

INTERNAL BRIEFING PAPER

Contaminated Land Strategy Update



For: Regulatory & Licensing Committee
Date: 2nd December 2010

KEY FACTS

Status:

- To report to Committee the Contaminated Land Strategy's progress to date and planned future progress.

Purpose:

- To meet our requirement to inspect land within the district for the purpose of identifying contaminated land, to determine whether any particular site is contaminated and act as the enforcing authority for all contaminated land which is not a "Special Site".

BACKGROUND

This statutory role came about through Section 57 of the Environment Act 1995, which inserted a new Part 2A on Contaminated Land into the Environmental Protection Act 1990. In line with the Act the Council's Contaminated Land Strategy was published in 2001.

Contaminated land is a substantial legacy from our past industrial, mining and waste disposal activities and the statutory role of the Council falls into three areas, these are to-

- Inspect the district to identify contaminated land
- Determine whether any particular site is contaminated
- Act as the enforcing authority for all contaminated land which is not a "special site".

The initial "desk top" inspection concluded that 55 of the 1632 potentially contaminated sites require a detailed intrusive inspection. The 55 sites vary in size and historic use.

Sites are investigated on a tiered risk basis. Initial intrusive investigations include excavating sample pits and drilling boreholes. A range of samples are taken on the day of excavation. Gas monitoring of boreholes requires ongoing repeat visits. Analytical results are entered into the contaminated land exposure assessment model to determine if there is a significant risk of human health.

Where evidence of contamination is found, government grants will be applied for to assist with detailed investigations.

The number of sites we investigate per year is limited owing to budgetary constraints; we aim to inspect up to 3 sites annually with a current annual budget of £6K.

OUTCOME OF INVESTIGATION

During the last year officers have undertaken:

- Completed two detailed site investigations (Hill Street, Chasetown & Fair Lady Drive, Burntwood), with the aid of £50K government grants. There are 91 residential properties on the two sites. Both of these sites were formerly used as landfill sites. Upon conclusion of our investigation both of the sites have been determined to be 'suitable for current use'.
- Recently completed the intrusive site works for a further detailed site investigation (Mineral Railway, Chase Terrace) funded by a £24K government grant - laboratory results are awaited.
- In the Environment Agency's last grant application window we have been awarded three further grants totalling £25K to undertake three detailed investigations. Works are planned to be completed by March 2011.
- Three other sites have been confirmed 'suitable for use' without the need of detailed site investigations (Lichfield Rd, Handsacre; Church St Chasetown; and, Giles RD, Lichfield).
- A number of initial site investigations are commencing now to spend this years budget. Should any sites consequently require detailed site investigations then Environment Agency grants will be applied for in 2011/12.

RISK

Contaminated Land and its affects on human health are key aspects of the quality of life and confidence in the environment in which we live.

The Contaminated Land regime and associated local strategies is a key part of Government environmental policy. The strategy also forms a fundamental part of the local and national sustainability process.

The statutory process of regulation and enforcement contribute to the well-being and safety of our residents and towards protecting and providing a high quality and sustainable environment for this and future generations.

The government's national budget for Local Authority contaminated land grants has recently been cut. Up until the financial year 2009/2010 the annual amount available for grants was approximately £17 million.

For financial year 2010/11 the grants available have been reduced to approximately £9.5 million. An announcement is still awaited regarding the 2011/12 budget.

Our existing budget is insufficient to fund detailed site investigations.

ISSUES

On the 55 sites we have to investigate there are numerous houses. As these houses are being put up for sale perspective purchasers Solicitors and / or mortgage companies are questioning the previous land use and this is blighting people's properties. We currently have two sites under going investigation where house sales have fallen through due to the uncertainty of not being able to prove the site their house is situated on is suitable for use until the sampling has taken place.

FUTURE ACTIONS

To undertake three further detailed inspections to spend the grant that was awarded.

Apply for government grants as and when appropriate.

Continue to investigate up to three sites annually with the existing budget.