



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 28TH MARCH 2017

SUBJECT: TIPS MAINTENANCE – OPERATIONAL PLAN

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 This report is made in response to a request made the Scrutiny Committee on 1st November 2016 for a report outlining the procedures and processes for routine tips maintenance operations within Caerphilly County Borough Council (CCBC).
- 1.2 The views of the Committee are sought on the current operational plan as outlined in the attached appendices.

2. SUMMARY

- 2.1 This report has been provided in response to a request made by Scrutiny Committee (1st November 2016), outlining the procedures and processes for routine Tips Maintenance operations within Caerphilly County Borough Council (CCBC). Attached at Appendix 1 is the Tips Maintenance Plan currently used by officers.
- 2.2 This report is to provide members with information for their reference and comments are sought from the Committee as to their appropriateness in fulfilling the Council's statutory duty.

3. LINKS TO STRATEGY

- 3.1 The report links directly to the Council's priority to ensure that communities are green and clean places to live and to improve residents' quality of life by maintaining an effective tips inspection and maintenance regime for CCBC owned tip sites.
- 3.2 The report supports the safer theme (S4) of the 'Caerphilly Delivers' in the single integrated plan.
- 3.3 The 'Safe' aspect of Priority 1 in Corporate Priorities 2013-17 is supported this report.
- 3.4 The tips maintenance regime contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016:
 - *A resilient Wales*
 - *A Wales of cohesive communities*
 - *A globally responsible Wales*

4. THE REPORT

- 4.1 This report provides members with an opportunity to scrutinise the processes and procedures that are in place to maintain and repair CCBC owned tip sites with regards to their appropriateness in fulfilling the Council's statutory duty.

- 4.2 The Mines and Quarries (Tips) Act 1969 makes legal provision for local authorities to carry out inspections, undertake maintenance of tip sites and act if there are instances of instability and imminent danger. This Act does not impose a statutory requirement for routine inspections or give the automatic right of entry to these sites.
- 4.3 The attached Operational Plan (Appendix 1) is divided into a number of broad sections:
- Introduction
 - Tips definitions, Legal basis for Tips Safety and Scope
 - Process
 - Tips risk assessments, Inspection Process and Programme
 - Works Undertaken
 - Future Developments
 - Conclusion
- 4.4 The introduction section provides the definitions of tip sites, the relevant legislation and the extent of tips within the county boundary with differentiation between the 102 that are in the Authority's ownership and the 127 that are privately owned (outside the Authority's inspection regime). An outline is given on the risks presented by the privately owned tips and the limited ability for the authority to intervene reactively, rather than being able to take a pro-active approach.
- 4.5 The Process section covers the risk assessment of the CCBC owned tip sites, the inspection process, the maintenance inspection process/programme and the access to this information via the Tips Portal.
- The frequency of inspection is based on the Tip Risk Rating (low, medium, high and significant) that formed part of the initial assessment of the Council-owned tip sites, which is reviewed and revised with successive inspections. At the time of this report being written all tip inspections were within their due date.
- The changes in risk scoring is also outlined, with the resulting works then assessed and prioritised for funding.
- 4.6 The Works Undertaken section has been separated into two sub-sections of smaller routine activities and larger scale capital projects.
- 4.7 The section on Future Developments provides an outline of the technological improvements that are currently being trialled by CCBC.
- 4.8 The final section is the Conclusion which gives a summary of the salient points.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals. It is consistent with the three of the five ways of working as defined within the sustainable development principle in the Act in that it supports:
- Long term asset management solutions, as the routine inspection of the CCBC owned tip sites, allows for more effective and predictable resource/financial commitment to this function into the future.
 - This routine maintenance of the CCBC owned tip sites is a central part of the CCBC prevention strategy, so reducing the need for larger scale repair operations (with the associated safety risks) required for poorly maintained/ inspected assets.
 - The system of tips inspections & maintenance forms part of a larger network of tip sites throughout the South Wales area (CCBC having been positively reviewed by the Coal Authority), so forming part of an integrated approach towards the maintenance and sustainability of the region's tips network going forward.

6. EQUALITIES IMPLICATIONS

6.1 This report does not have any direct equality implications.

7. FINANCIAL IMPLICATIONS

7.1 The current Tips Maintenance revenue budget is set at £70,000 for 2016-17. This is used to undertake the routine maintenance tasks and minor repairs to the tips sites. This budget is fully utilised on an annual basis.

7.2 The inspections generate a need for capital works. Currently there is a capital budget of £250,000 which is fully expended on an annual basis.

7.3 The prioritisation of works to tips is undertaken utilising a risk matrix methodology. Typical influencing factors included within the scoring include safety, cost, public impact, time implications, flooding possibilities, etc. From the inputs to the matrix an overall priority factor score is calculated which allows prioritisation of the highest risk sites which are funded from either revenue or capital budgets.

8. PERSONNEL IMPLICATIONS

8.1 This report does not have any direct impact on CCBC personnel, though staff involved with the inspection of tip sites could be affected if alternate schedules and methods of working are proposed from this review.

9. CONSULTATIONS

9.1 The Tip Risk Rating and Maintenance regime of the Tips Maintenance Plan has been demonstrated to the Coal Authority who judged it exemplary and demonstrated sound good practice and provided a robust proactive stance.

9.2 All responses from report consultation have been incorporated into this report

10. RECOMMENDATIONS

10.1 Members are asked to consider the content of the briefing note on Tips Maintenance Operational Plan and offer suggestions and comments for officer consideration.

11. REASONS FOR THE RECOMMENDATIONS

11.1 Any comments received from the committee will be considered by officers and any appropriate amendments to the Tips Maintenance Operational Plan will be made.

12. STATUTORY POWER

12.1 Mines and Quarries (Tips) Act 1969.

12.2 Mines & Quarries (Tips) Regulations 1971.

Author: Graham Parry, Highway Operations Group Manager
Consultees: Cllr T Williams – Cabinet Member for Highways, Transportation & Engineering
Cllr D T Davies – Chair of Regeneration and Environmental Scrutiny Committee
Cllr E Aldworth – Vice Chair of Regeneration and Environmental Scrutiny Committee
Chris Burns – Interim Chief Executive
Christina Harray - Corporate Director – Communities
Marcus Lloyd – WHQS and Infrastructure Strategy Manager
Rob Hartshorn – Head of Public Protection
Mike Eedy – Finance Manager
Trish Reardon – HR Manager
Anwen Rees – Senior Policy Officer – Equalities and Welsh Language
Gareth Richards – Highway Management Manager

Appendices:

Appendix 1 Tip Maintenance Operational Plan for CCBC
Appendix 2 Listing of Council Owned Coal and Spoil Tip Sites with Risk Rating and Inspection Frequency
Appendix 3 Listing of Privately Owned Coal and Spoil Tips
Appendix 4 The Current Tip Inspection Template Form (Blank Copy)