



Edition 7



New report offers vital alert for homebuyers:

Subsidence on the rise as old mines and soil movement cause damage.

Ground Stability report identifies potential risks and provides guidance.

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Environment news:

Stern Review evades major UK land use issues.

Unwillingness to criticise Government's sprawl policies.

Discover the holes in your searches

In this edition of Uncovered we provide cases where natural subsidence and hazards from mine workings are now causing significant issues nationwide.

Britain has a long history of mining for a wide variety of minerals. Apart from the coalfields, there was extensive metalliferous mining across Devon and Cornwall, the Mendips, Wales, Pennines and the Lake District; as well as salt mining across Cheshire, Staffordshire and Droitwich.

There are also extensive limestone mines across the Black Country in the West Midlands. Less well known are the sandstone mines of West Yorkshire,

Britain's cheapest house?

A three bed semi-detached house in Cornwall has just been put up for sale at the rock-bottom price of just £1000. No 4, Wheal Harmony, Redruth is a granite-built Victorian house with a neat garden and would normally have fetched over £100,000 in normal circumstances. However, owners Martin and Susan Legg have just discovered that it is built directly over a 1000ft shaft connecting to an old tin mine.

Redruth is riddled with more than 5,000 shafts, some have been capped with concrete on discovery, but many are still unstable. The area is subject to frequent ground collapses. In 2002, Len and Winnie Semmens who live just 600 yards from the Leggs, discovered a 200ft deep hole in their garden after heavy rain softened the earth which then caved in. Another house in the street was demolished a few years ago following the discovery of another shaft and it is possible that the Leggs house will go the same way.

Many of Cornwall's tin mines do not appear on standard searches or in other ground stability reports. The Leggs' story provides a clear example of how seriously even the threat of mine subsidence can have on the saleability of a home.

The Homecheck Professional Ground Stability Report highlights the mining activity at the property and vicinity and provides a clear early warning to clients. It is available for just £19 plus VAT.

For more details call us on 0870 606 1700.

Lancashire and Sussex, chalk mines throughout the South East and even sand mines in South London.

Reliable records have been available only since the latter half of the 19th century and until now, with the first intimation of earlier mine workings has been the onset of subsidence.

Examples of earth movement, possibly due to climate change, are increasingly affecting property, especially clay soils in the South East.

Coal's lethal legacy

Since the 18th Century, coal mining has been a large part of Northern England's history. Now that virtually all of the mines have been closed, concern has increased about not only shaft subsidence, but also the effects of methane gas on residents whose houses were built on top of abandoned workings.

Methane is colourless, odourless and combustible, with mixtures of 5% to 15% in air deemed explosive. It has become a key issue facing government, local authorities and the Coal Authority who have underestimated the legacy from the closure of the collieries, which are now filling with methane gas that can't escape.

One disused shaft at Bolsover in Derbyshire contains 35% methane gas. After the shaft had been filled in with rubble, the gas was still escaping into a nearby warehouse. Although the shaft was vented to prevent any further incidents, nearby residents became alarmed.

Barnsley homeowners are also concerned at the effect of methane gas from the former Monk Bretton Colliery. Resident Anne Booth said that she was left with an effectively worthless house as a result of the gas emissions and has even gone to the lengths of getting a gas monitoring alarm fitted in her home.

Gas may have played a major part in Nottinghamshire's Loscoe blast in 1986. The blast demolished a house and injured three people. A shaft was discovered running under the village containing large amounts of methane.

With Britain's continuing property boom, developers are increasingly using former colliery areas to build homes, shops and offices. New scientific evidence suggests that mines are producing more methane than anyone had predicted.

UK Coal have also just announced their intent to sell off part of the land set aside on redundant coalfields for housing development. These sites will no doubt be subject to detailed scrutiny for evidence of gas seepage and any necessary remediation.

You can now obtain our Con29M Coal Mining Report which covers mine gas, at the same time as you order environmental and planning searches from Landmark, without the need to visit other websites to make a separate order.

For more information, call us on 0870 754 4411, or visit www.landmarkinfo.co.uk



Stoke has sunk

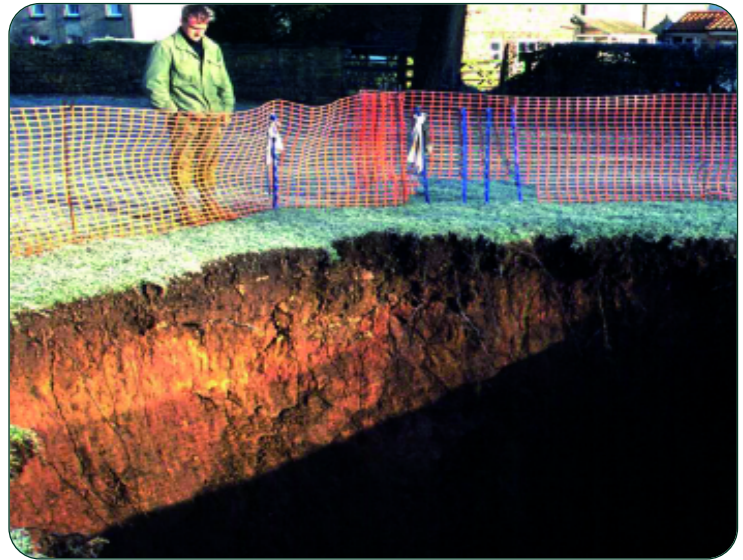
Coal and ironstone deposits which lie under Stoke-on-Trent have caused many buildings to sink dramatically in recent years, with holes opening up in the fields and roads.

In fact, the whole city is sinking. Satellite imagery has showed a large portion of Stoke-on-Trent, which was monitored over a two year period, had sunk by up to 80mm - this is the equivalent of the effect of a major earthquake! The movements continue to this day.

There are an estimated 8000 disused shafts in the conurbation and at least 200 abandoned adits (or entrances). Subsidence is at relatively shallow depths, maybe no more than thirty metres, largely due to the "pillar and stall" mine construction, all of which are now abandoned. There is a higher likelihood of collapse with this type than many others, which can be further exacerbated by seasonal water logging.

Suburban shafts

A major ground collapse in Field Road, Reading sparked a detailed study into identifying historical chalk mining in the area. The mines date



from the early 1800's and their actual extents, which feature many informal shallow shafts, remaining in doubt. Reading Borough Council sent letters to 285 households in Field Road, Coley Park and Deepdene Close about ongoing examinations of the area, with drilling tests taking over a year to complete.

Geotechnical specialists are carrying out months of investigations at a cost of £2.56m across a 2km area. Because of the nature of the work, which identifies how many are still completely empty - the duration of the project has constantly changed, leaving residents in limbo, and affecting house sales.

Chalk mines had not been thought of as a typical subsidence hazard before, but events are on the rise and should not be underestimated. In Hatfield, a school was closed and significant commercial developments in the town centre were delayed. In Spring 2006 five houses in Bromley were demolished following a spectacular house collapse after a void opened up in the chalk rock strata.

Responsibility and guidance

One of the more significant recent pieces of planning policy guidance (note 14), "Development on unstable land", advised that, where development is proposed in areas which are known or suspected to be undermined, due account should be taken of the potential effects of subsidence on that development.

The responsibility for investigating a site to determine whether subsidence is likely to be a problem is that of the developer. However, local planning authorities should regard mining subsidence as a material planning consideration for new builds and take account of it at all stages of the planning process. However, purchasers of existing properties should make detailed enquiries on the stability of the land with their solicitor or surveyor.

Consequently, legal professionals must ensure clients are aware of the potential risks of subsidence that could affect the material value and enjoyment of their client's property.

The Homecheck Professional Ground Stability Report provides essential guidance for practitioners on the natural and man-made hazards across the UK.

It highlights the presence of over 2000 historic mines, as well as in-filled land from past industrial use. It also identifies where soil conditions lead to naturally higher levels of subsidence potential. The report provides the necessary guidance for your client and their surveyor to make specific investigations as part of your normal due diligence process.

For more information on the Homecheck professional Ground Stability Report, visit us at www.homecheckpro.co.uk or call now on 0870 754 4411.



Environment News

Stern Review evades major UK land use issues

The Treasury's Stern Review of climate change has warned that land use decisions will have a substantial legacy for future generations, but shows a marked reluctance to criticise Government policy in this area.

Sir Nicholas Stern's Review on the Economics of Climate Change was hailed by environmentalists as proof that political change to meet the climate threat is possible. It covers the impacts and risks of uncontrolled climate change and sets out mostly market-based measures which could achieve a relatively timid 25% reduction in UK emissions by 2050, designed to stabilize emissions at 550ppm CO₂e.

"The task is urgent," said Sir Nicholas. "Delaying action, even by a decade or two, will take us into dangerous territory."

Despite admitting land use planning has a substantial legacy, it is markedly reluctant to criticise the Government's sprawl policies. Its warnings are limited to flooding and water supply. A case study on the Government's Corby-Faversham growth area merely comments on how the area was chosen because of a high concentration of brownfield sites close to existing urban centres and explains measures to cope with the increased flood hazard of the (greenfield) expansion.

The Review is evidently unwilling to criticise the Treasury's plans for over-development in the south even with its attendant increase in road transport, land sealing, flood risk, water shortage etc.

Changes to Part IIA?

At some point in the future, the Part IIA regime will be changed. That was one of the conclusions from a seminar on Part IIA at the NSCA annual conference on contaminated land.

Andrew Wiseman of Trowers & Hamlin said in the majority of cases residents are more concerned about the financial aspects of contaminated land in relation to property rather than the health effects - how much is the house worth and can I sell? However Part IIA is primarily based on health parameters.

Delegates - mainly local authority personnel - raised issues over practicalities regarding Part IIA remediation. Questions arose such as: Who pays for damage to gardens or replacement of trees and shrubs? What happens to the contents of garden sheds, or the lawnmowers from 100 houses? Does anybody think about these things?

There were calls from local authority representatives for DEFRA to operate some sort of screening process over liability issues - so that legal fees were limited.

Cheltenham landfill is designated a special site

Cheltenham Borough Council has formally determined its Marle Hill golf course in Pittville Park as contaminated following tests which revealed that leachate is contaminating a brook and landfill gas is migrating towards homes.

The Environment Agency (EA) was commissioned 18 months ago following concerns and has already identified leachate contamination in Wyman's Brook from the former landfill. There are no asbestos risks, but methane and carbon dioxide have been detected. Borehole tests have identified that the gas may be migrating under houses in Pentathlon Way and in Hill Top Road. Gas drilling tests in residents' back gardens are likely to be the next step, which will give a clearer picture of whether there are any effects on the residents and their homes. The council, who owns the land, determined the site on 6th November 2006 and the EA declared it a special site, thereby giving it direct regulatory control, on the same day.

The site was originally a clay and brick works and was later used as a municipal waste landfill, which was closed and capped in 1960. Final water and gas sampling results will be available in Spring 2007 and potential solutions will be examined from then on.



Money lacking to tackle closed landfill groundwater threat

An Environment Agency review of closed landfill policy has revealed that most of them present at least a potential risk to groundwater and aftercare provision by their owners may have to rise very substantially to fund remediation.

The Agency is reviewing its policies on closed landfills and has examined which of those closed since 1994, and therefore still subject to the terms of a waste management licence, pose a potential risk to groundwater. It has concluded that over 1,200 of the 1,500 landfills in this category pose at least a potential risk. Although licence holders have aftercare responsibilities for post-1994 closed landfills, no groundwater risk-assessments were demanded until 1998 and even after that there was variation in practice. So many sites closed since 1994 may not comply with Groundwater Regulations requirements and their licence holders are unlikely to have made financial-provision for expertise works which may be required to protect or remediate groundwater.

"We are not at the stage where any decisions have been made regarding our regulatory approach," said an Agency spokesman. "The amount (if any) spent on these sites will be very much site specific."

At least the post-1994 closures have some statutory aftercare provision. There was no such provision for the thousands of landfills regulated under the Control of Pollution Act 1974, which closed between 1976 and 1994, which were regulated to a much lower standard. Virtually no controls were imposed on the thousands of sites closed before 1976.

"We weren't surprised by this," says Environmental Services Association director of policy Mike Walker. "The main thing is that they take a risk-based and evidence-based approach. We have to be realistic about this."

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Landmark News

Fast, Accurate, Efficient – The new report ordering site from Landmark



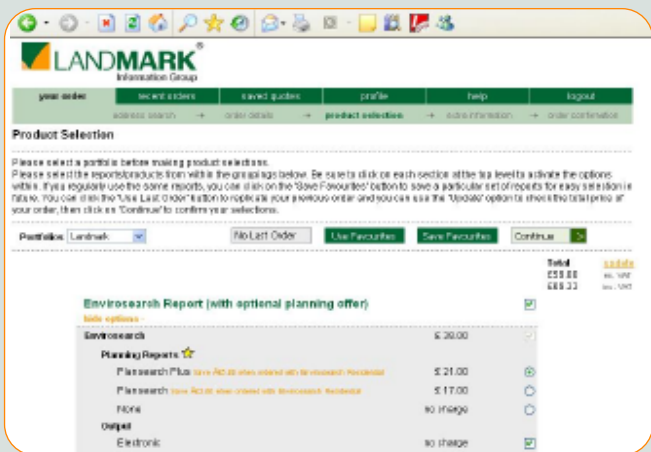
As part of our continued commitment to improving our service to you, we have undertaken a complete redesign of the Landmark online ordering portal.

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Home Information Packs are fast approaching and yet there is continuing uncertainty as to its final content. Regardless of this, solicitors have to meet their duty to provide clients with an offering of due diligence solutions to suit their needs. Homecheck Professional from Landmark offers a fully flexibility range to meet the rapidly changing search landscape.



Alongside the market-leading Homecheck Professional Environmental Report are a suite of stand-alone reports focusing respectively on Contamination, Ground Stability and Flooding. You can offer your clients either the traditional all-inclusive environmental report, or separate components which can be mixed and matched, and remain competitive on disbursements.

Homecheck Professional Environmental Report provides property professionals with all the information they need on the key five areas that are not covered by Standard Enquiries of Local Authorities. Available at £32 plus VAT, every report includes a clear assessment on contaminated land liability.

Homecheck Professional Contamination Report meets the requirements of the Law Society Warning Card for just £23 plus VAT. It reveals any historical land use, current industrial activity and landfill sites, together with a risk assessment to give clear guidance for you and your client.

Homecheck Professional Ground Stability Report is the first to screen for all an extensive range of other minerals – such as tin, limestone and brine – and causes of natural and man made ground instability, and is available for £19 plus VAT.

Homecheck Professional Flood Report uses the latest data from the Environment Agency, the national experts in flooding and flood management. Where a flood risk is identified, it maps the information clearly so that users can see exactly how their property is situated in relation to flood zones and defences. It is available at just £12 plus VAT.

DON'T FORGET! You can also order your Con29M compliant Coal Search at the same time as your environmental and planning reports, saving you time with one address search on one website. The report is available for £19 plus VAT.

**Landmark would like to wish you a
Merry Christmas and a prosperous New Year**

