Coal & Brine Search Report Insurance Policy

Property: 113 WESTFIELD LANE, WYKE, BRADFORD, WEST YORKSHIRE, BD12 9LY

Policy number: 24517172

Report reference number: 51001391486001

Dated: 26 March 2017

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.

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)).
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.

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, or write to Financial Services Compensation Scheme, 10th Floor, Beaufort House, 15 St. Botolph Street, London, EC3A 7QU.