

Contaminated Land Inspection Strategy

Relevant Portfolio Holder	Councillor Monica Stringfellow
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes
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Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	All
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Executive Committee RECOMMEND to Council that:-

The Council adopts the revised strategy (as attached at Appendix A) which should be published on the Worcestershire Regulatory Services (WRS) website.

2. BACKGROUND

- 2.1 The attached report in Appendix 1 is a revision of the Redditch Borough Council Contaminated Land Inspection Strategy which was first published in June 2001. This document can be made available on request.
- 2.2 This updated strategy reviews and replaces the 2001 document; considering the changes in the Contaminated Land Statutory Guidance 2012, national policy, council policy, and sets out the Council's strategic approach to contaminated land.
- 2.3 Sites where contamination may be present have the potential to pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to review and assess these risks through the contaminated land regime. The presence of a harmful substance alone does not mean that land will meet the definition of "contaminated land". The source of contamination must present a significant possibility of significant harm

to relevant receptors through a viable pathway of exposure. The strategy presents the methodology for how assessment of all sites of contamination concern will be conducted via strategic inspection, prioritisation, and detailed review of highest risk sites.

- 2.4 The statutory guidance states that action under contaminated land legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These include the planning and development control processes as well as voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.
- 2.5 The original strategy document required amendment to reflect the gradual reduction and withdrawal of the funding system from central Government for local authority contaminated land work. As a result, the Council will focus on addressing sites where contamination may exist predominantly through the planning and development control process. Similarly, the strategy document has been updated to set out the role of the newly formed Office for Environmental Protection, following revision to the Environment Act 2021 as a department with responsibility for holding Local Authorities and government to account in respect of environmental targets.
- 2.6 This revision details further how progress has been achieved and how we continue to work to drive standards and improve consistency in regulation across the region and further afield.
- 2.7 Historically two sites have been determined as 'Contaminated Land' by Redditch Borough Council since the first Contaminated Land Strategy was produced in 2001. One of these sites comprises 18 residential properties located on a former landfill site and the other a factory site that produced aluminium tubes that has since been demolished and redeveloped. Both have been extensively investigated and remediated or mitigated so that there is no longer a risk of serious harm to the site occupiers. A current total of approximately 750 sites have been identified as potential sites of contaminated land concern within the Redditch Borough largely relating to the historical land use. There are a total of approximately 9300 potential sites of concern identified across Worcestershire as a whole. The prioritisation process will continue as outlined in the strategy.
- 2.8 Planning policies encourage the re use of previously developed land (brownfield) subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on individual site basis or as part

of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

3. OPERATIONAL ISSUES

- 3.1 There are no operational issues associated with the revision of the strategy as the process will continue as it has previously.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no anticipated changes to financial implications however the report has been provided to the finance team for feedback.

5. LEGAL IMPLICATIONS

- 5.1 No changes to legal implications in relation to the revised strategy. The current strategy is out of date and is therefore requires revision to comply with Contaminated Land Statutory Guidance.
- 5.2 The report was provided to the legal team who confirmed it was required in order to ensure the authority discharges its statutory duty in accordance with the statutory guidance.

6. OTHER - IMPLICATIONS

Relevant Strategic Purpose

- 6.1 The strategy is considered to link to the four Council priorities as outlined within [Redditch Borough Council Review of Council Plan Priorities 2023 & 2024 \(redditchbc.gov.uk\)](https://redditchbc.gov.uk)

- Housing – promotes safe and sustainable housing growth.
- Parks and Green Spaces – often included as remediation schemes.
- Economy and Regeneration – promotes regeneration of brownfield sites following appropriate remediation.
- Community Safety – strategy aims to prevent exposure to unsuitable levels of contamination.

Climate Change Implications

- 6.2 The green thread runs through the Council plan. WRS have consulted with Matthew Eccles. The Climate Change Manager at RBC who provided some comments on the Strategy which are copied below for information:-

1. Identification of Contaminated Land:
 - Climate change can impact the distribution and severity of contamination. As weather patterns change, areas that were previously unaffected may become contaminated due to altered runoff, flooding, or other factors.
 - Inspection strategies should consider climate-related changes in contamination patterns when identifying potentially contaminated sites.
2. Remediation and Adaptation:
 - Remediation efforts for contaminated land must account for climate change effects. For example:
 - Increased Flooding: Rising sea levels and extreme weather events can lead to flooding, which may spread contaminants or hinder remediation efforts.
 - Changing Soil Conditions: Climate change affects soil properties, which can impact the effectiveness of remediation techniques.
 - Temperature and Microbial Activity: Warmer temperatures can enhance microbial activity, affecting degradation of contaminants.
 - Strategies should incorporate adaptive measures to address these challenges.
3. Costs and Liabilities:
 - The costs associated with remediating contaminated land may increase due to climate change impacts. For instance, weather events can add expenses.
 - Liability considerations should also account for climate-related risks. Responsible parties may face additional costs if contamination worsens due to climate change.
4. Co-Benefits and Opportunities:
 - Many land management actions to mitigate and adapt to climate change have co-benefits. These include improved air and water quality, enhanced biodiversity, recreational opportunities, and health benefits.
 - Integrating climate change considerations into contaminated land strategies can lead to more sustainable and resilient outcomes.

Equalities and Diversity Implications

- 6.3 The strategy aims to ensure housing, including social and affordable housing, is of an appropriate standard in respect of contaminated land issues. This is particularly important in former industrial areas where

social deprivation and more culturally diverse populations may predominate.

- 6.4 The strategy sets out how those areas of existing housing as well as redevelopment sites will be tackled. There are no negative equalities impacts.

7. RISK MANAGEMENT

- 7.1 As the existing strategy is out of date this revision brings the Strategy into line with the Statutory Guidance.

- 7.2 The report has been updated to reflect changes to the Statutory Guidance in the time since the original was issued.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Redditch Borough Council Contaminated Land Inspection Strategy.