

**BY EMAIL**

24<sup>th</sup> June 2024

Dear Mr Berry

Barr Street, Huddersfield – Proposed Replacement Concrete Plant  
Coal Mining Risk Assessment

In accordance with our commission, we are pleased to provide an assessment of the stability of the site with regard to coal mining. Details are provided below.

**The Site**

The site, which is centred on Ordnance Survey Grid Reference SE 15296 18216, forms a part of the larger Myers Group site at Barr Street, off Leeds Road, Huddersfield. A site location plan and aerial photograph are attached in Appendix A. The area being assessed ("The Site") is around 80m x 80m and sits within the northern half of the Myers site. The area is proposed for a new replacement concrete mixing plant - an indicative proposed site layout is attached in Appendix B.

**Geology Maps and BGS Borehole Archives**

The 1:50,000 scale Geological Map (Sheet 77 - Huddersfield), the 1:10,000 scale Geological Map (Sheet SE11NE) and the latest British Geological Survey (BGS) electronic data at 1:50,000 scale, which is public sector information licensed under the Open Government License v3.0, have been used to assess the geology of the local area. The geological setting of the site is shown on the Oblique View Geological Map, which is attached in Appendix C.

The maps show the site to be underlain by undifferentiated solid strata (mudstones, siltstones and minor sandstones) of the Pennine Lower Coal Measures of the Carboniferous Period. The site is on a valley floor position and the solid strata are shown to be covered by alluvial deposits (clay, silt, sand and gravel). It should be noted that, for clarity, these deposits are not shown on the attached Oblique View Geological Map. No faults are shown on or near the site.

The nearest indicated coal seam outcrop/subcrop is the 36 Yard Coal (also called the Hard Bed Band Coal) 300m to the north and, as a result of the combination of the southeasterly strata dip of the and the valley topography, swings round to a position 500m to the southeast. Another coal seam (known to be the Halifax Hard Bed Coal, but referred to on the maps as simply "Hard Bed Coal") is conjectured to outcrop around 590m to the west of the site.



The Generalised Vertical Section (GVS) on the geological map indicates the 36 Yard Coal to be above the Halifax Hard Bed in the succession, confirming the younging direction to the southeast. Of the two seams, only the Halifax Hard Bed coal seam will, therefore, underlie the site.

The 1:50,000 map GVS indicates a thickness of 0.1m to 0.8m for the Halifax Hard Bed, whilst the 1:10,000 map indicates a thickness of 0.6m. However, the BGS archive borehole SE11NE38/G logged the seam as comprising 0.6m of coal over 0.3m of fireclay. Abandonment plans (discussed in more detail later in this letter) show the seam to comprise 2ft 4" (0.71m) of coal, onto 8" (0.2m) of ganister, onto 2ft (0.6m) of fireclay onto 4ft (1.22m) of inferior fireclay)). The total potentially extracted thickness is, therefore, either 2.73m if the inferior fireclay is included or 1.51m if this is excluded.

With regard to deeper seams, below the Halifax Hard Bed, the Middle Band Coal is the next deepest, around 13m below the Halifax Hard Bed, but is noted to be "thin". Below this is the Soft Bed Coal, shown to be up to 0.8m thick, at 24m below the Halifax Hard Bed.

There are several BGS borehole archive records close to (and one on) the site, but these terminate at shallow depth within alluvium. A borehole around 85m southeast (referenced SE11NE/38G) shows rockhead at 10.6m, with coal and fireclay below, at 11.7m. A copy of the borehole log is presented in Appendix C.

## Abandonment Plans

ARP made a search enquiry to The Coal Authority for available abandonment plans for mine workings with potential to affect the site. Electronic scans of four abandonment plans were subsequently received from the Coal Authority, as listed below:

Plan Reference No.	Seam	Coverage/Details
400045471	Not stated. Workings dated between 1855 and 1904.	Nearest workings are off-site 95m to northwest.
7800_999999_10F13	Halifax Hard Bed Coal, Gannister and Fireclay. Plan is dated 1924.	Workings are shown under the site, dates between 1904 and 1908.
7800_999999_30F13	Halifax Hard Bed Coal and Clay. Plan dated 1924.	The site is not covered by this plan and concerns the railway, including coal left "ungotten" under two railway bridges.
7800_999999_120F13	Hard Bed Coal and Fireclay	The site is not covered by this plan.

ARP has produced an overlay of the abandonment plan "7800\_999999 10F13" onto aerial images of the site and surroundings. The overlay is presented in Appendix D. The abandonment plan shows workings beneath the site, within the Hard Bed Coal, Gannister and Fireclay, but not the depth of the workings. However, the plan does show the dip of the seam/workings to be at 1 in 24 to the east-southeast, and also shows the succession of strata present within a shaft at "New Peace Pit" approximately 1km northeast of the site. From this, it is possible to extrapolate the depth of workings beneath the site, using the dip line and offsets from the strike. A plan is attached in Appendix D showing the methodology, and this indicates an approximate workings depth beneath the site (assuming no significant difference in elevation between the New Peace Pit and the site) of around 24m.



From the information given on the abandonment plans, the extracted thickness of coal, fireclay and gannister is between 1.5m and 1.7m.

### Summary of Coal Seams and Estimated Depths Beneath the Site

In the light of information obtained above, the details of the relevant seams beneath the site are listed below, in order of increasing depth.

Seam	Estimated Depth Beneath Site	Seam Thickness	Approximate Rock Cover Thickness	Coal Seam Potentially Within Influencing Distance of Surface?*
Halifax Hard Bed Coal (& Gannister & Fireclay)	24m	1.5m to 1.7m#	14m	YES
Middle Band Coal	37m	“Thin”	27m	No
Soft Bed Coal	48m	0m to 0.8m	38m	No

\* Including cumulative impacts on overlying seams and based on a requirement for there to be overlying rock cover of at least 10x the extracted thickness, as measured from the top of the original seam roof. Less than this indicates the seam is within influencing depth of the surface. Rock head is anticipated to be at around 10m below the site.

# Includes associated gannister and fireclay.

### Coal Authority and Coal Mining Report

A CON29M Coal Mining Report by Terraforma was obtained by ARP Geotechnical Ltd, and a copy is attached in Appendix E.

The site is in the likely zone of influence of recorded workings in one seam of coal, at an approximate depth of 14m to 19m beneath the site (this is interpreted to be the Halifax Hard Bed Coal that ARP estimated to be at a depth of around 24m below the site). The last known working date is 1907. The site is not within an area that could be affected by unrecorded shallow underground coal workings.

The site is not affected by any present, or future proposed, underground coal mining. The report refers to reserves in the locality that could be worked at some time in the future. However, given the effective abandonment of the coalfields in this area, any future workings are considered highly unlikely.

There are no recorded mine entries within 20m of the site.

The site is unaffected by any past, present, or future proposed, opencast coal mining.



## **Assessment of Coal Mining Instability – Conclusions**

It is a generally accepted rule of thumb that, unless there is at least 10 times the seam thickness of rock cover above any underground workings (as measured from the top of the original seam/extraction roof), they have the potential to adversely affect ground stability on the site. It is anticipated, therefore, that the recorded workings in the Halifax Hard Bed Coal (& Gannister & Fireclay) pose a risk to ground stability on the site.

The deeper seams are anticipated to be sufficiently deep to prevent any adverse ground stability effects on the site.

In the light of the above, a rock drilling investigation will need to be carried out to check for any evidence of workings in Halifax Hard Bed Coal (& Gannister & Fireclay) and determine the depths, seam thicknesses, and extraction thickness. The workings probably take the form of pillar and stall workings, but the associated extraction of fireclay may have dictated that, for stability reasons, the workings were confined to relatively narrow tunnels of 2m to 3m width with large panels left behind (i.e. a low extraction ratio).

As the extraction ratio may be low, any given borehole may be more likely to miss any workings rather than intersect them. Therefore, it is important that an assumption of the absence of workings generally is not made, if none are intercepted in initial boreholes. Workings are known to be present, and further boreholes should be drilled to ensure an interception of them is achieved. The workings are estimated to be at a depth of somewhere between 14m and 24m. Alluvial clays, sands and gravels are present from the surface to an estimated depth of around 8m to 10m. The workings are likely to be between 1.5m and 1.7m thick.

The presence of mine workings is not a significant obstacle to development, and there are economical engineering solutions available. ARP provides advice on, and designs, such treatment solutions on a regular basis.

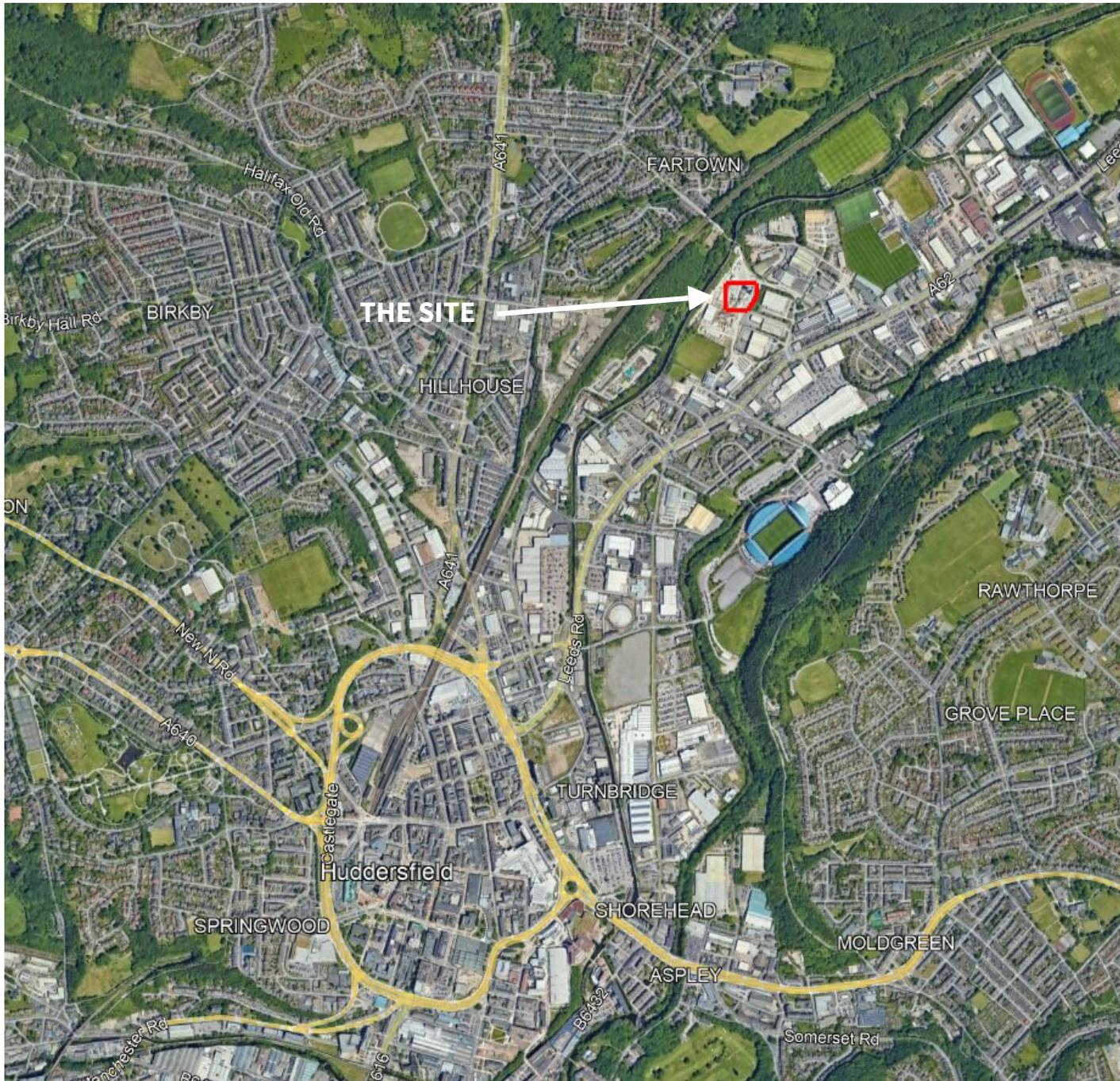
We trust the above information is sufficient for your purposes, but if you have any queries, please do not hesitate to contact us, at your convenience.

Yours sincerely

J Race

Encs

## **APPENDIX A**



0m 600m

Approximate Scale

 <p><b>ARP GEOTECHNICAL LTD</b>  <b>CHARTERED CONSULTING ENGINEERS</b></p> <p><small>Northwest House · 5-6 Northwest Business Park · Senvia Hill · Leeds LS6 2QH  Telephone : 0113 245 8498 Fax : 0113 244 3864 E-Mail : leeds@arpassociates.co.uk</small></p>	
Project	
<b>BARR STREET  HUDDERSFIELD - PROPOSED  NEW CONCRETE PLANT</b>	
Client	
<b>MYERS GROUP LTD</b>	
Title	
<b>SITE LOCATION PLAN</b>	
Date	
<b>JUNE 2024</b>	
Drawn	Scale
<b>JR</b>	<b>AS SHOWN</b>
Job No.	
<b>MYE/01</b>	



0m 50m

Approximate Scale



**ARP GEOTECHNICAL LTD**  
**CHARTERED CONSULTING ENGINEERS**  
 Northwest House · 5-6 Northwest Business Park · Senvia Hill · Leeds LS6 2QH  
 Telephone : 0113 245 8498 Fax : 0113 244 3864 E-Mail : leeds@arpassociates.co.uk

Project **BARR STREET  
 HUDDERSFIELD - PROPOSED  
 NEW CONCRETE PLANT**

Client  
**MYERS GROUP LTD**

Title  
**AERIAL PHOTOGRAPH**

Date  
**JUNE 2024**

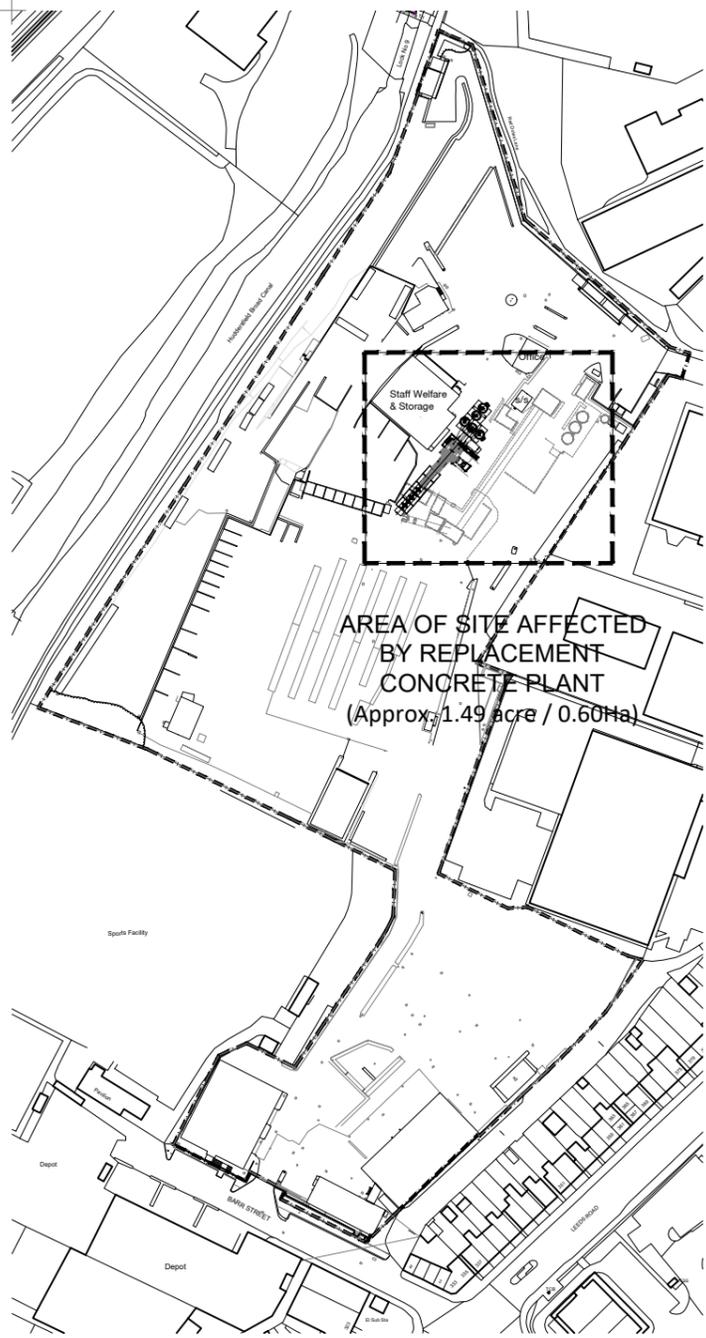
Drawn <b>JR</b>	Scale <b>AS SHOWN</b>
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Job No.  
**MYE/01**

## **APPENDIX B**



Notes | Sketch schemes may be based on plan information of unknown origin and is subject to verification and survey. Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only. Ensure digital versions are plotted at 'Actual Size'. Building areas are liable to adjustment over the course of the design process due to ongoing construction detailing developments. Subject to statutory approvals and survey. The bar above is to check that the drawing has been printed to scale.



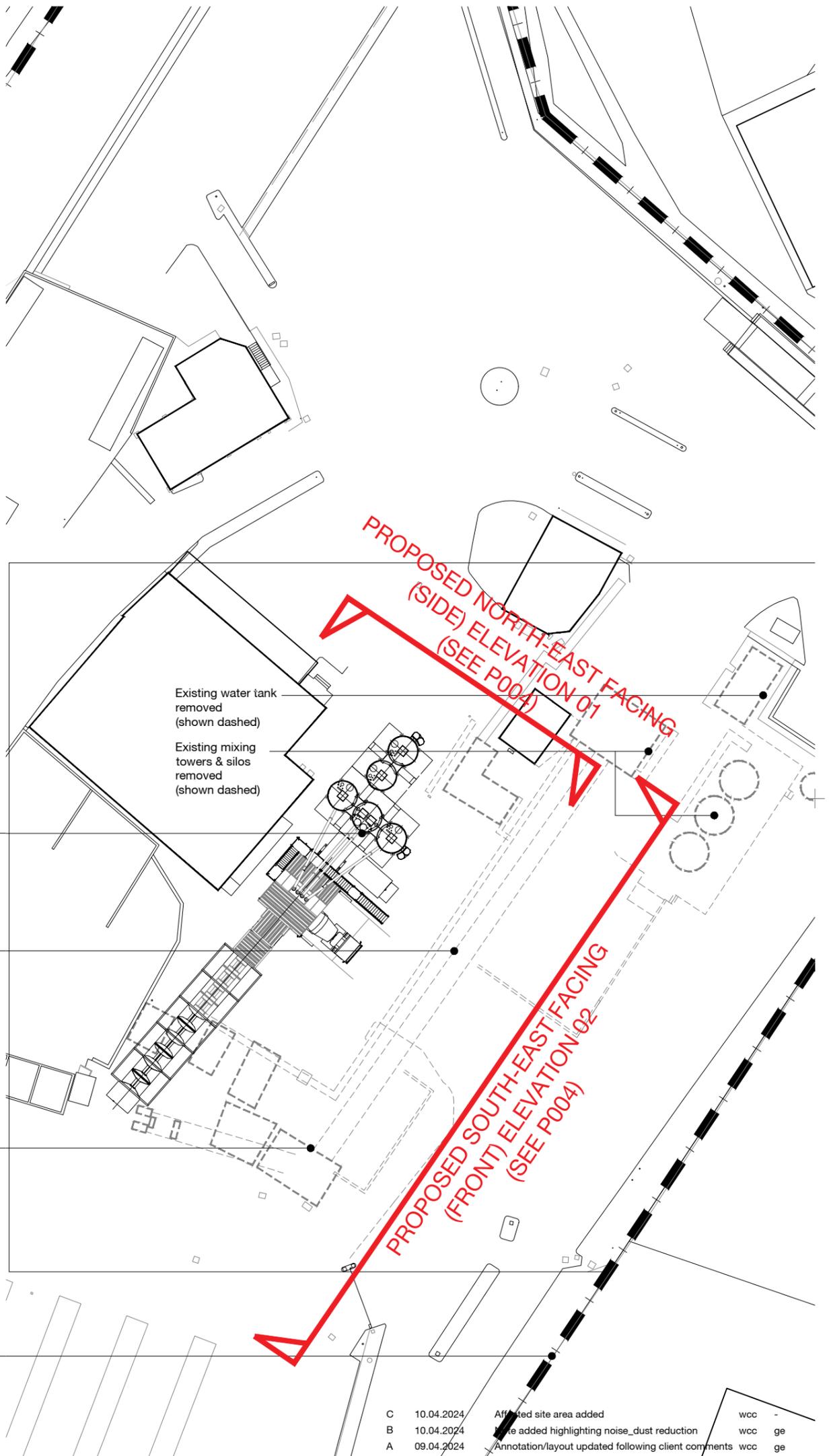
REFERENCE PLAN (NTS)

Proposed concrete plant and 5no. silos (plant and conveyors shall be fully cladded to assist in reduction of dust and noise emissions)

Existing O/H conveyor removed (shown dashed)

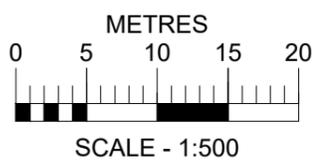
Existing plant removed (shown dashed)

Overall site boundary



PROPOSED SITE PLAN

Rev	Date	Description	Drawn	Checked
C	10.04.2024	Affected site area added	wcc	-
B	10.04.2024	Site added highlighting noise_dust reduction	wcc	ge
A	09.04.2024	Annotation/layout updated following client comments Project title updated.	wcc	ge

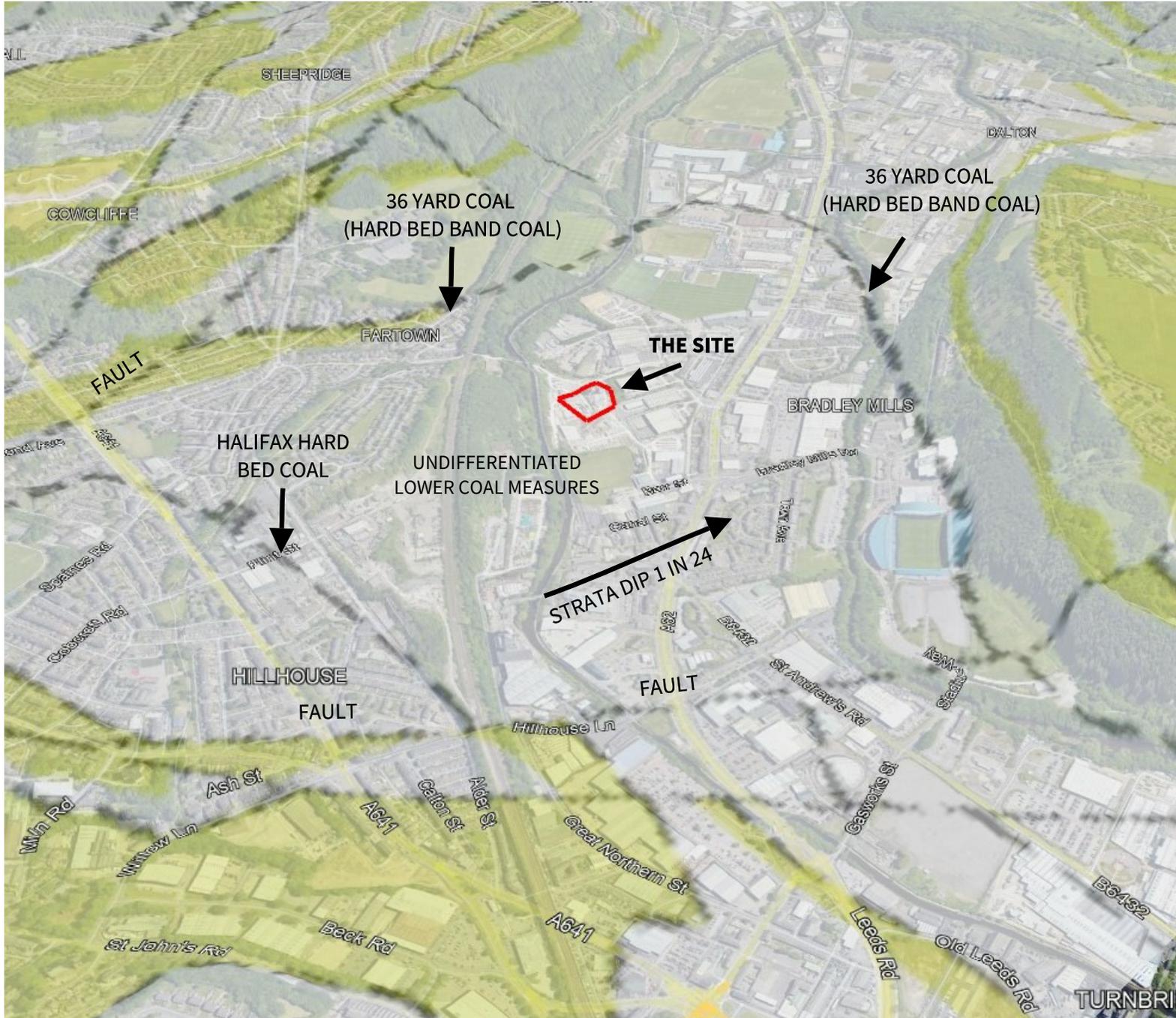


Project	Concrete Plant, Barr Street, Huddersfield		
Drawing	Proposed Site Plan		
Client	Myers Group		
BIM Suitability Description	SUITABLE FOR INFORMATION	BIM Suitability Code	S2
Status	Planning	2 Riverside Way Whitehall Waterfront	320 City Road Angel
Date	March '24	LEEDS ■	LONDON □
Drawn	WCC	LS1 4EH t 0113 819 8041	EC1V 2NZ t 0203 883 8602
Checked	GE	w edwardarchitecture.co.uk	e info@edwardarchitecture.co.uk
Scale (A3)	1:500		
Project	Originator	Discipline	Drawing No
1178	EA	A	P003 - C



## **APPENDIX C**

FAULT



**ARP**  
 ARP GEOTECHNICAL LTD  
 CHARTERED CONSULTING ENGINEERS  
 North West House, 5-6 Northwest Business Park, Servia Hill, Leeds LS6 2QH  
 Telephone: 0113 245 8498 Fax: 0113 244 3864 E-Mail: leeds@arpassociates.co.uk

Project		BARR STREET HUDDERSFIELD - PROPOSED NEW CONCRETE PLANT	
Client		MYERS GROUP LTD	
Title		OBLIQUE VIEW GEOLOGICAL MAP	
Date		JUNE 2024	
Drawn	Scale		
JR	NTS		
Job No.		MYE/01	



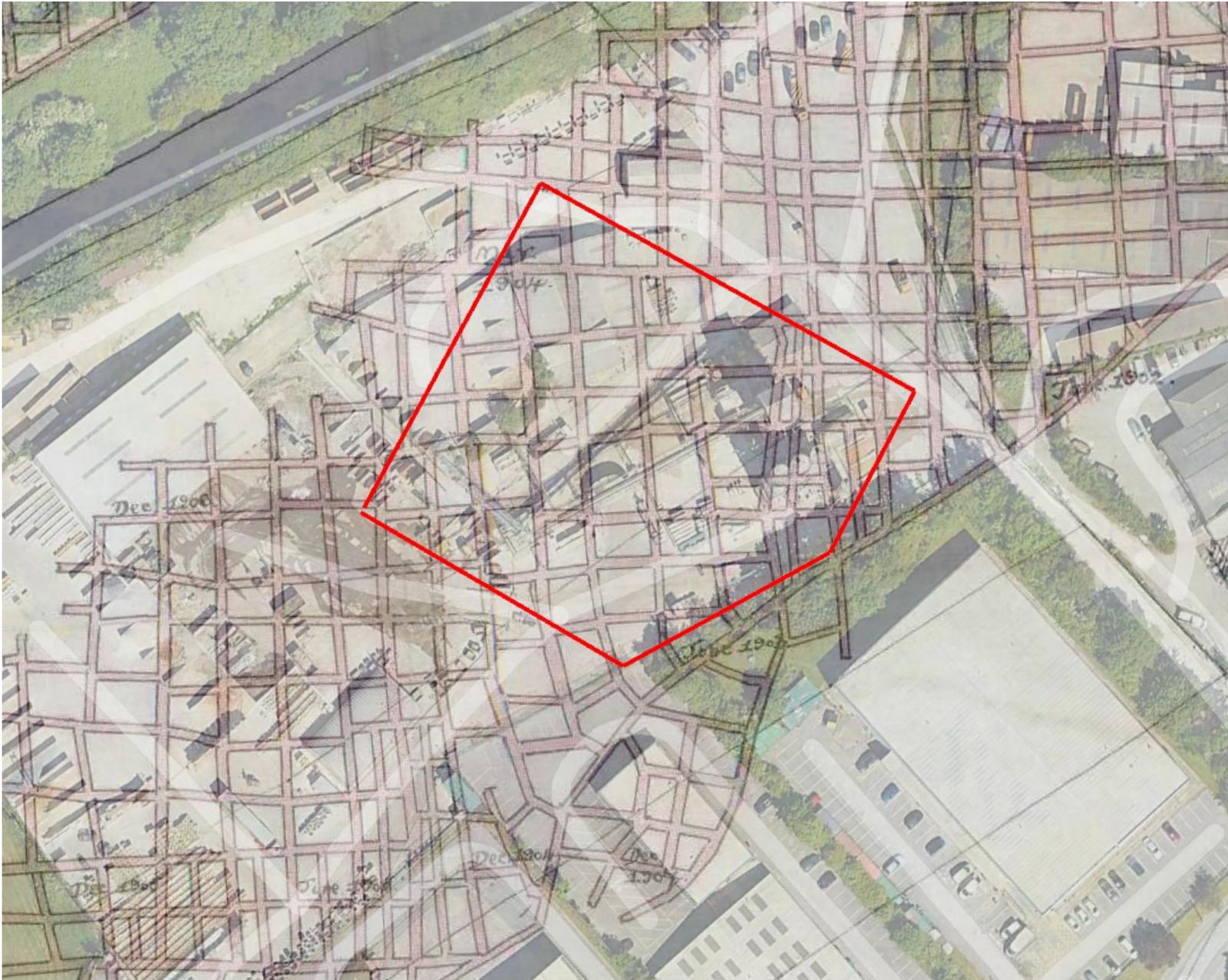
SE11NE/38G

<b>Sub Soil Surveys Ltd., Manchester</b>					Ground Level 58.74	Site Reference 80/182	Borehole No. 7 Sheet 1 of 2	
Drilling Method NX Rock Bit					Site Huddersfield			
Drilling and Casing Progress	Penetration of Core Barrel		R.Q.D. %	Core Recovery %	Depth B.G.L. O.D.	Description of Strata	Dip on Sample	Symbolic Log
	From	To						
29.1.8					1.0	Filled Concrete and Clay		
	0	14.0	Rockbitting			Clay bound Sand, Gravel and Cobbles		
REMARKS: Descriptions based on sediment return in circulating water							Scale: 1.50	Logged By: DRB



<b>Sub Soil Surveys Ltd., Manchester</b>					Ground Level 58.74m	Site Reference 80/182	Borehole No. 7 Sheet 2 of 2	
Boring Method NX Barrel					Site Huddersfield SE 11NE/38G			
Drilling and Casing Progress	Penetration of Core Barrel		R.O.D. %	Core Recovery %	Depth B.G.L. O.D.	Description of Strata	Dip on Sample	Symbolic Log
	From	To						
					10.6	As Above		
					11.37	Black Shale		
	0	14.0	Rockbitting		12.3	Coal		
					12.6	Fireclay		
						Grey Sandstone		
					14.0			
					29.1.81			
REMARKS:							Scale: 1.50	
							Logged By: DRB	

## **APPENDIX D**



NOTE:  
WORKINGS ARE WITHIN  
THE HALIFAX HARD BED COAL



**ARP GEOTECHNICAL LTD**  
**CHARTERED CONSULTING ENGINEERS**

Northwest House, 5-6 Northwest Business Park, Senva Hill, Leeds LS6 2QH  
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Project **BARR STREET  
HUDDERSFIELD - PROPOSED  
NEW CONCRETE PLANT**

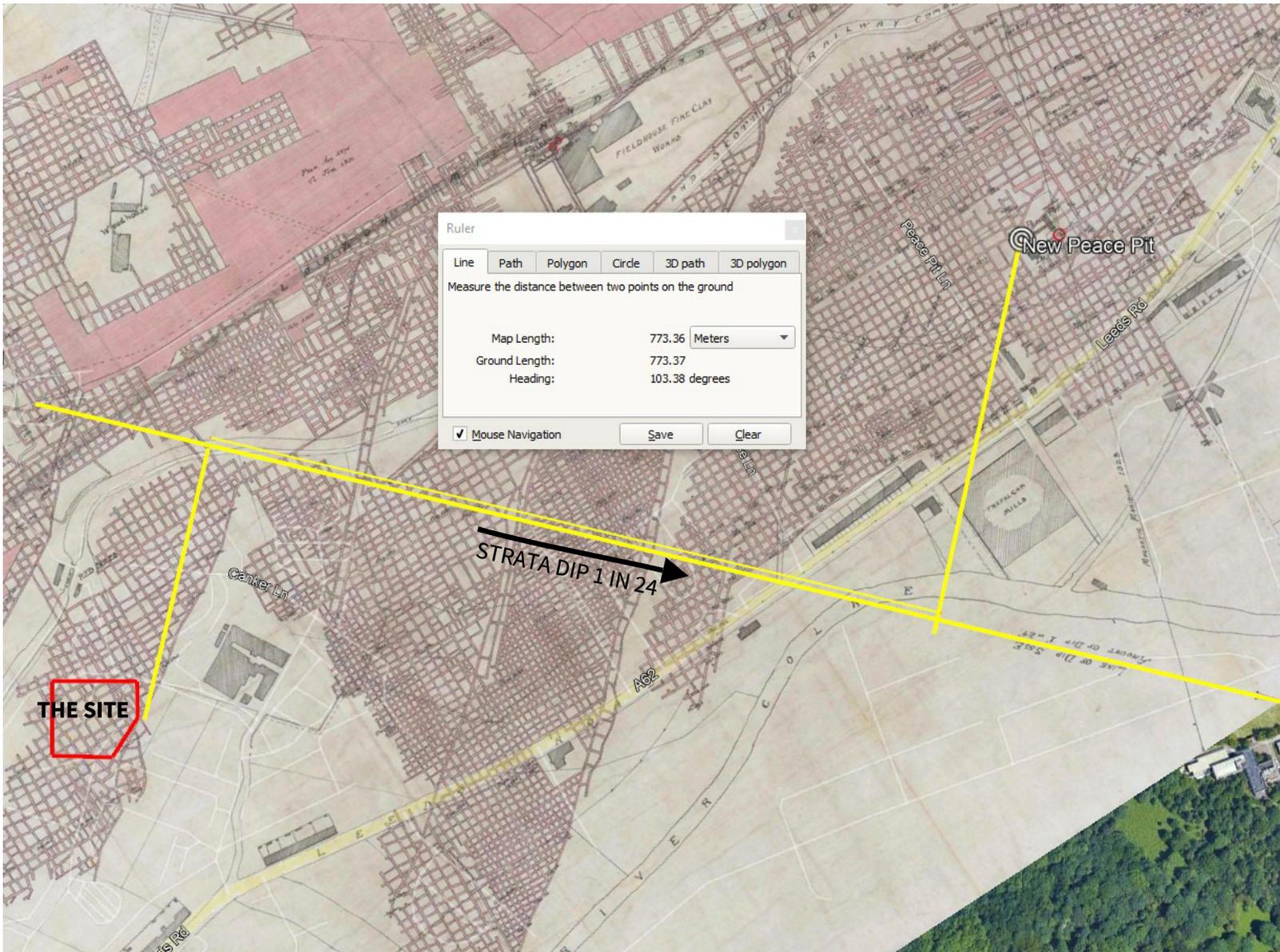
Client  
**MYERS GROUP LTD**

Title  
**ABANDONMENT PLAN  
OVERLAY**

Date  
**JUNE 2024**

Drawn <b>JR</b>	Scale <b>NTS</b>
--------------------	---------------------

Job No.  
**MYE/01**



DEPTH TO HALIFAX HARD BED COAL IN "NEW PEACE PIT" IS 56.7m. STRATA DIP IS 1 IN 24 IN DIRECTION SHOWN. OFFSET ALONG STRIKE BETWEEN THE SITE AND THE PIT IS AROUND 775m. AT 1 IN 24, THIS EQUATES TO A 32M DIFFERENCE (APPROX. DEPTH OF 24m BELOW THE SITE).

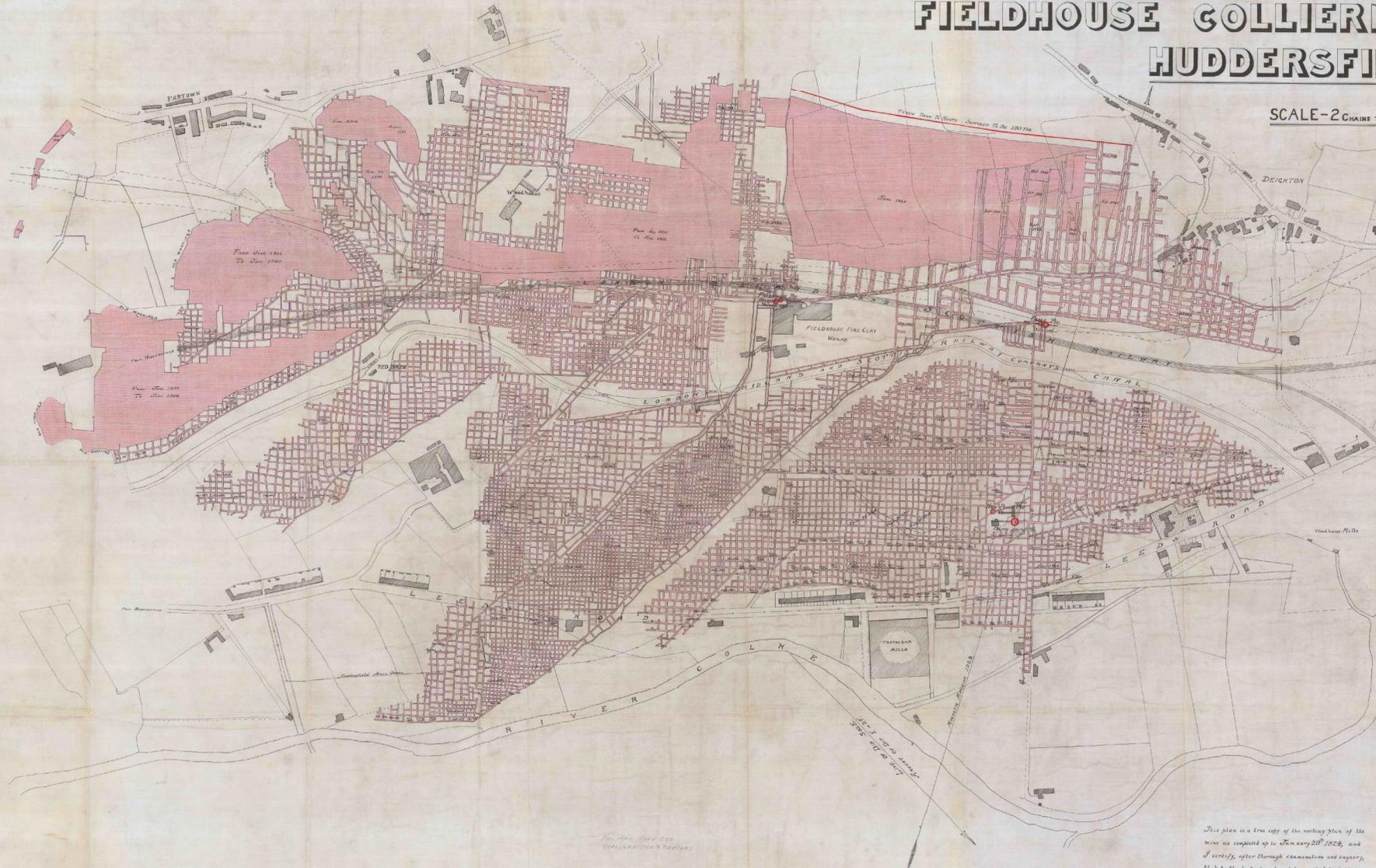
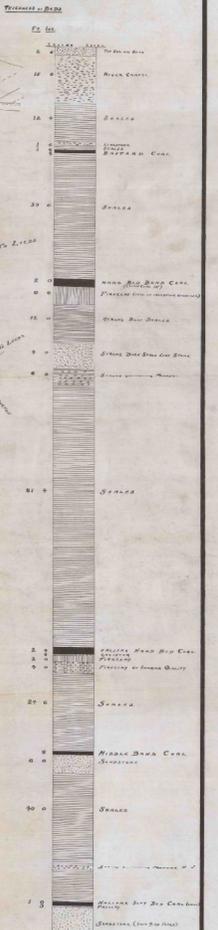
**ARP**  
ARP GEOTECHNICAL LTD  
CHARTERED CONSULTING ENGINEERS  
Northwest House, 5-6 Northwest Business Park, Searby Hill, Leeds LS6 2QH  
Telephone: 0113 245 8498 Fax: 0113 244 3864 E-Mail: leeds@arpassociates.co.uk

Project		BARR STREET HUDDERSFIELD - PROPOSED NEW CONCRETE PLANT	
Client		MYERS GROUP LTD	
Title		EXTRAPOLATED DEPTH TO WORKINGS IN HALIFAX HARD BED	
Date		JUNE 2024	
Drawn	Scale	JR	NTS
Job No.		MYE/01	

# FIELDHOUSE COLLIERIES HUDDERSFIELD.

SCALE-2 CHAINS TO THE INCH

## SECTION OF STRATA AT NEW PEACE PIT.



HOLLINGHEADS  
GEOLOGICAL DEPARTMENT

This plan is a true copy of the working plan of the mine as compiled up to January 28<sup>th</sup> 1828, and I certify, after thorough examination and enquiry, that to the best of my knowledge and belief it is an accurate plan of the mine.

J. C. HOLLINGHEAD

## **APPENDIX E**

### Overall Result:

### FURTHER ACTION

#### Expert Opinion:

Within the scope of this assessment, the Site is considered to be susceptible to coal mining-related ground instability. Coal mining hazards have been identified that may restrict the completion of the transaction or impact the value or security of the Site for normal lending purposes. Prior to purchase, further actions are required to appropriately quantify the hazards identified.

Will coal mining activity impact the value of the property?

POTENTIAL IMPACT ON VALUE



Are there any adverse mine entries or surface hazards that should be brought to the lender's attention?

NO NEED TO NOTIFY LENDER



Are there mining hazards that should be brought to the purchaser's attention?

HAZARDS IDENTIFIED



#### Within Coal Mining Reporting Area

YES

#### CON29M Questions

#### Assessment

CON29M Questions	Assessment	Icon
Q1. Past underground coal mining	YES FURTHER ACTION	
Q2. Present underground coal mining	NO PASSED	
Q3. Future underground coal mining	NO PASSED	
Q4. Shafts and adits (mine entries)	NO PASSED	
Q5. Coal mining geology	NO PASSED	
Q6. Past opencast coal mining	NO PASSED	
Q7. Present opencast coal mining	NO PASSED	
Q8. Future opencast coal mining	NO PASSED	
Q9. Coal mining subsidence claims	NO PASSED	
Q10. Mine gas emissions	NO PASSED	
Q11. Emergency surface hazard call-out incidents	NO PASSED	
Q12. Withdrawal of support	NO PASSED	
Q13. Working facilities orders	NO PASSED	
Q14. Payments to owners of former copyhold Land	NO PASSED	

#### Non-Coal Mining

NO

PASSED



#### Report Address:

Concrete Plant, Red Doles Lane,  
Huddersfield, Huddersfield,

#### Report Details:

##### Report Reference:

TFC20240612102515J6-MYE01

##### Client Reference:

MYE/01

Date: 12/06/2024



#### User Key:

	Lender Attention
	Conveyancer Further Action
	Purchaser Advisory
	Passed - No Further Action

Official Coal Authority Licensed Data: V1\_387\_20240603\_F | 07-06-2024

Please see below our expert opinion and next steps with regards to the property. These may be copied into your Report on Title. No physical site inspection has been carried out. This official CON29M report highlights only the information which we have determined should be drawn to your attention however, other risks may be present. Relevant prudent enquiries for the purchaser are highlighted within the Next Steps section.

### Report Conclusions:

Within the scope of this assessment, the Site is considered to be susceptible to mining-related ground instability. Prior to purchase, further actions are required to appropriately quantify the hazards identified.

Given the shallow depth of coal mining beneath the Site, any movement within the worked coal seams beneath the Site, may trigger the upward migration of voids and consequently cause ground instability at surface.

### Next Steps:

As the Site is situated within a recent development, modern codes of practice should have been followed to protect structures from mining-related subsidence, however due to the identified mining features, it is recommended that enquiries are made with the developer.

Enquiries should include whether any previous or recent mining investigations were undertaken and whether any treatment works were undertaken to mitigate or remove the risk associated with any identified mining hazards. Further assurances regarding whether the presence of both recorded and unrecorded shallow coal mining features beneath the Site was considered along with any steps taken to mitigate or remove the associated ground instability risk.

As the property in question is a new build, a valid NHBC (or equivalent) certificate should be present. This certificate protects homeowners of new builds with regard to any structural damage due to developer/builder negligence.

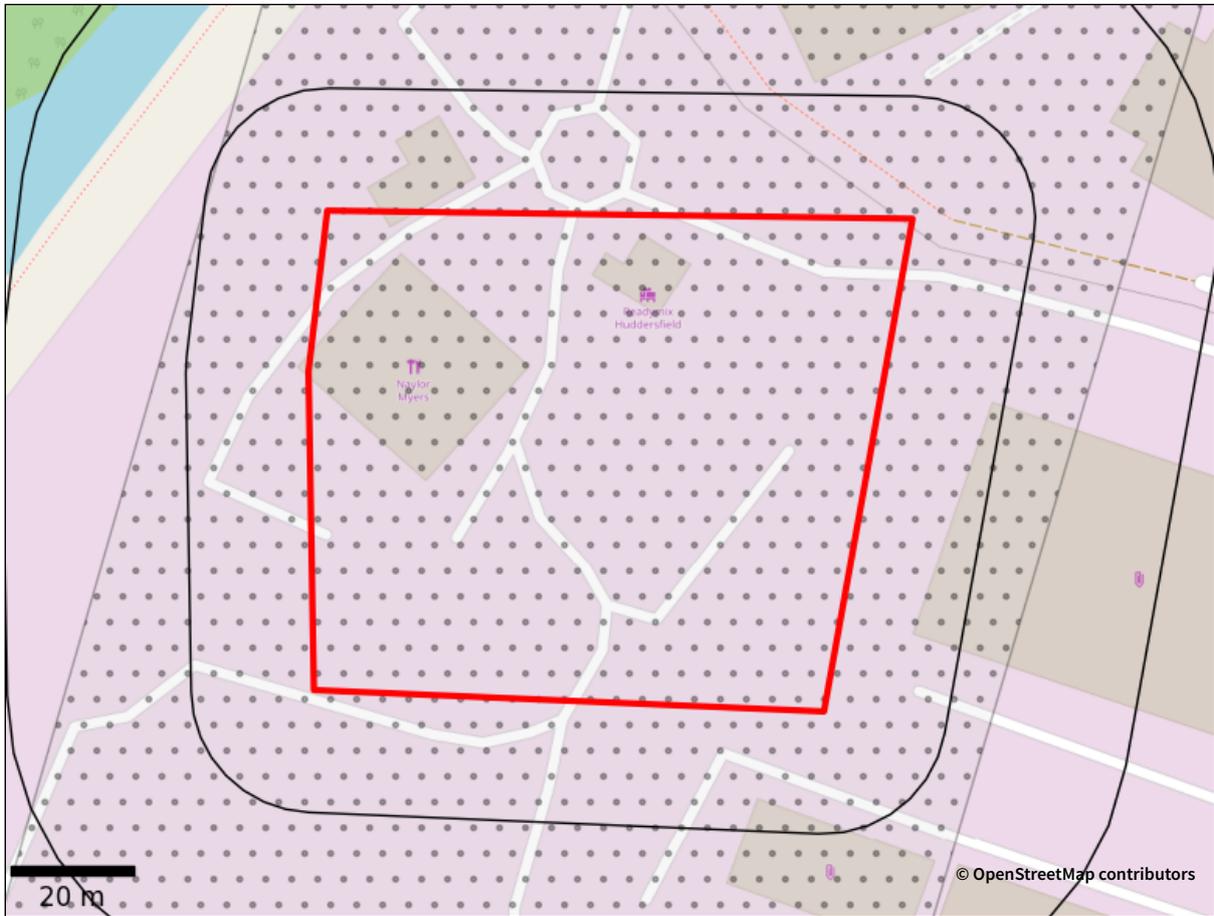
### If you are planning on altering or developing the Site

The Site is likely located within a 'High Development Risk Zone', as defined by the Coal Authority. Due to the presence of recorded and/or unrecorded coal mining activity, any future development of the Site may trigger ground collapse and/or subsidence. It should be noted that prior to site works or future development, your local planning authority may require you to commission a full Coal Mining Risk Assessment (CMRA) or Site Investigation by a qualified mining geologist/engineer. In the event, you require further professional support, please contact our team directly to discuss the appropriate further steps.

Contact the report author by calling our team on: 0330 900 7500

This official CON29M Non-Residential Coal Mining Report is a site-specific interpretation of coal mining activity. These enquiries are The Law Society CON29M Coal Mining search enquiries and are used with permission of the Law Society. The Law Society CON29M Coal Mining search enquiries are protected by copyright owned by The Law Society of 113 Chancery Lane, London WC2A 1PL. Dye & Durham (UK) Limited's (formerly Terraforma IDC Limited)'s Terms and Conditions are applicable at the time the report was produced.

### Mining Hazard Map



**Site Address:** Concrete Plant, Red Doles Lane, Huddersfield, Huddersfield,

Coal Authority Data	Coal Authority Subsidence Claims	Other Data
Adit	01 – Awaiting Decision	Coal Affected Areas
Shaft	02 – Rejected	Site Boundary
Zone of Influence	03 – Admitted	20m 50m Scales
Zone of Influence, Factoring for Record Accuracy	05 - Settled	
	06 - Withdrawn	

The enquiries below are The Law Society CON29M Coal Mining search enquiries and are used with permission of The Law Society. This report is prepared in accordance with The Law Society CON29M (2018) Guidance Notes and ScotForm 2006: Coal mining search in Scotland; under which all replies to these enquiries are made. These fourteen questions and their answers are relevant to a non-residential property and should not be relied upon in a residential transaction.

### Detailed findings of coal mining activity:

#### 1. Past underground coal mining

FURTHER ACTION 

Q. Is the property within the zone of likely physical influence on the surface of past underground coal workings?

A:

The Site is recorded to be within the surface area of underground coal mine workings of 1 seam of coal. Coal has been mined at an approximate depth of 14 to 19 metres beneath the surface. The last known working date is recorded as 1907.

The Site is recorded to be within the surface area of historic, shallow coal mine workings.

The Site is not within a surface area that could be affected by historical unrecorded shallow underground mining.

#### 2. Present underground coal mining

PASSED 

Q. Is the property within the zone of likely physical influence on the surface of present underground coal workings?

A:

The Site is not situated within an area which could be affected by currently active underground coal mining.

#### 3. Future underground coal mining

PASSED 

Q. (a) Is the property within any geographical area for which the Coal Authority is determining whether to grant a licence to remove by underground methods?

(b) Is the property within any geographical area for which a licence to remove coal by underground methods has been granted?

(c) Is the property within the zone of likely physical influence on the surface of planned future underground coal workings?

(d) Has any notice of proposals relating to underground coal mining operations been given under section 46 of the Coal Mining Subsidence Act 1991?

A:

The Site is not situated within an area which could be affected by any future underground coal mining. However, reserves of coal exist in the local area which could be worked at some time in the future.

The Site is not situated within the influence of a Section 46 Notice.

#### 4. Shafts and adits (mine entries)

PASSED 

Q. Are there any shafts and adits or other entries to underground coal mine workings within the property or within 20 metres of the boundary of the property?

A:

There are no recorded mine entries within 20 metres of the Site.

#### 5. Coal mining geology

PASSED 

Q. Is there any record of any fault or other line of weakness due to coal mining at the surface within the boundary of the property that has made the property unstable?



A:

There are no recorded faults, fissures or breaklines that occur within the influence of the Site.

## 6. Past opencast coal mining

PASSED 

Q. Is the property situated within the geographical boundary of an opencast site from which coal has been removed in the past by opencast methods?

A:

The Site is not situated within any past licence areas for the opencast extraction of coal.

There are no unlicensed opencast pits or extraction sites beneath the Site.

## 7. Present opencast coal mining

PASSED 

Q. Is the property within 200 metres of the boundary of an opencast site from which coal is being removed by opencast methods?

A:

The Site is not situated within an area which could be affected by currently active opencast coal mining.

## 8. Future opencast coal mining

PASSED 

Q. (a) Is the property within 800 metres of the boundary of an opencast site for which the Coal Authority are determining whether to grant a licence to remove coal by opencast methods?

(b) Is the property within 800 metres of the boundary of an opencast site for which a licence to remove coal by opencast methods has been granted?

A:

There are no plans by the Coal Authority to grant a licence to extract coal using opencast methods within 800 metres surrounding the Site.

## 9. Coal mining subsidence claims

PASSED 

Q. (a) Has any damage notice or claim for alleged coal mining subsidence damage to the property been given, made or pursued since 1st January 1994?

(b) Does any current 'Stop Notice' delaying the start of remedial works or repairs affect the property?

(c) Has any request been made under section 33 of the 1991 Act to execute preventive works before coal is worked?

A:

There is no record of any coal mining-related damage notices or subsidence claims for the Site or for any Site within 50 metres of the Site.

There is no record of a request that has been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

## 10. Mine gas emissions

PASSED 

Q. Does the Coal Authority have record of any mine gas emission within the boundary of the property being reported that subsequently required action by the Authority to mitigate the effects of the mine gas emission?

A:

There are no records of any Mine Gas hazards within the influence of the Site and there is no record of any Mine Gas emissions requiring



action.

### 11. Emergency surface hazard call-out incidents

PASSED 

**Q.** Have the Coal Authority carried out any work on or within the boundaries of the property following a report of an alleged hazard related to coal mining under the Authority's Emergency Surface Hazard Call Out procedures?

**A:**

The Site is not situated within the influence of a coal mining-related hazard.

### 12. Withdrawal of support

PASSED 

**Q.** (a) Does the land lie within a geographical area in respect of which a notice of entitlement to withdraw support has been published?  
(b) Does the land lie within a geographical area in respect of which a revocation notice has been given under section 41 of the Coal Industry Act 1994?

**A:**

The property is not in an area where notices to withdraw support have been given. The property is not in an area where a notice has been given under section 41 of the Coal Industry Act 1994, cancelling the entitlement to withdraw support.

### 13. Working facilities orders

PASSED 

**Q.** Is the property within a geographical area subject to an order in respect of the working of coal under the Mines (Working Facilities and Support) Acts 1923 and 1966 or any statutory modification or amendment thereof?

**A:**

The property is not in an area for which any orders have been made under the provisions of the Mines (Working Facilities and Support) Acts 1923 and 1966 or any statutory modification or amendment thereof.

### 14. Payments to owners of former copyhold Land

PASSED 

**Q.** Has any relevant notice, which may affect the property, been given?

**A:**

The property is not in an area where a relevant notice has been published under the Coal Industry Act 1975/Coal Industry Act 1994.

### Non-Coal Mining

PASSED 

**Q.** Is the property within the zone of likely physical influence on the surface of past non-coal workings?

**A:**

Based on Coal Authority data, the Site is not within a surface area that could be affected by historic, known underground non-coal mining.

Based on Coal Authority data, the Site is not within a surface area that could be affected by historic, known shallow underground non-coal mining.

Based on Coal Authority data, the Site is not within a surface area that could be affected by historical unrecorded shallow underground non-coal mining.



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## FURTHER INFORMATION

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### Key and Colour Information

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The below key provides further guidance on the colours used throughout this report.

Lender Attention	This colour is applied when the report has identified mining hazards within the vicinity of the Site, including features (e.g., mine shafts/adits) that could affect the future value of the Site. A lender may want to be alerted to this adverse entry, due to requirements of UK Finance (formerly the Council of Mortgage Lenders), before deciding on whether to proceed with the transaction. The conveyancer is advised to follow the terms of the UK Finance Mortgage Lenders' Handbook and any additional instructions from the prospective lender in its consideration and determination of whether to refer any part of this report to the lender.
Conveyancer Further Action	This colour is applied when the report has concluded that further expert analysis of the Site is required. It is recommended that further actions are undertaken to quantify the risk of subsidence or collapse to the Site prior to purchase. It is recommended that the conveyancer liaises with all necessary parties regarding the report's findings.
Purchaser Advisory	This colour is applied when the purchaser's attention should be drawn to the prudent recommendations and advice outlined in the report. The report results should not hinder the transaction and Dye & Durham (UK) Limited's (formerly Terraforma IDC Limited) Terms & Conditions are valid for the Site. However, it is recommended that the purchaser(s) read this report carefully.
Passed No Further Action	This colour is applied when the report has not identified any mining features that influence the ongoing use or value of the Site. Our expert team does not believe that any further actions are required for this transaction and Dye & Durham (UK) Limited's (formerly Terraforma IDC Limited) Terms & Conditions are valid for the Site.

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### Additional Remarks

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These enquiries are The Law Society CON29M (2018) Coal Mining search enquiries and are used with permission of the Law Society. The Law Society CON29M Coal Mining search enquiries are protected by copyright owned by the Law Society of 113 Chancery Lane, London WC2A 1PL. The Law Society has no responsibility for information provided in response to CON29M (2018) Coal Mining search enquiries within this report or otherwise. This report is prepared in accordance with The Law Society Guidance Notes 2018 and ScotForm 2006: coal mining search in Scotland; under which all replies to these enquiries are made. Dye & Durham (UK) Limited's (formerly Terraforma IDC Limited) Terms and Conditions are applicable at the time the report was produced.

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### Future Development

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In scenarios where mining activity has been identified, a prudent developer would seek appropriate technical advice before any works are undertaken.

In these areas, 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.

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## Notice of Statutory Cover

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In the unlikely event of any future damage, the terms of the Coal Mining Subsidence Act 1991 (as amended by the Coal Industry Act 1994) may apply\*, and the Coal Authority / Licensee has a duty to take remedial action in respect of subsidence caused by the withdrawal of support from land and/or property in connection with lawful coal-mining operations. Typically, these actions will not need to involve either your insurance company or mortgage lender and therefore the end user(s) should not incur any costs or liability.

\*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 addition to the above, it should also be noted that the Coal Authority offer a Public Safety and Subsidence Department that provides a 24-hour 7 day a week call out service (Tel: 01623 646 333) to take remedial action in respect of hazards associated with the movement or collapse of any coal mineshaft or entrances to coal mines and from other coal mining related surface hazards. Further information can be found on their website: <https://www.groundstability.com/>.

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## Limitations

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This CON29M Coal Mining Report has been carried out with reference to all available official Coal Authority licensed data, an extensive collection of abandoned mine plans, maps, and records. From this material, we have endeavoured to provide as accurate a report as possible. Any and all analysis and interpretation of licensed Coal Authority data in this report is made by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited).

Information provided by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) in this report is compiled in response to The Law Society CON29M Coal Mining search enquiries and ScotForm 2006 coal mining search in Scotland. The scope of the assessment is concerned only with the interpretation of past, present and future extraction of coal minerals. This report does not consider the impact from non-coal mining hazards and/or natural ground stability hazards, such as subsidence, landslip or coastal erosion. For an expert opinion on all mining and ground hazards and in order to meet the requirements of Law Society Guidance Notes (2018) and best practice guidance in the 25th Edition Conveyancing Handbook (2018), you may choose to obtain a Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) Ground Report by contacting a member of the team.

This report is a 'remote' investigation and reviews only information provided by the client and from the databases of publicly available information that have been chosen to enable a desk based environmental assessment of the Site. The report does not include a Site Investigation, nor does Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) make specific information requests of the regulatory authorities for any relevant information they may hold.

This report is concerned solely with the Site searched and should not be used in connection with adjacent properties as only relevant known mining features have been mentioned and any known features that could potentially have a direct influence upon the target Site. Other features which may be present in the general area may have been omitted for clarity.

The report is based upon the Site boundaries as shown on the supplied location plan. This report is confidential to the client, the client's legal advisor and the client's Mortgage lender, as defined in the Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) & TerraSearch® terms & conditions, and as such may be used by them for conveyancing or related purposes. We have no liability toward any person or organisation not party to commissioning this report. This report or any part of it is not permitted to be reproduced, copied, altered or in any other way distributed by any other person or organisation.

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## Terms and Conditions

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This report is provided under the Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) Terms and Conditions, a copy of which is available on our website at: [https://www.terrafirmaidc.co.uk/terms\\_and\\_conditions](https://www.terrafirmaidc.co.uk/terms_and_conditions). They provide a limit of liability per report of £10 million, backed by Professional Indemnity Insurance; details available on request.

## Licensing

This report contains Data provided by the Coal Authority. Any and all analysis and interpretation of Coal Authority Data in this report is made by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) and is in no way supported, endorsed or authorised by the Coal Authority. The use of the data is restricted to the terms and provisions contained in this report. Data reproduced in this report may be the copyright of the Coal Authority and permission should be sought from Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) prior to any re-use.

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## Important Consumer Information

This search has been produced by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) – Address: Imperium, Imperial Way, Reading, RG2 0TD; Email: [insight-info@dyedurham.com](mailto:insight-info@dyedurham.com); Telephone: 0330 900 7500, which is registered with the Property Codes Compliance Board (PCCB) as a subscriber to the Search Code. The PCCB independently monitors how registered search firms maintain compliance with the Code.

This report meets the principles and requirements of the Property Codes Compliance Board Compliance Note CN02J in respect of Coal Mining Searches.

## The Search Code

- provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders who rely on the information included in property search reports undertaken by subscribers on residential and commercial property within the United Kingdom
- sets out minimum standards which firms compiling and selling search reports have to meet
- promotes the best practice and quality standards within the industry for the benefit of consumers and property professionals
- enables consumers and property professionals to have confidence in firms which subscribe to the code, their products and services.

By giving you this information, the search firm is confirming that they keep to the principles of the Code. This provides important protection for you.



## The Search Code

The Code's core principles (Firms which subscribe to the Search Code will):

- display the Search Code logo prominently on their search reports
- act with integrity and carry out work with due skill, care and diligence
- at all times maintain adequate and appropriate insurance to protect consumers
- conduct business in an honest, fair and professional manner
- handle complaints speedily and fairly
- ensure that products and services comply with industry registration rules and standards and relevant laws
- monitor their compliance with the Code

CONTACT OUR TEAM IF YOU WOULD LIKE A COPY OF THE SEARCH CODE

## Complaints

If you have a query or complaint about your search, you should raise it directly with the search firm, and if appropriate ask for any complaint to be considered under their formal internal complaints procedure. If you remain dissatisfied with the firm's final response, after your complaint has been formally considered, or if the firm has exceeded the response timescales, you may refer your complaint for consideration under The Property Ombudsman scheme (TPOs). The Ombudsman can award up to £5,000 to you if the Ombudsman finds that you have suffered actual financial loss and/or aggravation, distress or inconvenience as a result of your search provider failing to keep to the Code.

Please note that all queries or complaints regarding your search should be directed to your search provider in the first instance, not to TPOs or to the PCCB.

TPOs Contact Details:

The Property Ombudsman scheme, Milford House, 43-55 Milford Street, Salisbury, Wiltshire SP1 2BP, Tel: 01722 333306, Fax: 01722 332296, Email: [admin@tpos.co.uk](mailto:admin@tpos.co.uk), Web site: [www.tpos.co.uk](http://www.tpos.co.uk).

You can get more information about the PCCB from [www.propertycodes.org.uk](http://www.propertycodes.org.uk) or from our website at <https://www.terrafirmidc.co.uk>.

## Complaints Procedure

If you want to make a complaint directly to Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited), we will:

- Acknowledge it within 5 working days of receipt.
- Normally deal with it fully and provide a final response, in writing, within 20 working days of receipt.
- Keep you informed by letter, telephone or e-mail, as you prefer, if we need more time.
- Provide a final response, in writing, at the latest within 40 working days of receipt.
- Liaise, at your request, with anyone acting formally on your behalf.

Complaints should be sent to: Senior Executive, Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) - Address: Imperium, Imperial Way, Reading, RG2 0TD; Email: [insight-info@dyledurham.com](mailto:insight-info@dyledurham.com); Telephone: 0330 900 7500.

If you are not satisfied with our final response, or if we exceed the response timescales, you may refer the complaint to The Property Ombudsman scheme (TPOs): Tel: 01722 333306, E-mail: [admin@tpos.co.uk](mailto:admin@tpos.co.uk). We will co-operate fully with the Ombudsman during an investigation and comply with his final decision.

WE TRUST THIS REPORT PROVIDES THE INFORMATION YOU REQUIRE. PLEASE CONTACT US IF YOU HAVE ANY QUERIES OR IF WE CAN BE OF ANY FURTHER ASSISTANCE.



### CON29M Coal Report Insurance Backed Guarantee

In the unlikely event that the coal data used by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) in order to compile their report is later found to be inaccurate, the purchaser of the report benefits from Loss of Value Protection of up to £100,000 and should the purchaser later suffer a financial loss, following their reliance on the report, are protected by Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited).

Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) are protected by an indemnity policy through CLS Property Insight Limited through their insurer Great Lakes Insurance SE, UK Branch. Please note that claims are subject to the terms and conditions of the policy that Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) hold with CLS Property Insight Limited. Terms of this policy can be found below:

Policy Number: GESI 0035553CV	
<b>Insurer</b>	Great Lakes Insurance UK Limited Great Lakes Insurance UK Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.
<b>Insured</b>	Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited)
<b>Purchaser</b>	The person who buys the Search Report from the Insured, and/or any of the following: <ol style="list-style-type: none"> <li>1. The person who asked for the Search Report in connection with the purchase of the Property (and their mortgagee).</li> <li>2. The person who purchased the Property (and their mortgagee) if the person selling the Property has asked for a 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.</li> <li>3. The owner of the Property (and their mortgagee) if they are re-mortgaging the Property or the owner of the Property who has chosen to obtain a Search Report.</li> <li>4. Their estate and beneficiaries, to whom the benefit of the Policy will pass in the event of their death during the Period of Insurance.</li> </ol>
<b>Property</b>	Any commercial property for which a Search Report is provided by the Insured for the benefit of the Purchaser during the Period of Insurance.
<b>Search Report</b>	The Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) CON29M Coal Report (or relevant Coal assessment section of any attached Dye & Durham (UK) Limited (formerly Terrafirma IDC Limited) report).
<b>Limit of Indemnity</b>	£100,000.00 in the aggregate in respect of any one Property
<b>Effective Date</b>	The date of the Search Report, provided by the Insured to the Purchaser being the date that cover will commence.
<b>Period of Insurance</b>	Cover for each individual Property will be from the Effective Date until the Purchaser of the Search Report either; <ol style="list-style-type: none"> <li>1. no longer has an interest in the Property, or,</li> <li>2. until the date of a Subsequent Search Report is obtained by the Purchaser after the Effective Date, whichever is the sooner.</li> </ol>
<b>Insured Use</b>	The continued use of the Property as a commercial property not exceeding 25 hectares as constructed and used at the Effective Date.
<b>Cover</b>	Subject to the terms and conditions of this Policy and provided the Property has been declared to the Insurer and the Premium inclusive of Insurance Premium Tax has been paid to the Administrator, the Insurer will indemnify the Insured during the Period of Insurance in respect of Loss arising from any claim by a Purchaser made against the Insured resulting from inaccurate data having been incorporated into such Search Report.
<b>Market Value</b>	The value of the Purchaser's interest in the title to the Property as determined by a surveyor appointed by agreement between the Insurer and the Insurer, but subject to General Condition 11.
<b>Loss</b>	<ol style="list-style-type: none"> <li>1. The loss in Market Value of the Property directly attributable to any changes in the information revealed in a subsequent Search Report obtained by the Purchaser, which was not revealed in the Search Report provided to the Purchaser, which was carried out on the Effective Date, such loss in Market Value to be calculated at the date of the subsequent Search Report, and</li> <li>2. All other costs and expenses which have been agreed in advance by the Insurer.</li> </ol>
<b>Exclusions</b>	The Insurer will not be liable to indemnify the Insured for: <ol style="list-style-type: none"> <li>1. Loss which is or would otherwise be recoverable under a building's insurance policy.</li> <li>2. Loss arising wholly or partly because of the wilful act or neglect of the Insured.</li> <li>3. Loss if at the date of a claim the Purchaser is not the legal or beneficial owner of the Property.</li> <li>4. Loss in relation to loss of a transaction for the sale or for the purchase of the Property and any costs incurred by the Purchaser in relation to the loss of such transaction.</li> </ol>



	<ol style="list-style-type: none"> <li>5. Loss in respect of structural or other physical damage caused to the Property by subsidence or flooding after the Effective Date.</li> <li>6. Loss as a result of any change in information in response to sections 3 – Future underground coal mining and 8 – Future opencast coal mining of the Search Report carried out at the Effective Date.</li> <li>7. Loss in respect of the information in any subsequent Search Report after the Effective Date if this information also appears on the Search Report issued to the Purchaser on that date.</li> <li>8. Loss in relation to any change to the CON29M (2018) Search form and/or the Search Report made after the Effective Date which affects the Insurer’s responsibility under this Policy, if Insurers would not have been responsible for the Loss before such change.</li> <li>9. Loss in relation to the contents of any brine data whatsoever contained within the standalone Dye &amp; Durham (UK) Limited (formerly Terrafirma IDC Limited) CON29M Coal Report.</li> <li>10. Loss in relation to any change in the interpretation of information upon which Search Report was produced provided such information remains unchanged.</li> <li>11. Loss arising from claims made under this Policy by any party other than the Insured.</li> <li>12. This Policy does not cover any Loss and/or any legal liability caused by or arising out of or in connection with any of the following:             <ol style="list-style-type: none"> <li>a) any malicious or non-malicious electronic data activity (including computer system failure and/or a cyber incident), including but not limited to any action taken in controlling, preventing, suppressing, or remediating any cyber act or incident.</li> <li>b) Radioactivity, including but not limited to contamination by radioactivity from any nuclear fuel, waste, weaponry, or equipment.</li> <li>c) War, invasion, civil war, rebellion, revolution, or a similar event.</li> <li>d) any act of terrorism, meaning an act including but not limited to the use of force, violence and/or threat, of any person(s), whether acting alone or on behalf of or in connection with any organisation(s) or government(s), committed for political, religious, ideological or similar purposes including the intention to influence any government or to put the public, or any section of the public, in fear.</li> </ol> </li> <li>13. The Insurer will not provide any insurance cover or benefit and will not pay any sum if doing so would mean that the Insurer is in actual or potential contravention of any sanction, prohibition or restriction imposed by any law or regulation applicable to the Insurer.</li> </ol>
<p>Claims Conditions</p>	<ol style="list-style-type: none"> <li>1. It is a condition precedent of the Insurer’s liability under this Policy that the Policyholder and/or the Purchaser will give written notice to the Administrator at the address shown under “Making a Claim”, below, as soon as reasonably practicable, of any circumstances likely to give rise to a claim for which the Insurer may be liable under this Policy and provide the Administrator with such information and documentation as may reasonably be requested.</li> <li>2. The Insurer will be entitled to decide how to defend or settle a claim.</li> <li>3. The Insurer will be entitled to participate fully in any defence, negotiation or settlement of a claim or circumstance and in any such event the Policyholder and/or the Purchaser will (to the extent reasonably practicable in the circumstances, but without limitation):             <ol style="list-style-type: none"> <li>(i) not incur any cost or expense without first consulting with and receiving written consent from the Insurer.</li> <li>(ii) not make any admission of liability, offer, settlement, promise, payment or discharge without first consulting with and receiving written consent from the Insurer.</li> <li>(iii) give the Insurer access to and provide the Insurer with copies of all correspondence and documentation available to the Insured in relation to the claim or circumstance and afford the Insurer sufficient time in which to review and comment on such documentation.</li> <li>(iv) inform the Insurer of any proposed meeting with any third party in relation to a claim or circumstance and allow the Insurer to attend such meeting and, if the Insurer so requests, provide a detailed written account of the subject and outcome of any such meeting or discussion at which the Insurer was not present.</li> <li>(v) conduct all negotiations and proceedings in respect of any claim or circumstance with advisers of which the Insurer has approved in writing and take such action as the Insurer may reasonably require to contest, avoid, resist, compromise or otherwise defend any claim or circumstance.</li> <li>(vi) provide the Insurer with such other information and assistance in connection with any claim or circumstance as the Insurer may reasonably request.</li> </ol> </li> <li>4. The Insurer will be entitled to all rights and defences it may have in respect of a claim by a Purchaser against any successor to that Purchaser.</li> <li>5. If at the time of any claim made under this Policy, there is any other insurance in place whether effected by the Purchaser or by any other person under which the Purchaser may be entitled to make a claim the Insurer will be liable to pay or contribute in respect of a claim under this Policy only rateably with such other insurance.</li> <li>6. If the Purchaser makes any claim knowing it to be false or fraudulent as regards amount or otherwise, this Policy will become voidable and all claims under it may be forfeited.</li> <li>7. In the event of any claim under this Policy from a Purchaser where the Policyholder has failed to make the required declaration and/or has failed to pay the Premium due to the Insurer via the Administrator but the Insurer is still required to deal with the claim from the Purchaser, the Insurer will be entitled to seek recovery from the Policyholder of all claims monies paid to the Purchaser together with the amount of the Insurer’s costs incurred in the handling of the claim.</li> </ol>
<p>Additional Information</p>	<p>This is a summary of the policy and does not contain its full terms and conditions. A copy of the general conditions is available on request. In the event of a claim, please contact Dye &amp; Durham (UK) Limited (formerly Terrafirma IDC Limited) (the ‘Insured’) in the first instance. Dye &amp; Durham (UK) Limited (formerly Terrafirma IDC Limited)’s terms and conditions</p>





# CON29M

## NON-RESIDENTIAL OFFICIAL COAL MINING REPORT

	<p>(<a href="https://www.terrafirmajdc.co.uk/terms_and_conditions">https://www.terrafirmajdc.co.uk/terms_and_conditions</a>) provide an assurance (section 3.8) that in the event of any successful claim, the award will be paid, in full, to the Customer/Purchaser.</p>
Administrator	<p>CLS Property Insight Limited, 26 Kings Hill Avenue, West Malling, Kent, ME19 4AE. CLS Property Insight Limited can be contacted by email at <a href="mailto:info@clspropertyinsight.co.uk">info@clspropertyinsight.co.uk</a> or by telephone on 01732 753 910.</p> <p> <b>CLS Property Insight</b></p> <p>R P Partington Director</p> <p></p> <p><i>Signed by CLS Property Insight Limited on behalf and with the authority of the Insurer</i></p>



For any mining or ground related issues please contact our experts

Call us on: 0330 900 7500

Email our team: [insight-info@dyedurham.com](mailto:insight-info@dyedurham.com)