FoundationHouse
St.Johns Road
Meadowfield
Industrial Estate
Durham
DH7 8TZ

Our Ref: D9899

Gary Craig
10 Fulmar Walk,
Whitburn,
Tyne and Wear,
SR6 7BW
gcarchservices@tiscali.co.uk

Date; 16th December 2019

Dear Gary

Mining Risk Assessment – 13 Belgrave Gardens, South Shields

Further to your recent request, a mining risk assessment has been undertaken for land at 13 Belgrave Gardens, South Shields for the proposed residential development. The approximate centre of the site is located at National Grid Reference 437849, 564505.

The following sources of information have been examined in the production of this assessment:

- British Geological Survey (BGS) 1: 50,000 scale sheet No 21 Sunderland
- British Geological Survey (BGS) 1: 10,000 scale sheet NZ 36 SE
- Coal Mining Report from David Bellis Associates (based on data obtained from the Coal Authority)

Geology

Drift deposits comprise glacial clay.

The solid geology underlying the site comprises the Raisby Formation of the Permian Lower Magnesian Limestone further underlain by Coal Measures strata of the Upper Carboniferous Period.

The Usworth seam is shown to outcrop to the east of the site and dip to the west beneath the site. The nearby BGS borehole logs all record shallow trial pits to depths of around 3.0m bgl. The logs record stiff clays underlain by Limestone rockhead at depths of around 3m bgl.

Mining

The mining report indicates that the site is underlain by known workings in five seams, the Yard seam is recorded as the shallowest worked seam at a depth of 269m bgl with a thickness of 1.2m. At this depth and thickness, workings in this seam are not considered to pose a significant risk to the development.

Based on the geological plans of the area the Usworth seam is considered to be the shallowest known seam below the site.

Using the recorded depth of the Maudlin seam and the geological vertical section on the 1:10,000 plan the Usworth seam is estimated to lie at depths in excess of 40m bgl.

The possibility of unrecorded workings in this seam cannot be ruled out however, in view of the depth to the Coal Measures strata these are not considered to pose a significant risk to the proposed development.

There are no recorded mine entries within 20m of the site.

Risk Assessment

The risk assessment is based on the potential for shallow mine workings to affect the proposed development based on the desk study information available. The risk for the site may be summarised as following:

Based on the geological plan and mining report it is considered that any shallow unrecorded mineworkings present would lie at significant depths and not pose a risk to the proposed development.

Mine Gas

Given the depth of drift and possible mine workings, the potential for hazardous gas to be produced is not considered to pose a significant risk to the development.

Action

No further action is considered necessary for the proposed residential dwelling in relation to shallow mineworkings.

We trust that the enclosed are sufficient for your present needs, however, please do not hesitate to get in touch should you require any further information.

Yours sincerely,



Katie Dresser

On behalf of Dunelm Geotechnical and Environmental Ltd

David Bellis Consulting Surveyors
Ltd
8, Mornington Terrace
Harrogate
North Yorkshire
HG1 5DH

(DX 720352 Harrogate)

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searchcode

COAL SEARCH PLUS +
Protecting your investment
By
David Bellis
CONSULTING SURVEYORS

Regulated Coal Mining Search Report

Incorporating Cheshire Brine Screening

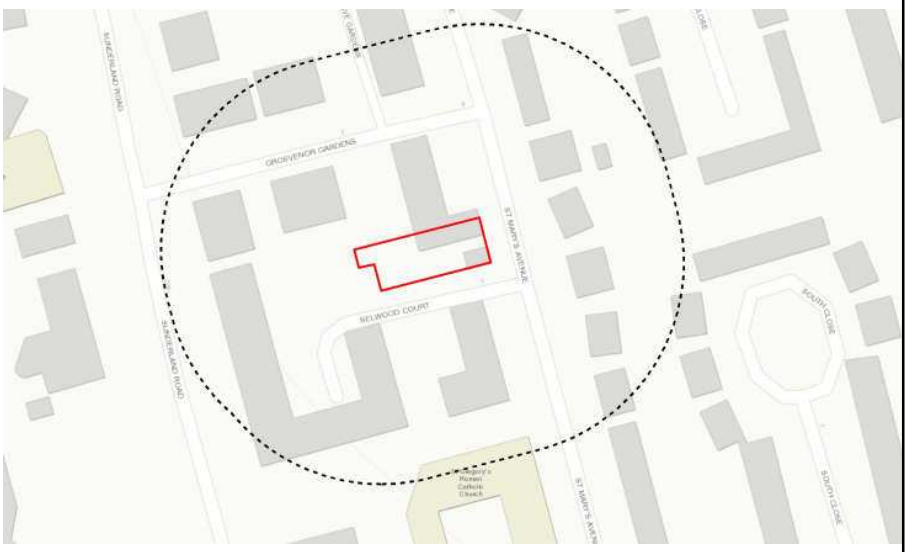
The Property Ombudsman
Consumer Redress

COPSO
ASSOCIATE MEMBER

SITE LOCATION AND COAL MINING FEATURE PLAN

ADDRESS: 13 Belgrave Gardens, South Shields, NE34 6AW

SEARCH NUMBER: 418324



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KEY

Property Boundary

50m property boundary buffer

Coal mining subsidence claims within 50m (section 7)

Mine entries within 20m (section 5)

Adits

Shafts

Symbols are indicative only and are not drawn to scale. Do not scale from this plan.

World Topographic Map - Sources: Esri, HERE, Garmin, Intermap, Increment P Corp, GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

This plan shows the location of the subject property and where relevant the location of mine entries and subsidence claims referred to in the attached CoalSearchPlus+ regulated coal mining search report. The plan must be viewed in conjunction with the detailed findings in the attached report. A coal mining risk rating, including recommended further action where appropriate, is given at the conclusion of the report. (section 8)

This plan shows reportable features relevant to the property only. Additional relevant coal mining aspects are reported upon within the report. The report and content of this plan are specific to the property under consideration. The report contents should not be used in relation to other property in the area.

Mine entries are reported if they are located within the property boundary or within 20m of it. (see report section 5 for detail)

Coal mining subsidence claims, made since 31 st October 1994 and recorded by The Coal Authority, are reported for the subject property or property located within 50m of its boundary. Records of claims prior to this date are not normally retained by The Coal Authority and will not be reported. (see report section 7 for details)

Property owners have the benefit of the protection of the Coal Mining Subsidence Act 1991* in the event of the occurrence of damage from disused coal mine workings including from disused coal mine entries.

The Coal Authority, regardless of responsibility and in conjunction with other public bodies, provide an emergency call out facility in coalfield areas to assess the public safety implications of mining features (including disused shafts and adits). The emergency telephone number at all times is (01623) 646333. If you have any questions or queries regarding the content of this coal mining report please contact David Bellis Consulting Surveyors Ltd.

* Note The Coal Mining Subsidence Act 1991 does not apply where coal was worked or gotten by virtue of the grant of a gale in the Forest of Dean, or any other part of the Hundred of St. Briavels in the county of Gloucester

Coal Mining Search Report

Incorporating Cheshire Brine Screening

Serial Number 418324

Client detail :

Dunelm Geotechnical &
Enviromental Ltd
Foundation House
St John's Road
Meadowfield
Co Durham, DH7 8TZ

CoalSearchPlus+ by David Bellis Consulting
Surveyors Ltd
8 Mornington Terrace
Harrogate
North Yorkshire
HG1 5DH
(DX 720352 Harrogate)

Tel 01423 529911
Fax 01423 529922

Search produced by M J Peace

Property details:

13 Belgrave Gardens
South Shields
NE34 6AW

Your ref : PO 19978 D9899 KJ
Purchaser :
Vendor :

In accordance with your instructions received 11 Dec 2019 we have inspected plans and records of coal mine workings and have made enquiries with respect to Cheshire brine extraction in relation to the above property and can report as follows :

1. **SEAM DETAILS FOR PAST UNDERGROUND COAL MINING :** In relation to the property the undermentioned seam(s) have been worked within the likely zone of physical influence on the surface.

Seam	Depth (m)	Sect (cm)	Date	Remarks
Yard	269	120	Pre 1960	Subjacent
Maudlin	291	180	Pre 1900	Subjacent
Brass Thill	311	130	Pre 1970	Subjacent
Hutton	320	190	Pre 1910	Subjacent
Harvey	388	112	Pre 1955	Subjacent

2. **SEAM DETAILS FOR CURRENT AND FUTURE UNDERGROUND COAL MINING :** The undermentioned seam(s) are currently being worked, or licenses to work are being determined, or have been granted to work, within the likely zone of physical influence on the surface in relation to the property.

Seam	Depth (m)	Sect (cm)	Date	Remarks
				Coal in reserve - no workings currently planned.

3. **UNDERLYING GEOLOGY :**

The property is situated in an area of Till over Dolostone and Coal Measures.

Serial Number 418324

There are no faults or abnormal features relevant to the property.

4. OPENCAST COAL MINING :

Past Opencast Workings : The property is not situated within the boundary of a former opencast coal mining site.

Present Opencast Workings : The property is not situated within 200m of the boundary of a currently operating opencast coal mining site.

Future Opencast Workings : The property is not situated within 800m of the boundary of an opencast site for which a license to extract coal by opencast methods has been granted or a license to do so is currently being determined.

5. MINE ENTRIES, MINE GAS, SURFACE HAZARDS AND ADDITIONAL INFORMATION :

The Coal Authority licensed Mine Entry dataset shows no evidence of any shafts or adits within 20 metres of the property or the boundary of the property.

There are no tips or lagoons in the vicinity of the property.

There are possible ancient shallow coal mining workings within the likely zone of influence on the surface in the vicinity of the property, for which no accurate plans or records exist.

The Coal Authority licensed Mine Gas dataset shows no record of mine gas emissions within the property or the property boundary requiring action.

The Coal Authority licensed Coal Mining Related Hazards dataset shows that the property has not been subject to remedial works by the Coal Authority, or its representatives, under the Coal Authority Emergency Surface Hazard Call Out Procedures.

6. NOTICES IN RELATION TO FUTURE COAL MINING ACTIVITY :

We have no knowledge of any intention to work coal by underground methods within influencing distance on the surface in the vicinity of the property for which section 46 notices have been issued under the Coal Mining Subsidence Act 1991.

7. PAST COAL MINING RELATED SUBSIDENCE :

A review of the records held by the Coal Authority has shown no evidence of coal mining related subsidence claims in relation to the subject property since 31st October 1994. This is the period for which records are held by the Coal Authority.

8. CONCLUSION (COAL MINING) : In the light of the above facts we conclude that in relation to coal mining :

Old workings are present but all settlement is likely to have completed long ago.
In our opinion it is unlikely that coal will be worked in the forseeable future.

Serial Number 418324

COAL MINING RISK LEVEL : We recommend that the transaction is treated as :

Where this report is to be used for development purposes particular attention is drawn to the paragraphs below concerning the ownership of in situ coal, coal workings and the risks from mine gases.

Please note that the overall coal mining risk level above is based upon an assessment of the detailed information contained in the body of the report. The risk assessment must be used in conjunction with the detailed report.

If development of the property is being considered then all necessary enquiries and investigations should be completed prior to the commencement of works to ensure that proposals follow good engineering practice for development in mining areas. The Coal Authority has ownership of in situ coal, coal mines (both current and disused) and coal mine shafts and adits. Activities that intersect, enter or disturb any of the Coal Authority's interests require the written permission of the Authority.

Any development proposals should consider risks to the development, or adjacent property, of generating or displacing underground gases where coal seams or former mining works are disturbed. The need for effective measures to prevent gasses entering public properties should be assessed and properly addressed. These actions are necessary due to the public safety implications of development in these circumstances.

CHESHIRE BRINE EXTRACTION INFORMATION :

The property lies outside the Cheshire Brine Compensation District as prescribed by the Cheshire Brine Pumping (Compensation for Subsidence) Act 1952.

With respect to coal mining there is nothing to prevent a claim being made under the provisions of the Coal Mining Subsidence Act 1991 and subsequent legislation, but it must not be inferred that the Coal Authority or their licensees will necessarily accept that any damage has been caused as a result of mining subsidence.

If you require any further information please contact CoalSearchPlus+ on 01423 529911 or via our website www.coalsearch.plus.com.

This report is prepared in accordance with the CoalSearchPlus+ terms and conditions as published on the CoalSearchPlus+ website (www.coalsearch.plus.com) on the date of issue of this report.

This is a Coal Mining Search Report and is not to be interpreted as being part of an Environmental Assessment of the property.

We cannot be held responsible for the accuracy of the information provided to us by third party organisations.

The information and/or material supplied is composed from data based in many cases on measurements and records of various standards of reliability and age. We cannot be held responsible for the accuracy of such information.

This search report is based upon the privately owned CoalSearchPlus+ mining record database, data supplied to CoalSearchPlus+ under license from the Coal Authority, and plans and records held by the Coal Authority and made publicly available at the time of inspection which may include British Geological Survey and Ordnance Survey data. Organisations reserve the right to vary their proposals and intentions as to their future mining operations without prior notice save as provided in the Coal Mining (Subsidence) Act 1991 and the Coal Industry Act 1994.

Serial Number 418324

This report contains Data provided by the Coal Authority. Any and all analysis and interpretation of the Coal Authority Data in this report is made by David Bellis Consulting Surveyors Ltd trading as CoalSearchPlus+, and is in no way supported, endorsed or authorised by the Coal Authority. The use of the data is restricted to the terms and provisions contained in this report. Data reproduced in this report may be copyright of the Coal Authority and permission should be sought from David Bellis Consulting Surveyors Ltd prior to any re-use.

Coal Authority Address : The Coal Authority, 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire, HG18 4RG
British Geological Survey Address : British Geological Survey, Kingsley Dunham Centre, Keyworth, Nottingham NG12 5GG

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The information contained in this report relates to the property address given by the individual or organisation ordering the report. Where a plan indicating the property location and boundary is supplied with the instruction the report is based on that information. Where no plan is supplied the report is based on the property location as defined in publicly available mapping data. At all times it remains the responsibility of the instructing organisation or individual to define the boundary of the property.

Additional notes applicable to Residential Coal Mining Reports only:

David Bellis Consulting Surveyors Ltd is not aware of any personal or business relationship between the person conducting or preparing the search and any person involved in the sale of the property.

This report is a desk study of existing published geological and coal mining records, the CoalSearchPlus+ coal mining data base and data supplied under license by the Coal Authority. In order to compile this report enquiries have been made in relation to the following:

Past Coal Mining – the existence of any previously worked seams of coal within influencing distance on the surface in relation to the property including an indication of the depth and age of the workings,
A statement of shallow depth generally indicates records show that coal has been mined within 30m of the surface. In some circumstances coal classified as shallow may extend up to a depth of 50m.
A statement of moderate depth indicates records show that coal has been mined at between 30m and 500m depth.
A statement of 'at depth' indicates records show that coal has been mined at depths of over 500m.

Present Coal Mining - the existence of any currently worked seams of coal within influencing distance on the surface in relation to the property including an indication of the depth and age of the workings. The existence of coal that could be worked at some time in the future will be enquired into and detail of any relevant licenses disclosed where available.

Underlying Geology - the underlying geology of the property will be reviewed and briefly described in relation to coal mining.

Opencast Coal Mining - the existence of past present and future opencast coal mining, specifically :

- if the property is situated within the boundary of a former opencast site. In the case of old opencast workings it must be understood that the records are often unclear regarding the site boundary and or worked areas. Published records and data supplied under license by the Coal Authority will be reviewed to give our opinion of the existence of relevant former opencast coal workings.
- if the property is situated within 200m of the boundary of a currently operating opencast site.
- if the property is situated within 800m of the boundary of an opencast for which either a license to extract coal by opencast methods has been granted or a license to do so is currently being determined.

Mine Entries, Mine Gas, Surface Hazards and Additional Information – the existence of any mine entries within 20m of the property or the boundary of the property and its associated land and buildings (the definition of the boundary of the property is the responsibility of the individual or organisation ordering this report). Where a mine entry is found to exist the approximate location of the mine entry will be indicated on a plan. The existence of unworked coal will be enquired into and our opinion regarding the likelihood of it being worked at some time in the past will be given where relevant.
It will be reported if mine gas emissions relating to the property are recorded by The Coal Authority.
It will be reported if The Coal Authority has carried out work in relation to the property after a report of an alleged coal mining related hazard under the Coal Authority's Emergency Hazard Call Out procedures.
Any other relevant coal mining related features discovered will be noted.

Notices in relation to future coal mining activity – the existence of notices indicating an intention to work coal by underground methods in the future.

Past coal mining related subsidence – report if The Coal Authority licensed Claim Dataset shows record of a coal mining subsidence claim having been reported on the subject property or any other property within 50m of the boundary of the subject property since 31st October 1994. Where available claim detail information will be given for claims on the subject property only.

Coal Mining Risk Level – the opinion of David Bellis Consulting Surveyors Ltd of the risk posed to the property from coal mining given all the information contained in the report. The risk to the property is given in relation to the majority of the housing stock in the immediate area.

Cheshire Brine – the location of the property in relation to the Cheshire Brine Compensation District.

Additional information, including answers to many frequently asked questions, can be found on the CoalSearchPlus+ website, www.coalsearch.plus.com

Complaints Procedure

Serial Number 418324

David Bellis Consulting Surveyors Ltd is registered with the Property Codes Compliance Board as a subscriber to the Search Code. A key commitment under the Code is that firms will handle any complaints both speedily and fairly.

If you want to make a complaint, we will:

- Acknowledge it within 5 working days of receipt.
- Normally deal with it fully and provide a final response, in writing, within 20 working days of receipt.
- Keep you informed by letter, telephone or e-mail, as you prefer, if we need more time.
- Provide a final response, in writing, at the latest within 40 working days of receipt.
- Liaise, at your request, with anyone acting formally on your behalf.

If you are not satisfied with our final response, or if we exceed the response timescales, you may refer the complaint to The Property Ombudsman scheme (TPOs):
Tel: 01722 333306, Website: www.tpos.co.uk, E-mail: admin@tpos.co.uk

We will co-operate fully with the Ombudsman during an investigation and comply with his final decision.

Complaints should be sent to:

Mr M. Peace, Director, David Bellis Consulting Surveyors Ltd, 8 Mornington Terrace, Harrogate, North Yorkshire, HG1 5DH
Tel : 01423 529911 Fax : 01423 529922 Email : contact@coalsearch.plus.com

Date : 12 Dec 2019 Signed : [redacted]

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Serial Number 418324

Important Consumer Protection Information

This search has been produced by David Beliis Consutling Surveyors Ltd, 8 Mornington Terrace, Harrogate, HG1 5DH (T: 01423 529911, F: 01423 529922, E: contact@coalsearch.plus.com) which is registered with the Property Codes Compliance Board (PCCB) as a subscriber to the Search Code. The PCCB independently monitors how registered firms maintain compliance with the Code.

The Search Code:

- provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders who rely on the information included in property search reports undertaken by subscribers on residential and commercial property within the United Kingdom
- sets out minimum standards which firms compiling and selling search reports have to meet
- promotes the best practice and quality standards within the industry for the benefit of consumers and property professionals
- enables consumers and property professionals to have confidence in firms which subscribe to the code, their products and services.

By giving you this information, the search firm is confirming that they keep to the principles of the Code. This provides important protection for you.

The Code's core principles

Firms which subscribe to the Search Code will:

- Display the Code logo prominently on their search reports.
- Act with integrity and carry out work with due skill, care and diligence.
- At all times maintain adequate and appropriate insurance to protect consumers.
- Conduct business in an honest, fair and professional manner.
- Handle complaints speedily and fairly.
- Ensure that all search services comply with industry registration rules and standards and relevant laws.
- Monitor their compliance with the Code.

Complaints

If you have a query or complaint about your search, you should raise it directly with the search firm, and if appropriate ask for any complaint to be considered under their formal internal complaints procedure. If you remain dissatisfied with the firm's final response, after your complaint has been formally considered, or if the firm has exceeded the response timescales, you may refer your complaint for consideration under The Property Ombudsman scheme (TPOs). The Ombudsman can award up to £5,000 to you if the Ombudsman finds that you have suffered actual financial loss and/or aggravation, distress or inconvenience as a result of your search provider failing to keep to the Code.

Please note that all queries or complaints regarding your search should be directed to your search provider in the first instance, not to TPOs or to the PCCB.

TPOs Contact Details:

The Property Ombudsman scheme
Milford House
43-55 Milford Street
Salisbury
Wiltshire SP1 2BP
Tel: 01722 333306
Fax: 01722 332296
Website: www.tpos.co.uk
Email: admin@tpos.co.uk

You can get more information about the PCCB from www.propertycodes.org.uk.

PLEASE ASK YOUR SEARCH PROVIDER IF YOU WOULD LIKE A COPY OF THE SEARCH CODE

Serial Number 418324

David Bellis Consulting Surveyors Ltd and CoalSearchPlus+ Terms and Conditions (Available in large print by request)

1. Definitions.
   a) The Service Provider is David Bellis Consulting Surveyors Ltd, trading as CoalSearchPlus+.
   b) The Applicant is the Individual, Organisation, or appointed officer of said Organisation placing a Request with the Service Provider.
   c) The Third Party Provider is any Organisation from which the Service Provider obtains data and/or information on behalf of the Applicant in the normal course of fulfilling the Applicants Request.
   d) The request is a formal Request by the Applicant with CoalSearchPlus+ to retrieve specific data and/or information.
2. CoalSearchPlus+ accept Requests only on the basis that the Applicant is acting as a principal and is directly liable for payment of our invoice or account.
3. It is the policy of CoalSearchPlus+ to observe confidentiality with regard to the identity and affairs of our customers to the extent permitted by law, but, in common with other service providers, we may be required exceptionally to disclose information to governmental and other public authorities.
4. The placing of a Request by the Applicant with CoalSearchPlus+ confirms acceptance of these terms and conditions.
5. Any Order Form produced by CoalSearchPlus+, either printed or published on the CoalSearchPlus+ website, is an invitation to treat. The Applicant makes an offer to buy from CoalSearchPlus+ by the submission of a Request, subject to clause 10. Acceptable modes of transmission for a Request are facsimilie (fax), telephone, electronic mail(e-mail), online transmission via the CoalSearchPlus+ website only, Document Exchange (DX), Royal Mail or courier appointed by the Applicant.
6. Orders will be accepted on order forms other than CoalSearchPlus+ forms however these will be accepted under the standard CoalSearchPlus+ terms and conditions only, subject to Clause 10.
7. CoalSearchPlus+ reserves the right to refuse any Request.
8. CoalSearchPlus+ reserves the right to cancel any Request at any time.
9. Proof of transmission of a Request by the Applicant does not constitute proof of receipt by CoalSearchPlus+.
10. It is the responsibility of the Applicant to ensure the accuracy, legibility, clarity and completeness of all data and/or information provided to CoalSearchPlus+ as part of the Request, including but not limited to, names, numbers, addresses, location plans, and boundary plans. This applies whether the Request is submitted on CoalSearchPlus+ order forms either printed or published on the CoalSearchPlus+ website or on the Applicants own order form.
11. CoalSearchPlus+ may request additional relevant data and/or information from the Applicant in the course of fulfilling a Request, including, but not limited to, names, numbers, addresses, location plans, and boundary plans.
12. CoalSearchPlus+ may request clarification of data and/or information supplied by the Applicant.
13. If, subsequent to Clause 11. and/or Clause 12., requested data and/or information is not provided and/or clarified, CoalSearchPlus+ cannot be held responsible for any resultant loss or delay.
14. If, subsequent to Clause 11. and/or Clause 12., requested data and/or information is not provided and/or clarified within a reasonable period of time, CoalSearchPlus+ reserves the right to cancel the Request in whole or in part. The Applicant remains liable for all fees, Taxes and Disbursements accrued prior to the cancellation.
15. CoalSearchPlus+ reserves the right to subcontract data and/or information retrieval to selected Organisations and/or Individuals. CoalSearchPlus+ is not required to reveal the identity of its Subcontractors.
16. CoalSearchPlus+ will, in the process of fulfilling the request, retrieve data and/or information from publicly and/or commercially available sources and the CoalSearchPlus+ mining database. The sources of data used will primarily be data held by The Coal Authority under an agreement with the Health and Safety Executive, data owned by the British Geological Survey and the CoalSearchPlus+ database.
17. A CoalSearchPlus+ mining report is a report of the interpretation of the data sources in 16. made by CoalSearchPlus+ staff.
18. CoalSearchPlus+ coal mining search reports are based upon the plans and records available from data sources detailed in 16. at the time the report was produced. It should be understood that third party organisations reserve the right to vary their proposals and intentions as to their future mining operations without prior notice save as provided in the Coal Mining Subsidence Act 1994. CoalSearchPlus+ cannot be held responsible for changes to the future proposals and intentions of Third Parties.
19. The information and/or material supplied in a CoalSearchPlus+ coal mining report is composed from data based, in many cases, on measurements and records of various standards of reliability and age. In some instances (usually relating to older records) it is necessary for CoalSearchPlus+ to make assumptions regarding the ‘best plot’ position of mining features. For these reasons users of CoalSearchPlus+ reports should take the position of mining features detailed in reports to be indicative only.
20. The data and/or information that a coal mining search report is based on is constantly being updated. A CoalSearchPlus+ coal mining search report is based on the most up to date information available at the time that the report is produced however it cannot be guaranteed that the information and/or data will not become obsolete at some time in the future. Responsibility for the supply of accurate and up to date information to CoalSearchPlus+ lies with the data supplying organisations listed in 16.
21. A CoalSearchPlus+ coal mining search report relates only to coal mining and minerals worked in relation to coal mining. Other reports may be required in relation to other minerals.
22. A CoalSearchPlus+ coal mining search report is not a substitute for site investigation or a mining survey. Depending on the content of a coal mining search report, or whether development is intended, the Applicant must decide whether a site investigation or mining survey is required.
23. CoalSearchPlus+ coal mining reports comply with the Search Code.

Serial Number 418324

24. All CoalSearchPlus+ reports are covered by professional indemnity insurance. The content of CoalSearchPlus+ coal mining search reports does not prevent any future claim being made by the Applicant against the Coal Authority in respect of coal mining related subsidence.
25. Any liability in the instance of negligence by CoalSearchPlus+ or its employees in the interpretation of coal mining data and/or the production and provision of coal mining reports will be limited to the extent of the CoalSearchPlus+ Professional Indemnity Insurance or the value of the loss caused by the negligence, whichever is the lower.
26. All CoalSearchPlus+ coal mining search reports give the information detailed in the services section of the CoalSearchPlus+ website and summarised in the report. Further explanation of this information is available in the Glossary and/or the Frequently Asked Questions areas of the CoalSearchPlus+ website. Alternatively contact CoalSearchPlus+ who will be happy to explain the content of a report.
27. The Request is fulfilled when all reports, data and/or information requested by the Applicant have been retrieved and/or compiled by CoalSearchPlus+ and delivered by electronic mail (e-mail) or fax or post or document exchange (DX) or a combination of these methods as required by the Applicant. Alternative delivery arrangements are at the discretion of CoalSearchPlus+.
28. If Requests for multiple reports, data and/or information relating to multiple addresses were made on a single order form these will be fulfilled individually by the delivery of the reports, data and/or information relating to each individual address being treated as an individual Request.
29. CoalSearchPlus+ is not responsible for any loss or misdelivery of retrieved data and/or information caused by failure of Document Exchange (DX), Royal Mail or internet service provider. Most retrieved data and/or information is archived by CoalSearchPlus+ and a copy may be requested by the Applicant. If the data and/or information could not be archived CoalSearchPlus+ reserves the right to treat the request as a new Request.
30. Delivery, by whatever agreed means, will be accompanied by an invoice. Delivery by electronic mail may be followed up with a paper invoice by post or DX. Where Applicants have agreed account facilities with CoalSearchPlus+ invoicing may be on a monthly basis. In all cases the Applicant agrees to provide CoalSearchPlus+ with remuneration for the full amount shown on the invoice, including all Fees, Taxes and Disbursements.
31. The Applicant will be liable for payment of the full invoice amount within 14 days from the date of receipt of the invoice. CoalSearchPlus+ reserve the right to charge for costs and expenses incurred in recovering late payments and to charge interest at the rate of 8% above the Bank of England base rate per annum for the full period that the payments are overdue.
32. Where full payment of the invoice is not made by the Applicant within 14 days from receipt of the invoice CoalsSearchPlus+ reserve the right to withdraw account facilities from the Applicant and cancel any individual agreements concerning fees or other Terms and Conditions that may have been made between the Applicant and CoalSearchPlus+.
33. Where possible the Applicant will receive Advance Notice of the cost of the Request, including all Fees, Taxes and Disbursements, prior to receipt of the invoice. This advance notice will take the form of the price for the service requested as published on the CoalSearchPlus+ website, or the price as individually agreed between CoalSearchPlus+ and the Applicant.
34. Additional Fees, Taxes and Disbursements may arise during the course of data and/or information retrieval, over and above Advance Notice costs as in clause 33. The Applicant is liable for any such additional costs. Where possible, the Applicant is notified of additional costs prior to fulfilment of the Request.
35. If the Applicant shall pay in advance of receipt of the invoice, then the Applicant remains liable for any underpayment.
36. Any overpayment on the part of the Applicant will be refunded. Arrangements for refunds are agreed on a case-by-case basis, through discussion between CoalSearchPlus+ and the Applicant.
37. The Applicant may cancel the Request in whole or in part at any time prior to Clause 27.
38. If the Applicant cancels the Request in whole or in part prior to Clause 27, the Applicant remains liable for all Fees, Taxes and Disbursements already accrued prior to the Cancellation.
39. CoalSearchPlus+ accept no liability for any loss incurred by the Applicant or the Applicants client where the Applicant is acting as an agent for a client, due to late fulfilment and delivery of the Request.
40. CoalSearchPlus+ accept no liability for any loss to the Applicant, or the Applicant's client where the Applicant is acting as an agent for a client, due to any negative outcome of a report provided in the process of the correct and accurate fulfilment of the Request.
41. Any disputes relating to the provision of coal mining search reports should be addressed to the Practice Principal, CoalSearchPlus+ in the first instance. Disputes will be settled according to the CoalSearchPlus+ complaints procedure detailed in each report.
42. Independent Dispute Resolution - If you make a complaint and we are unable to resolve it to your satisfaction you may refer the complaint to The Property Ombudsman scheme (website: www.tpos.co.uk email:admin@tpos.co.uk Tel: 01722 333306). We will cooperate fully with the Ombudsman during an investigation and comply with his final decision.
43. Third Party and subcontractor Terms and Conditions shall apply in addition to these clauses. Should any conflict arise between CoalSearchPlus+ Terms and Conditions and Third Party or Subcontractor Terms and Conditions, then CoalSearchPlus+ Terms and Conditions prevail unless and until CoalSearchPlus+ expressly states otherwise in writing and/or courts of England and Wales establish otherwise.
44. No variation to these Terms and Conditions is effective unless and until CoalSearchPlus+ expressly agrees in writing.
45. CoalsearchPlus+ reserves the right to alter these terms and conditions as appropriate, without notice, at any time. Such amended Terms and Conditions will become effective upon publication on the CoalSearchPlus+ website.
46. These Terms and conditions are subject to English Law and the exclusive jurisdiction of the courts of England and Wales.