

REVIEW OF THE COUNCIL'S CONTAMINATED LAND STRATEGY

EXECUTIVE MEMBER: Cllr Allan Holliday
LEAD OFFICER: Keith Parker – Head of Leisure & Environmental Services
REPORT AUTHOR: Stephen Mullen – Scientific Officer

Summary: This report advises of the review of the Council's Contaminated Land Strategy. The revised strategy is found in Appendix A

Recommendation:	That the Executive adopts this first revision of the Contaminated Land Strategy
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Impact on delivering the Corporate Plan: N/A

Impact on other statutory objectives (e.g. crime & disorder, LA21): Encouraging brownfield redevelopment.

Financial and human resource implications: N/A

Project & Risk Management: N/A

Key Decision Status

- **Financial:** N/A
 - **Ward:** N/A

Other Ward Implications: None

1. INTRODUCTION

- 1.1 Part IIA of the Environment Protection Act 1990 (EPA 1990), supported by the Contaminated Land Regulations (England) Regulations 2000 (SI 2000 No. 227), came into force on 1 April 2000. The purpose of this legislation was to provide a new framework for the identification and remediation of land contaminated in circumstances where there has not been any identifiable breach of a pollution prevention regime.
- 1.2 Part IIA of EPA1990 places the primary regulatory role with local authorities, which reflects their function under the statutory nuisance regime and complements their function as planning authorities.
- 1.3 The specific tasks allocated to Copeland BC as principal regulator under the Contaminated Land Regulations Part IIA of EPA1990 can be broadly summarised as:

- Prepare and publish an inspection strategy
- Inspect its area to identify and determine contaminated sites
- Consult the Environment Agency (EA) on pollution of controlled waters
- Transfer responsibility for “Special Sites” to the EA
- Provide Information to the EA for inclusion in the State of Contaminated Land Report
- Ensure remediation of land identified as contaminated
- Maintain remediation register

2. ARGUMENT

- 2.1 July 2001 saw the publication of this Council’s first Contaminated Land Strategy which details actions the Council intended to take to fulfil its statutory duties in relation to Contaminated Land.
- 2.2 The first Strategy set a review date of January 2006. The review of the Strategy has now taken place.
- 2.3 The review process involved consultation with the Environment Agency and relevant Officers within the Council and all comments were carefully considered and, where deemed appropriate, were included in the revised Strategy.

3. OPTIONS TO BE CONSIDERED

- 3.1 This first review of the Contaminated Land strategy details the progress to date in implementing the Strategy, highlights subsequent and emerging legislation, revises priorities and outlines a future ‘*risk based*’ programme of works for the future implementation of the Strategy.
- 3.2 This Revised Strategy is, as intended by the law, specific to the context and circumstances of Copeland.
- 3.3 The main changes in the Strategy include:
 - Section 3 – Changes to the framework dealing with Contaminated Land
 - Section 4 – Contaminated Land information in Copeland
 - Section 5 – Measurement of Progress
 - Section 6 – Reviewed Strategy Outcomes
 - Section 7 – Outline of the Council’s Contaminated Land Work

4 CONCLUSIONS

- 4.1 It is recommended that this first revision to the Contaminated Land Strategy is adopted by the Executive.

- 4.2 The Council will review this strategy again in January 2010, following which a plan for continuing the administration of contaminated sites within Copeland will be implemented for a further 5 years.
- 4.3 This second review will be implemented before January 2010, if changes in legislation demand that this is necessary.

List of Appendices

Appendix A – ENVIRONMENTAL PROTECTION ACT 1990 Part IIA, Contaminated Land Strategy, Revision 1, April 2006

List of Background Documents: none

List of Consultees:

Councillor Allan Holiday – Environment & Cultural Services
Portfolio Holder
Keith Parker – Head of Leisure & Environmental Services
Vic Emmerson – Environmental Health manager
Chris Lloyd – Business Development Manager
Tony Pomfret – Development Services Manager
Catherine Ponting – Policy & Performance Officer
Mark Key – Building Control Officer
Clinton Boyce – Legal Services Manager
Ron Black – Senior Planning Technician
John Hughes - Principal Strategic Planning and
Development Officer