



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2021/22

SPECIAL OVERVIEW & SCRUTINY COMMITTEE – 16th JULY 2021

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATIONS**

CONSULTATION RESPONSES-REGULATING COAL TIP SAFETY IN WALES

1. PURPOSE OF THE REPORT

- 1.1 To provide the opportunity for members of the Overview & Scrutiny Committee to formally consider and adopt its response to the Law Commission's consultation on Regulating Coal Tip Safety in Wales, following discussions with representatives from the Law Commission of England and Wales at its meeting on the 5th July 2021.

2. RECOMMENDATIONS

It is recommended that Members: -

- 2.1 Consider the attached draft responses to the consultation and decide whether they wish to make any further comments or suggestions as appropriate.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To provide Scrutiny with the opportunity to respond to the consultation by the 10th September 2021 so that its response will contribute to the final recommendations for the Welsh Government and subsequently to the final report of the Law Commission in early 2022.

4. BACKGROUND

- 4.1 The Law Commission of England and Wales attended the Overview & Scrutiny Committee held on the 5th July and provided a summary of the salient points from their consultation paper entitled 'Regulating Coal Tip Safety in Wales' via a Power Point presentation.

- 4.2 Members agreed to use the Special Overview & Scrutiny Committee on the 16th July to formulate their responses to the consultation following the initial opportunity to undertake discussion with representatives from the Law Commission.
- 4.3 Attached are the draft responses for Members' information which they may wish to submit or amend as they feel appropriate.
- 4.4 Council Officers will be in attendance at the meeting to support the Scrutiny Committee with its responses should they require further clarification on any of the proposals set out within the Law Commission's consultation documents which can be accessed via the following links:
- [Rheoleiddio Diogelwch Tomennydd Glo yng Nghymru | Law Commission](#)
[Regulating Coal Tip Safety in Wales | Law Commission](#)
- 4.5 It is proposed that following the meeting, the responses will be submitted on behalf of the Overview & Scrutiny Committee by the closing date of the 10th September 2021 as they will contribute to the recommendations for the Welsh Government and publication of a final report in early 2022.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 There are no equality and diversity implications as a result of the recommendations set out in the report.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications aligned to this report.

7. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 7.1 There are no legal implications arising from the recommendations in this report.

8. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES.

- 8.1 This is an information report presenting the Law Commission's consultation on 'Regulating Coal Tip Safety in Wales'. No decisions are being taken in this report.

9. CONCLUSION

- 9.1 The Overview & Scrutiny Committee, in line with its Terms of Reference, has been afforded the opportunity to respond to the consultation published on the 9th June 2021 by the Law Commission of England and Wales which sets out provisional proposals for a new regulatory framework for coal tips in Wales.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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