

Approval of South Somerset District Council's Contaminated Land Inspection Strategy 2016-2021

Executive Portfolio Holder: Carol Goodall, Environmental Health, Health & Safety
Strategic Director: Vega Sturgess, Operations and Customer Focus
Lead Manager Alasdair Bell, Environmental Health Manager
Lead Officer: Sally Webster, Environmental Health Officer
Contact Details: Sally.webster@southsomerset.gov.uk or (01935) 462528

Purpose of the Report

To consider, approve and adopt as fit for purpose South Somerset District Council's Contaminated Land Inspection Strategy 2016-21 shown in Appendix 1.

Forward Plan

This report appeared on the Executive Forward Plan with an anticipated presentation date of August 2016.

Public Interest

The Contaminated Land Inspection Strategy 2016-21 in Appendix 1 explains how the council deals and will deal with contaminated land within the district. This is to demonstrate to the public and others concerned that the council addresses all contaminated land issues in a considered and responsible manner.

Recommendation

That the District Executive consider, approve as fit for purpose and agree to adopt as council policy the South Somerset District Council's Contaminated Land Inspection Strategy 2016-2021, as attached at Appendix 1.

Report

South Somerset District Council's Contaminated Land Inspection Strategy 2016-21 updates and replaces the previously existing strategy that was first published in 2001 and revised in 2005. It describes South Somerset District Council's progress to date in remediating contaminated land. It also reaffirms South Somerset District Council's commitment to the fulfilment of its statutory duties going forward, taking into account recent changes in statutory guidance, national policy and council policy as well as in scientific developments that lie behind the risk assessment of potentially contaminated land.

The requirement to produce a strategy was introduced by regulations which came into force in 2000 (the Environmental Protection Act 1990: Part IIA, hereafter referred to as Part 2A). The part 2A regime was introduced to deal with land that posed an unacceptable level of risk. In 2012 the Secretary of State issued revised statutory guidance to local authorities on the implementation of the regime in England, and the revised strategy incorporates this guidance. The revised guidance in particular emphasises the need to balance risks from pollution against other factors such as social, economic and other health considerations.

The new strategy sets out the overall approach to dealing with contaminated land, including not only the requirements of Part 2A, but also via development control processes, environmental permitting and incident control management. It explains when land may be considered contaminated and the process of assessing risk from such sites. This is all within the context of the particular characteristics of the district of South Somerset. The four aims of the strategy are:

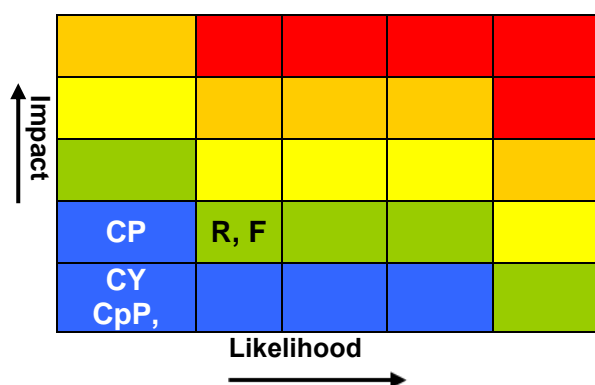
- Aim 1 – To address unacceptable risks to human health and the wider environment
- Aim 2 – To encourage regeneration and redevelopment
- Aim 3 – To fulfil the council’s responsibilities with respect to implementing environmental legislation relating to Contaminated Land
- Aim 4 – To raise awareness and promote understanding of land contamination issues

What has changed since the last report?

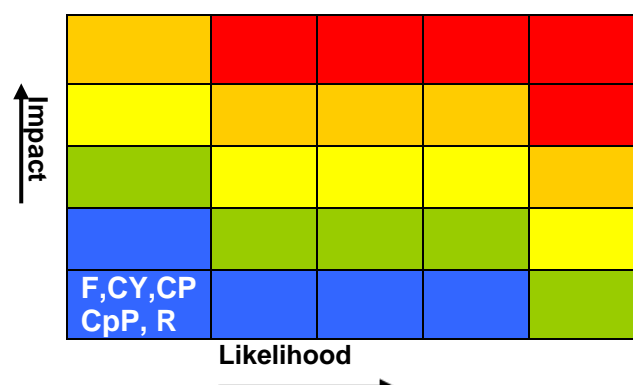
Since the last report there has been a significant reduction in the funding available for remediating contaminated land and a subtle change in Government policy towards such sites. Previously local authorities were encouraged to go out and actively look for contaminated sites and then take enforcement action to ensure they were remediated. At one time there was significant Government funding available for local authorities to bid for in order to achieve this but all such funding has now ceased. In the past SSDC received substantial grant funding for one such site but is unlikely to receive any more. In future therefore most contaminated land will only be remediated as part of the planning process unless there is a very serious situation requiring immediate action. The approach to dealing with contaminated land has therefore shifted from a proactive one to a reactive one, with emphasis being placed providing advice and information and utilising other mechanisms, mainly the planning regime to secure remediation where needed.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Financial / Other Implications

There are no direct financial implications to this report. Costs could arise if a contaminated site was found that needed to be remediated but no such action would be taken unless costs were agreed in advance by senior managers/members.

Council Plan Implications

This report seeks to meet the corporate aim of providing outward looking, accountable, and responsive services.

Carbon Emissions and Climate Change Implications

There are no direct climate change or carbon emission implications to this report.

Equality and Diversity Implications

This policy has undergone a full equality impact assessment.

Privacy Impact Assessment

There are no privacy implications to this report

Background Papers

SSDC Contaminated Land Strategy 2001(revised 2005).
