
CONTAMINATED LAND – UPDATE (Min 122/01)

1 SUMMARY

- 1.1 To update Members regarding the implementation of the Council's statutory contaminated land strategy and the joint initiative of the Essex Environmental Protection Study Group (EEPSG) and Essex County Council (ECC) (joint initiative).

2 INTRODUCTION

Contaminated Land Strategy

- 2.1 The Rochford District Council's Statutory Contaminated Land Strategy was formally adopted at the Transportation & Environmental Services Committee in March 2001
- 2.2 The strategy document includes a proposed timetable for the implementation of what is now becoming widely known as the Part IIA regime, in reference to the relevant amendment to the Environmental Protection Act 1990. The timetable identifies a requirement for the *'inspection of the district, identification of potentially contaminated sites and prioritisation for further investigation'* to be undertaken during the year 2001/02.

Joint EEPSG and ECC Initiative

- 2.3 This joint initiative involves a best value approach to the compilation of a countywide database of sites of previously potential contaminative use, together with associated data sets including the identification of potential receptors. The joint initiative was supported by the Transportation & Environmental Services Committee in June 2000 (Minute 191/00)
- 2.4 A total of three hundred and twelve sites of previously potential contaminative use have so far been identified within the District. Further sites will undoubtedly be identified. Whether any of these sites will prove to be significant under the Part IIA regime will be the subject of extensive further investigation.

3 THE PRESENT POSITION

- 3.1 To ensure the successful implementation of the strategy, which is a corporate responsibility, an internal officer working group has been convened. The initial meeting of this working group highlighted

individual divisional responsibilities and the need for close corporate team working.

- 3.2 A Contaminated Land Research Assistant has been employed on a one year fixed term contract to assist in the site identification exercise, to undertake initial site visits and to develop recording procedures. The projected numbers involved will, however, mean that this task will not be completed before her present contract expires.
- 3.3 The use of Geographical Information Systems (GIS) is central to the work being undertaken by the joint initiative and the formulation of the Council's own internal database. The information, once disseminated to Districts, will be held centrally on the GIS and will be available to all officers who need the information.

4 ENVIRONMENTAL IMPLICATIONS

- 4.1 The remediation of contaminated land and, where appropriate, its utilisation for development will improve the natural environment of the District and reduce pressure on land within the green belt.

5 RESOURCE IMPLICATIONS

- 5.1 It is difficult to predict the full financial implications to the Council from the implementation of the contaminated land regime. Much will be dependent on the numbers of identified relevant sites and whether intrusive investigations or formal action by the Council is found to be necessary.
- 5.2 From the work so far carried out, it is clear that identifying and prioritising sites will take more than a year and there may be a need for specialist consultant and legal advice. Therefore a bid is being made for funding as part of the budget process for 2002/03.
- 5.3 The joint initiative has realised significant financial savings for Rochford and should continue to receive Members' support.

6 LEGAL IMPLICATIONS

- 6.1 The contaminated land regime is a statutory function of the local authority.
- 6.2 The implementation of the contaminated land regime could have significant legal implications for the Council both in the complex legal administration of the regime, including the declaration of land as being contaminated, service of notices, remediation statements, notifications to relevant persons, apportioning liability, appeals etc and with regard to the Councils' own current and previous land holdings.

7 RECOMMENDATION

It is proposed that the Committee **RESOLVES:-**

To include £30,000 in support of the contaminated land regime within the draft revenue estimates for 2002/03.

G P WOOLHOUSE

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Background Papers: None

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