

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
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Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/ HIDCC/1075/25

Members of the Senedd
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Cardiff Bay
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19 May 2025

Dear Colleague,

Disused Mine and Quarry Tips (Wales) Bill - Government Amendments

I am enclosing detail of the Government amendments tabled to the Disused Mine and Quarry Tips (Wales) Bill, together with an explanation of their purpose and effect.

Yours sincerely,

Huw Irranca-Davies AS/MS

Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros Newid Hinsawdd
a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

DISUSED MINE AND QUARRY TIPS (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

The information below is designed to explain the purpose and effect of the amendments tabled in the name of Huw Irranca Davies MS on 16 May 2025 – **please see** [Notice of Amendments PDF 140KB - 16 May 2025.pdf](#)

Adt.	Explanation
16	This amendment removes the reference to the Authority's main objective from the Bill and is in response to recommendation 3 of the LJC Committee's report.
17	This amendment responds to recommendation 5 of the LJCC Committee's report. It amends section 10 (Duty to monitor registered tips) to place inspection requirements for category 1 and 2 tips on the face of the Bill. It also expressly states the Authority may carry out such inspections or other monitoring activities as it considers appropriate in relation to category 3 or 4 disused tips. It gives the Welsh Ministers a regulation-making power to change (i) the time period within which an inspection or inspections must be carried out on category 1 or 2 tips; and (2) the number of inspections the Authority must carry out within a set period.
18	Having considered recommendation 17 of the CCEI Committee's report, this amendment changes section 13 (Preliminary assessments of all disused tips). It requires the Authority to publish each preliminary assessment report. It also gives the Authority the power to publish a preliminary assessment report in a redacted form if the Authority considers it necessary to do so to avoid disclosing information contrary to any prohibition imposed by an enactment or other rule of law. For example, the Authority might choose to redact personal information contained in a report.
19	Having considered recommendation 17 of the CCEI Committee's report, this amendment changes section 14 (Additional preliminary assessments). It requires the Authority to publish each additional preliminary assessment report. It also gives the Authority the power to publish an additional preliminary assessment report in a redacted form if the Authority considers it necessary to do so to avoid disclosing information contrary to any prohibition imposed by an enactment or other rule of law. For example, the Authority might choose to redact personal information contained in a report.
20	Having considered recommendation 17 of the CCEI Committee's report, this amendment changes section 16 (Full assessment of unregistered tip). It requires the Authority to publish each full assessment report of an unregistered tip. It also gives the Authority the power to publish a full assessment of an unregistered tip in a redacted form if the Authority considers it necessary to do so to avoid disclosing information contrary to any prohibition imposed by an enactment or other rule of law. For example, the Authority might choose to redact personal information contained in a report.

21 Having considered recommendation 17 of the CCEI Committee's report, this amendment changes section 17 (Full assessment of registered tip). It requires the Authority to publish each additional full assessment report of a registered tip. It also gives the Authority the power to publish an additional full assessment of a registered tip in a redacted form if the Authority considers it necessary to do so to avoid disclosing information contrary to any prohibition imposed by an enactment or other rule of law. For example, the Authority might choose to redact personal information contained in a report.

22 Having considered recommendation 20 of the CCEI Committee's report, this amendment requires the Authority to consult such persons it considers appropriate prior to publishing a statement of its policy on categorisation. The Authority must also consult before publishing the statement in a revised form.

23 Having considered recommendation 10 of the CCEI Committee's report, this amendment inserts a new section - Duty to compile and maintain list of all disused tips - that have undergone a preliminary assessment under section 13. The amendment specifies information that must be included in the list.

24 Having considered recommendation 13 of the CCEI Committee's report and recommendations 18 and 19 of the LJC Committee's report, this amendment inserts a new section - Management plans. The section places a duty on the Authority to prepare management plans for category 1 and 2 disused tips and specifies what a management plan must contain.

25 Having considered recommendations 6, 10 and 20 of the LJC Committee's report and recommendations 12, 16 and 22 of the CCEI Committee's report, this amendment replaces section 69(1) (Guidance).

It requires Welsh Ministers to give guidance to the Authority in relation to the exercise of its functions under specified sections/Chapters of the Bill. It also requires the Authority to have regard to such guidance. Amendment 26 imposes a consultation duty on Welsh Ministers in respect of all guidance issued under section 69.

26 Having considered recommendation 25 of the CCEI Committee's report, this amendment replaces section 69(2) (Guidance).

It places a duty on Welsh Ministers to give guidance to a person appointed by them to determine appeals under section 36 (application to vary or cancel notice requiring owner to carry out operations) or 41 (application for reimbursement of owner's expenditure where notice to carry out operations is cancelled) of the Bill.

Such persons must have regard to the guidance and Welsh Ministers are under a duty to consult before publishing guidance.

27 This amendment is connected to amendment 17. It amends section 74 (Regulations under this Act). It provides that regulations made under section 10 (Duty to monitor registered tips) are subject to the affirmative procedure.

28 Having considered recommendation 22 of the LJC Committee's report, this amendment makes the following regulation-making powers that enable the Welsh Ministers to change the minimum period for making representations to the Authority subject to the affirmative rather than the negative procedure: section 20(4) (Proposals to register a tip); section 22(4) (Proposal to remove a tip from the register) and 29(3) (Proposal to make a notifiable change in relation to a disused tip).

29 Having considered recommendation 22 of the LJC Committee's report, this amendment makes the following regulation-making powers of the Welsh Ministers subject to the affirmative rather than the negative procedure: paragraph 2(4) of Schedule 1 (change to the number of members of the Authority) and paragraph 19(10) of Schedule 1 (change to the period to which the Authority's corporate plan relates).

30 Having considered recommendation 29 of the CCEI Committee's report, this amendment inserts new wording into section 81 (Meaning of "tip" and "disused tip") which requires Welsh Ministers to consult such persons as they consider appropriate before making regulations under section 81(5).

31 This amendment is connected to amendment 24. It adds the term 'management plan' to the index of defined terms in section 86.
