
STATUTORY INSTRUMENTS

1971 No. 1377

The Mines and Quarries (Tips) Regulations 1971

PART III

PROVISIONS RELATING TO ACTIVE CLASSIFIED TIPS

Reports

12.—(1) In the case of any mine or quarry with which is associated an active classified tip it shall not be lawful (subject to paragraph (3) below) for tipping operations to be carried out at that tip unless a report has been obtained in the last two preceding years from a person competent to make the report on the tip and on every matter which might affect the security of the tip.

(2) A special supplementary report on the tip and on every matter which might affect the security of the tip shall be obtained from a person competent to make the report as soon as practicable after a dangerous occurrence has occurred in relation to the tip, or after such a change in the design of the tip or in the nature or location of the types of refuse deposited or such a variation to or departure from its specification, as might affect its security, has been made.

(3) Where after the coming into operation of these regulations tipping operations are begun on premises which at that time are not the site of a tip to which Part I of the 1969 Act applies, the first report (other than a special supplementary report) for the purposes of this regulation shall be obtained not more than two years after the date on which the tipping operations begin.

(4) Every report obtained for the purposes of this regulation shall contain in particular—

- (a) an opinion whether the tip is secure;
- (b) an opinion whether, so far as the person making the report can ascertain, there have been any changes in the design of the tip or in the nature or location of the types of refuse deposited or any variation to or departure from the specification since the original design and specification (other than those noted in a previous report under these regulations) with details of them;
- (c) an opinion whether, so far as the person making the report can ascertain, there has occurred or is likely to occur any subsidence or other surface movement which may affect the security of the tip with details of the subsidence or other surface movement and its effect or probable effect on the security of the tip;
- (d) an account of any surveys, tests, boreholes and ground water measurements made for the purposes of the report and the results thereof;
- (e) the nature and extent of inspection, supervision and safety measures that in the opinion of the person making the report are necessary to be carried out during tipping operations to ensure the security of the tip.