



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637156

E: lisapinney@coal.gov.uk

W: www.gov.uk/coalauthority

Stephen Kinnock MP
Member of Parliament for Aberavon
House of Commons
London SW1A 0AA

Email: stephen.kinnock.mp@parliament.uk

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Dear Stephen,

Thank you for your letter dated 1 February 2021 and for your time on site in Skewen last week. We know that the mine flooding incident on 21 January 2021 had significant impacts on the village of Skewen, and I understand that being flooded is extremely upsetting. In my career (including 20 years at the Environment Agency) I have seen the horrible impacts of flooding too many times and I have every sympathy for those affected here in Skewen.

We are genuinely sorry that this has happened and grateful for the hard work and support of all the emergency services, Neath Port Talbot Council and the charity sector for their prompt engagement and wider support to the community.

As we discussed in detail when we met on site, the Coal Authority does not have liability for flooding. Flooding, whether the water comes from a river, stream, the sea, groundwater or a mine is dealt with in the main through insurance. This is because no one owns water or has responsibility for it.

For example when there is river flooding, Natural Resources Wales is not responsible for compensating householders but it is dealt with through insurance. Government may then make a policy decision to invest £X per year to build flood defences because that is the right thing to do (from a societal and cost beneficial point of view) but that is different from having direct liability for the flooding / flooded properties.

The Coal Authority is responsible for repairing mining legacy hazards, so we will remediate the damaged mine shaft and invest in a new, permanent water management system to give residents peace of mind for the future. Wales (and Great Britain's) industrial mining legacy can pose risk from the extensive number of recorded and unrecorded workings, drainage channels and potential hazards. The majority of these issues are not foreseeable. Approximately 52% of the population of

South Wales (and 25% of the population of Great Britain) live on the coalfield and the vast majority of people will never experience any problems in relation to this.

The Coal Authority exists so that we can effectively bring our expertise to resolving problems swiftly where they do occur. We also undertake proactive work using a risk based approach (for example we inspect more than 10,000 mine entries a year) but this will never identify every potential problem underground, especially when our coal mining heritage dates back many hundreds of years and records can be incomplete.

I recognise that people would prefer that there was one simple answer and that the more complex situation outlined above has caused some confusion and led to some residents feeling as though the situation has changed. I have also received feedback that in the first day or two of the resident's helpline operating there may have been some less experienced resident's helpline support officers who under pressure from understandably emotional residents did not explain the situation as clearly as they could. They are junior members of staff who were trained primarily to provide advice on hotel cost reimbursement and more general support, and were asked questions far beyond that which they were not trained or empowered to answer. We have taken this feedback on board and provided more training and support to these officers. The Coal Authority's position has not changed since the incident occurred and is consistent with law and practice on flooding from all causes over many years.

Whilst the Coal Authority does not have legal liability for flooding from mine water and people do need to work with their insurance companies on the majority of the flood recovery work, we recognise the impacts on people's homes and lives and we want to help where we can.

We've been listening to feedback from the community and they have told us that one of the best ways to help is to provide practical support in sorting out gardens and outside areas where they are not covered by insurance.

We have put together a package of support which is available to all those in Skewen who have suffered external flooding. There are two aspects:

- (1) Immediate help clearing external areas around the property of ochre, mud and debris. Crews are already on site helping residents where access is available, and they will move to Goshen Park when the new access road is open.
- (2) Support to help get gardens and outside areas back to how they were before the flooding. This includes things like fence panels, grass, gravel and patching holes or cracks in driveways up to a total of £500 of materials plus contractors to provide labour. This will start once the initial clean-up is completed for all properties who would like help with it.

We can do this work using our powers under the Coal Industry Act 1994.

Residents can give permission for the clean-up and obtain a form to agree what garden / outdoor work they would like done by calling the residents helpline on 0800 2884268. Full details of this policy are published on our website <https://www.gov.uk/government/publications/policy-on-skewen-flooding-response-support>

We have also provided support to residents impacted by the incident and the subsequent access constraints and cordons. For example reimbursement of hotel costs (with a receipt) or an allowance of £30/night for anyone evacuated on the 21st January and for the duration of the time they did not have access to their home. For most people this was on or before the 28 January and for Goshen Park it will be until the 6 February, when the new temporary access road will be open.

For the very small number who will remain unable to access their homes during our works on the Goshen Park junction to remediate the mineshaft and build the new water treatment works, we will continue to provide bespoke support as agreed in private discussion with them.

I know that Welsh Government have also made their government grant (of £500 for those with insurance and £1000 for those without insurance) available to all households impacted by the Skewen flood.

We have acted swiftly on the back of this incident to support and advise emergency partners and take steps to keep people safe and allow the community to recover. We worked with Neath Port Talbot Council to put in place a temporary mine water diversion scheme to manage the water in the short term. We have negotiated land for and are building a temporary access road to Goshen Park with pace. We will invest significant amounts in building a new water management system to reduce the risk of such a thing ever happening again here, in the same way that for other types of flooding the government may invest in a flood defence. The new system will have flow monitoring and 24/7 telemetry (alarms) to help give the residents peace of mind. These works will begin as soon as possible when the temporary access road to Goshen Park is complete and we can fully close the cul-de-sac junction to remediate the mine shaft and build the new scheme. We will keep residents updated as the work progresses. Our resident support line will remain open and we will shortly appoint a local community liaison officer dedicated to the project throughout the works.

Being flooded for any reason is deeply upsetting and I understand the resident's frustration and feelings of unfairness and disappointment that this has happened to them. We hope that the help we can provide, and the remediation work and investment in the new water management system will, along with the support from Neath Port Talbot Council and other partners, help residents to move forwards with their lives as soon as possible.

Yours sincerely,



Lisa Pinney MBE
Chief Executive Officer