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## **CONTAMINATED LAND - UPDATE**

### **1 SUMMARY**

- 1.1 This report updates Members on the implementation of the Council's statutory contaminated land strategy.

### **2 INTRODUCTION**

- 2.1 The Council's Statutory Contaminated Land Strategy was formally adopted by the former Transportation & Environmental Services Committee in March 2001 (Minute 122/01).
- 2.2 The strategy document identifies a requirement for the inspection of the district, identification of potentially contaminated sites, and prioritisation for further investigation to be undertaken during 2001 - 2002. The bulk of this task has now been completed, although the situation continues to evolve as additional sites are identified from time to time.
- 2.3 Further detailed assessment and inspection of the identified sites will then take place within the period 2002 – 2005. The highest risk sites (priority category 1) will be investigated first followed by the lower risk sites (Priority Categories 2-4).
- 2.4 The objectives of a joint project between the Essex Environmental Protection Study Group and Essex County Council have been successfully concluded. The Transportation and Environmental Services Committee confirmed its support for the joint initiative in June 2000 (Minute 191/00). It involved a best value approach to the compilation of a countywide database of sites of previously potentially contaminative use, together with associated data sets including the identification of potential receptors. Discussions between the two groups are however continuing and advantage will be taken of any mutually beneficial opportunities as they arise.

### **3 THE PRESENT POSITION**

- 3.1 A total of 340 sites of previously potentially contaminative use have so far been identified within the district as requiring further investigation.
- 3.2 Prioritisation of these sites has been carried out and approximately 50 categorised under this preliminary assessment as Priority Category 1 sites. More detailed assessment of these sites will take place in a phased approach. Phase 1 consists of a detailed desktop assessment and site inspection and if this indicates that further investigations are required, a more comprehensive, Phase 2, investigation will be carried

out. This is likely to require specialist consultants and intrusive investigations of the site.

- 3.3 The initial, Phase 1, investigation of Priority Category 1 sites has commenced. Present estimates are that these Phase 1 investigations will be completed at a rate of approximately one a month, although at this early stage it is difficult to be precise. However, there is clearly a number of years work to be undertaken.
- 3.4 A Contaminated Land Research Assistant has been employed on a one-year fixed term contract to assist in the implementation of the contaminated land strategy. The identified number of sites will, however, mean that this task will not be completed before her present contract expires and to ensure that this important work can continue, budget provision will be needed for the foreseeable future. It is suggested that funding be made within core budget.
- 3.5 Subsequent to Phase 1 investigation, those sites for which the local authority itself may be the “appropriate person” under the legislation will be referred to the Corporate Property Officer for action.
- 3.6 Sites which are identified as requiring a further, detailed, Phase 2 investigation, may have to be reported to Members for their consideration in respect of the potential financial implications for matters such as intrusive site investigations. A report will be presented to Members in any case where it is proposed that the local authority should itself undertake the remediation of a site

#### **4 RESOURCE IMPLICATIONS**

- 4.1 It is still difficult to predict the full financial implications to the Council from the implementation of the contaminated land regime. The number of sites so far identified clearly indicates that, within present resources, the task will be a lengthy one. Much also depends on whether any formal action and/or site remediation is found to be necessary, which in itself may present additional costs for specialist consultant and legal advice. There is £30,000 included in the current budget, which provides for the employment of the Research Assistant, together with payment of research and information costs. Provision will be made in the core draft estimates for 2003/04 for these.

#### **7 LEGAL IMPLICATIONS**

- 7.1 The contaminated land regime is a statutory function of the local authority.

**8 PARISH IMPLICATIONS**

- 8.1 Parishes have been of assistance in the identification of sites within the consultative process.

**9 RECOMMENDATION**

It is proposed that the Committee **RESOLVES**

To note the progress of implementation of the Contaminated Land Strategy and the funding proposals.

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**Background Papers:**

Rochford District Council Statutory Contaminated Land Strategy, June 2001

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