



## **GUIDANCE NOTES FOR APPLICATIONS FOR PERMISSION TO ENTER OR DISTURB COAL AUTHORITY MINING INTERESTS**

Under the Coal Industry Act 1994 ownership of in situ coal, coal mines (both current and disused) and coal mine shafts & adits (previously vested in British Coal) transferred to the Coal Authority (“the Authority”).

Any activities which intersect, disturb or enter any of the Authority’s coal interests require the prior written permission of the Authority. **Failure to obtain permission will result in trespass, the potential for court action and could adversely affect property sales.** Such activities include initial site investigation boreholes and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

### **1 Risk Assessment Approach**

The Authority will consider each application for permission to enter or disturb Coal Authority mining interests and require every applicant to apply a risk based approach to ensure the risks to public safety and any persons affected by the likely work activities are minimised.

An assessment of the potential mine gas *sources, pathways which gas may flow along and receptors* which may be affected by the proposed work must be undertaken by the applicant. Such an assessment will help to determine the level of risk associated with the movement of mine gases and the creation of carbon monoxide from spontaneous combustion.

**Please note the Coal Authority has the right to decline permission to enter or disturb its mining property if it appears that significant mining related risks have not been adequately addressed.**

### **2. Information Required from Applicant**

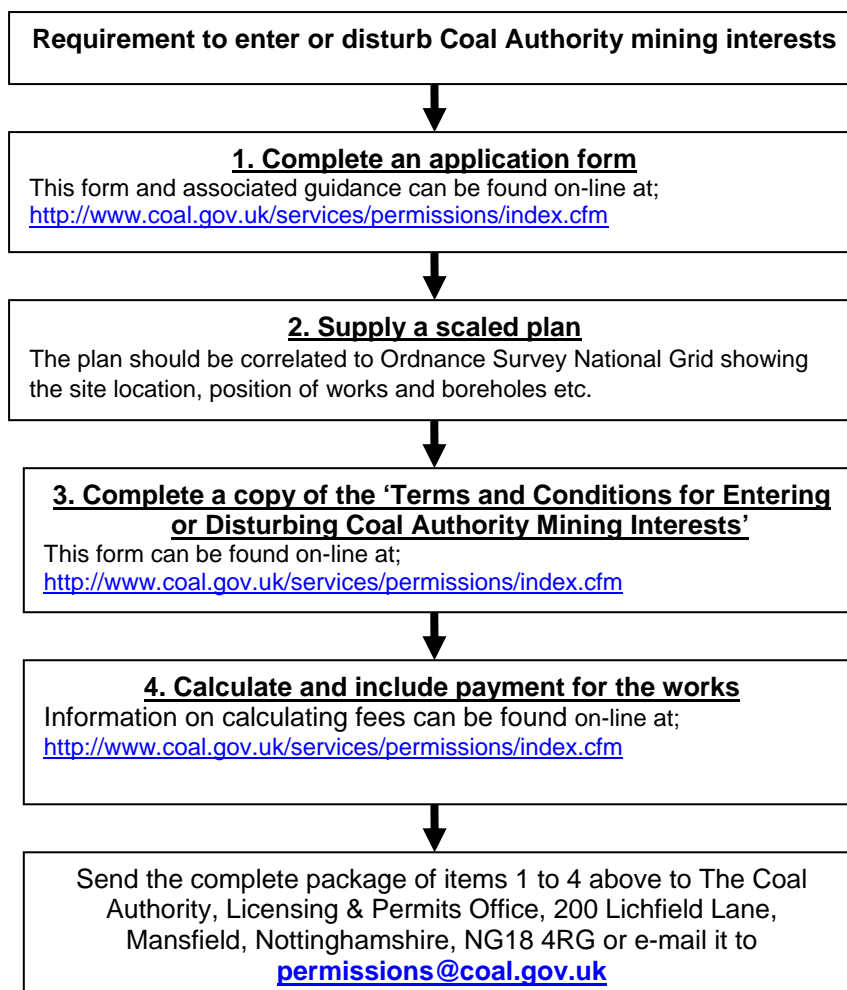
All requests for permission to enter or disturb Coal Authority interests must be submitted on the approved application form. Each field on the application form must be completed fully, accurately and in a legible format in conjunction with these Guidance Notes.

To enable the Authority to consider the granting of any permission to enter or disturb coal; coal mine workings or shafts and adits, applicants must supply the Authority with information relevant to the work in order that an assessment can be made of the mining risks associated with the proposed application.

Job method statements / risk assessments can be supplied for reference purposes, however, each field on the application form should be completed as fully as possible because failure to do so could lead to a delay in processing the application.

The following flow chart provides a simple overview of the making an application to enter or disturb Coal Authority mining interests;

## Procedure for Obtaining Permission to Enter or Disturb Coal Authority Mining Interests



The following information should be read in conjunction with the numerical points on the 'Application for Permission to Enter or Disturb Coal Authority Mining Interests'.

Points	Requirements	Information required from Applicants
1	Applicant's Information	The applicant is the person / company requesting the application. This may be the owner or developer of the site and by signing the application, the applicant is undertaking responsibility for the works together with any future liability issues resulting from the works on the site and beyond in certain instances for 12 years.
2	A plan showing the application area, position of works and boreholes.	The application must include a plan on a reasonable scale (to allow for digitisation on to the Authority's database), including salient surface features and correlated to Ordnance Survey National Grid. <b>The plan <u>must</u> include:-</b> <ol style="list-style-type: none"> <li>The limits of the site boundary</li> <li>The extent of mining related features to be investigated and/or treated, clearly delineated, <i>if different to (a) above</i>.</li> <li>The nature and position of the proposed development, in relation to the area to be treated where known.</li> <li>Details &amp; location of known coal mine workings and coal mine entries to be investigated.</li> </ol> (Historic mining plans can be obtained from the Authority's Mining Records Office (01623 637 233 / 235). Furthermore, mining reports can be obtained from the Mining Reports Section at the Coal Authority (0845 7626848) or on line at <a href="http://www.coalminingreports.co.uk">www.coalminingreports.co.uk</a> )

Points (cont.)	Requirements	Information required from Applicants
3	Are any of the coal seams being entered / disturbed prone to spontaneous combustion?	<p>Spontaneous combustion can occur in coal when exposure to oxygen causes it to react and increase in temperature when there is insufficient ventilation for cooling. When the temperature of the material rises above its ignition point, combustion will ensue providing there is a sufficient supply of oxygen present.</p> <p><b>Spontaneous combustion releases carbon monoxide</b> which is a colorless, odorless, and tasteless gas produced from the partial combustion of coal. It is an extremely toxic gas and is known as a 'silent killer'.</p> <p>The long term (8 hour) Workplace Exposure Level (WEL) of carbon monoxide is 30ppm and the short term (15 minute) WEL of carbon monoxide is 200ppm.</p> <p>The threat of spontaneous combustion can be substantially reduced by limiting the supply of oxygen, or submerging it in water to prevent any reaction in the first instance.</p> <p>A list of coal seams known to be prone to spontaneous combustion can be found on the Authority's web site at <a href="http://www.coal.gov.uk/services/permissions/index.cfm">www.coal.gov.uk/services/permissions/index.cfm</a></p>
4	Is the area known to be prone to mine gases being present?	<p><b>Blackdamp</b> is an asphyxiant gas also known as 'stythe' or 'chokedamp' and is a mixture of unbreathable gases formed when oxygen is removed from an enclosed atmosphere and largely replaced by nitrogen and carbon dioxide. Blackdamp can often be found in large quantities within abandoned mines and the time between the onset of initial symptoms and rapid unconsciousness can be as short as seconds.</p> <p>The long term (8 hour) Workplace Exposure Level (WEL) of carbon dioxide is 5000ppm and the short term (15 minute) WEL of carbon dioxide is 15000ppm.</p> <p>In addition to monitoring for carbon dioxide, monitoring for reduced levels of oxygen will also give an indication as to the likely presence of blackdamp.</p>
	Is the area known to be prone to mine gases being present?	<p><b>Methane</b> is a flammable gas found in coal mines and is also known as 'firedamp'. It is particularly found in areas where the coal is bituminous and it is explosive at concentrations between 5% and 15%.</p> <p>Methane in sufficient quantities will also displace oxygen and become an asphyxiant.</p> <p>Other mine gases such as hydrogen sulphide which is highly toxic and usually recognized by its characteristic pungent odour may be present.</p> <p>The long term (8 hour) Workplace Exposure Level (WEL) of hydrogen sulphide is 5ppm and the short term (15 minute) WEL of hydrogen sulphide is 10ppm.</p> <p>Mine gases may migrate along routes which include mine entries, mine workings, fractures, faults, outcrops, service conduits and cable ducts.</p>
	Are any toxic substances known to exist in the mine workings?	Mine workings may harbor toxic substances which may occur naturally or which have been deliberately introduced by persons.
	Are there any known mine entries within the area?	Mine entries produce a direct route for mine contaminant gases to reach the surface.

Points (cont.)	Requirements	Information required from Applicants
7	Are there any known geological disturbances in the area?	Faults and fissures can provide a direct route for mine contaminant gases to reach the surface and strata fractures can be caused by mining operations.
8	Is the depth and type of fill and/or superficial deposits in the area known?	Made ground, permeable soils and superficial strata can contain and allow mine gas to travel to the surface. Low permeability soils and strata will reduce any gas flow paths.
9	Are there any basements or cellars below ground level in the buildings?	Lift wells, public house cellars, garage pits etc which are below the area's ground level will be more likely to be affected by mine gas and may contain concentrations of 'blackdamp' (low oxygen levels)
10	What flushing medium will be used when drilling and why?	The HSE position statement published on 14 May 2007 regarding carbon monoxide, states that water flushing should be the primary flushing method for work in the vicinity of coal measures when a risk of creating and/or moving carbon monoxide has been identified.
11	Terms and conditions	The 'Terms and Conditions for Entering or Disturbing Coal Authority Mining Interests' can be found on the Authority's website at <a href="http://www.coal.gov.uk">www.coal.gov.uk</a> - Services - Permission To Enter or Disturb Coal Authority Mining Interests.

When the application form is completed, the applicant must sign the application before sending it together with the supporting documentation to The Coal Authority, Licensing & Permits Office, 200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG or e-mail it to [permissions@coal.gov.uk](mailto:permissions@coal.gov.uk)

### 3 Consideration of the Application

Applicants should normally allow at least **4 weeks** for the granting of a permit when all necessary information has been supplied, i.e. the completed application form, a signed copy of the terms and conditions, appropriate plan(s), other relevant information and payment. Applications can be **expedited** (considered within **2 weeks**) but will be subject to the additional fee as set out in the fee guidance which can be found on-line at [www.coal.gov.uk/services/permissions/index.cfm](http://www.coal.gov.uk/services/permissions/index.cfm).

Large or complex sites may require more time for the necessary background studies to be completed.

Intrusive works are expressly forbidden until the permit has been duly granted (countersigned by the Authority).

### 4 General

- i. The Authority will, from time to time, undertake site inspections, to ensure adherence to the terms and conditions of the permit. The Authority also works closely with the Health & Safety Executive (HSE). If breaches of health and safety are apparent during an inspection a report may be made to the HSE.
- ii. In certain cases the Authority may require security for liabilities including but not limited to default on such items as treatment of shafts and adits and the grouting of former coal workings.
- iii. The Authority may under certain circumstances require the Applicant to incorporate measures, within any remediation, to monitor or control mine gases or water.
- iv. Applicants should note that former coal mine workings can contain both mine gas and water, sometimes under pressure and it is an offence under the Water Industry Act 1991 to leave an artesian borehole running to waste. Drilling contractors should be competent and have the necessary experience to enter mine workings. Applicants should be conversant with all current applicable legislation and be familiar with and take account of the advice and references contained in publications relevant to the circumstances from authorities such as:

- **British Drilling Association (BDA)**  
- *Code of Safe Drilling Practice*
  - **British Standards Institute**  
- *Code of Practice for Site Investigations – BS5930:1999*
  - **Construction Industry Research & Information Association (CIRIA)**  
- *Special Publication 32, Construction over Abandoned Mine-workings*  
- *C659 - Assessing risks posed by hazardous ground gases to buildings*
  - **Health and Safety Executive**
  - **Local Authority Building Control**
  - **NHBC & RSK Group PLC**  
- *Guidance on Evaluation of Development Proposals on Sites where methane and carbon dioxide are present*
  - **Planning Policy Guidance Notes**  
- *PPG 14 (1990): Development on Unstable Land*  
- *PPG 14 Annex 2 (2002): Subsidence and Planning*
  - **The Scottish Building Standards Agency**
- v. On completion of the works, selected technical details will be entered onto the Authority's database to reflect the work carried out and to ensure its availability to the public through the Authority's mining reports system.
- vi. It should be noted that permission from various regulatory authorities and other legally interested parties may also be required in addition to the surface owner before works can commence.
- vii. Applicants should consider the possibility of extraction of shallow coal as a method of site remediation. Any coal encountered during site investigation works which is proposed to be dug and carried away from site will require a separate agreement which can be obtained by application to the Authority's Licensing Department. Furthermore, activities which involve exploration for coal, the winning and working of coal, or the exploration for coal mine or coal-bed methane are also dealt with under separate documentation. Such activities may also require approval from regulatory bodies such as the Health and Safety Executive and Environment Agency.

## **5 Contacts**

For queries regarding applications for permission to enter or disturb coal mining interests please contact the Licensing & Permits Office:-

<b>Area</b>	<b>Contact</b>	<b>Telephone / Fax</b>	<b>e-mail</b>
General	Enquiries	01623 637339 01623 637377. Fax 01623 620363	<a href="mailto:permissions@coal.gov.uk">permissions@coal.gov.uk</a>

The Authority's website - [www.coal.gov.uk](http://www.coal.gov.uk) - **Services - Permission To Enter or Disturb Coal Authority Mining Interests.**