

COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT: Emergency Works to Wattstown Standard Tip

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:
 The report seeks approval to;

- i. **Utilise funding from Welsh Government to undertake works at Wattstown Standard Tip**
- ii. **Enter into an SLA with The Coal Authority to commission them to deliver the works.**

<p>PENDERFYNIAD WEDI'I DDIRPRWYO DELEGATED DECISION: <u>AGREED</u></p> <p>i. That the Coal Authority is commissioned via a Service Level Agreement (SLA) by RCT to undertake works to reduce the risk to infrastructure as a result of potential slippage of coal spoil, with all costs associated with the works being fully funded by Welsh Government.</p>		
 <p>Llofnod y Prif Swyddog Chief Officer Signature</p>	<p>Roger Waters</p> <p>Enw (priflythrennau) Name (Print Name)</p>	<p>15.10.21</p> <p>Dyddiad Date</p>

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION

A. Morgan

15.10.21

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES ✓

Rheswm dros fod yn fater brys | Reason for Urgency:

In order for the works to be progressed before the onset of winter weather conditions

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:



15.10.21

.....
(Llywydd | Presiding Officer)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- _____ 15.10.21 _____

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

**N/A
DYDDIAD / DATE**

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION : ✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Frontline Services
Enw'r Person Cyswllt Contact Name:	Roger Waters
Swydd Designation:	Director
Rhif Ffôn Telephone Number:	01443 494702



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

KEY DECISION

REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR, OF FRONTLINE SERVICES

Date 14th OCTOBER 2021

EMERGENCY WORKS TO WATTSTOWN STANDARD TIP

Author: J Mynott

1. PURPOSE OF THE REPORT

The report seeks approval to utilise Welsh Government funding to commission The Coal Authority (TCA) to undertake works to reduce the risk to infrastructure arising from a potential coal spoil tip slip at the privately owned Wattstown Standard Tip.

2. RECOMMENDATIONS

It is recommended:

- II. That The Coal Authority is commissioned via a Service Level Agreement (SLA) by RCT to undertake works to reduce the risk to infrastructure as a result of potential slippage of coal spoil, with all costs associated with the works being fully funded by Welsh Government.

3. REASONS FOR RECOMMENDATIONS

In the interests of safety and to protect infrastructure, including overhead electric cables and the A4233 Relief Road, it is proposed to undertake works that will reduce the risk of further slippage, thereby providing assurance to the community and protecting infrastructure.

4. BACKGROUND

4.1 Following the well documented colliery spoil slip at Tylorstown during Storm Dennis in February 2020, routine inspections revealed concerns with a privately owned spoil tip known as Wattstown Standard Tip. During December 2020 a slip occurred which was highly visible from the surrounding area. Further to this slip, smaller slips have continued to occur. The elevated spoil face is overly steep, exposed to the elements and elevated in the landscape.

4.2 The Council has been in liaison with WG and TCA since the initial slip with regular inspections and joint working taking place.

4.3 TCA has developed a proposal to protect the face of the tip and reduce the risk of future slippage. The works will be monitored and reviewed during construction by TCA in liaison with the Council and Welsh Government and, if deemed necessary, further works may be undertaken to create a barrier across

the flow path of the slip material by constructing a berm of slip material or, more exceptionally a gabion basket wall to contain and control further slippage within the broad footprint of the current tip. Slip material will be used to create the berm or to fill the baskets. TCA has secured agreement from NRW that dealing with the slip material within the broad footprint of the tip in the manner proposed will not contravene Waste Management Regulations.

4.4 TCA is in liaison with the landowner and is in the process of agreeing a licence between the two parties which will enable TCA to carry out the works and will thereafter require the landowner to retain and maintain the works as built. RCT is not party to the licence.

4.5 RCT has a regulatory function under the Mines and Quarries (Tips) Act 1969. WG has requested RCT acts as a conduit for funding these works which will be financially underwritten by WG and undertaken by TCA. TCA assumes all liability for design and delivery of the scheme which will be constructed by Alun Griffiths Contractors Ltd who has been awarded the construction contract via a TCA Procurement Framework.

4.6 There is urgency to undertake the works as soon as possible to take advantage of better weather conditions ahead of the winter months. TCA will be required to enter into an SLA with RCT which effectively passes all WG grant conditions through to TCA. TCA will submit financial claims to RCT for payment which will be reimbursed by WG. Grant claims to WG to secure the funding will be retrospective and payment to TCA will therefore be in arrears once RCT has received the funding from WG.

5. EQUALITY AND DIVERSITY IMPLICATIONS

There are no Equality or Diversity implications

6. CONSULTATION

No consultation has been undertaken.

7. FINANCIAL IMPLICATION(S)

All costs associated with delivery of the project will be met by WG. The value of the works is of the order of £0.7M. Future maintenance of the structure will rest with the landowner.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

The relevant legislation is the Mines and Quarries (Tips) Act 1969, though these works are being undertaken by mutual agreement with the landowner.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

The project links with the Council's priority of Place – where people are proud to live work and play, providing the community with confidence that action is being taken to manage spoil tips in RCT.

10. CONCLUSION

This initiative is being facilitated by RCT with funding from WG and works being undertaken via TCA's appointed contractor. It will reduce potential risk to infrastructure from further slippage and will provide reassurance to communities that coal spoil tips are being effectively managed.

Other Information:-

Relevant Scrutiny Committee



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**REPORT TO ACCOMPANY A DECISION OF DIRECTOR OF FRONTLINE
SERVICES**

14th OCTOBER 2021

EMERGENCY WORKS TO WATTSTOWN STANDARD TIP

Background Papers:

Contact Officer: J Mynott