

South Northamptonshire Council

Council

13 May 2020

Contaminated Land Strategy

Report of Executive Director: Operations

This report is public

Purpose of report

To obtain approval for South Northamptonshire Council's Contaminated Land Strategy following a review of the previous version.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the updated version of the Contaminated Land Strategy (Appendix 1).

2.0 Introduction

- 2.1 South Northamptonshire Council has a statutory duty to enforce legislation relating to Contaminated Land under Section 78(a) of the Environmental Protection Act 1990. This includes a duty to prepare and, from time to time, review a strategy for the regulation of contaminated land.
- 2.2 This function is delivered in the council by the Environment and Regulatory Service. The strategy sets out the Council's rationale for the statutory investigations required to identify any legally defined 'Contaminated Land' and to enforce remediation when required.
- 2.3 The most recent version of the strategy was written in 2011.

3.0 Report Details

- 3.1 The document contains details of the statutory contaminated land regime and explains how South Northamptonshire Council approaches its duty to inspect and investigate land in its area. This latest version brings the strategy in line with the latest statutory guidance from DEFRA. It also

considers our experience over the last decade plus the councils' corporate priorities and the resources available.

3.2 The key objectives of the strategy are to:

- meet the statutory requirements to produce a strategy and review it;
- set out a strategic approach to the identification and remediation of contaminated and potentially contaminated land;
- adopt a systematic and robust approach for dealing with sites that appear to be contaminated;
- inform stakeholders of the Council's intentions and actions;
- set out how the Council will liaise with the Environment Agency and other stakeholders;
- ensure appropriate records are kept in a Public Register;
- minimise burdens on individuals, businesses and the wider community;
- encourage the re-use of brownfield land

3.3 The strategy uses a risk-based approach:

- (a) to identify and remove unacceptable risks to human health and the environment.
- (b) to seek to ensure that contaminated land is made suitable for its current or intended use
- (c) to ensure that the burdens faced by individuals, companies and society are proportionate, manageable and compatible with the principles of sustainable development.

3.4 This will principally be achieved through the planning process by considering the risks prior to development. Alternatively, it could be achieved through the Councils response to complaints of potentially contaminated land.

3.5 Wherever possible, the Council will ensure this is achieved through voluntary remediation and / or the redevelopment or regeneration of sites. This approach aims to minimise burdens on individuals, business and the wider community while ensuring that unacceptable risks are dealt with effectively.

3.6 Though differing in content, South Northamptonshire's strategy has been written using the same ethos and template as that of the other councils within the future West Northamptonshire Unitary Council. This will enable these to be easily merged into a single strategy post unitary.

4.0 Implications

Financial and Resource Implications

4.1 There are no financial implications arising directly from this report.

Comments checked by:
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Legal Implications

- 4.2 If the Council does not develop, approve and publish a current Contaminated Land Strategy it will not be fulfilling its statutory duty under Section 78(a) of the Environmental Protection Act 1990

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5.0 Decision Information

Wards Affected

All Wards

Links to Corporate Plan and Policy Framework

Protected, Clean and Green; District of Opportunity and Growth

Lead Councillor

Councillor Dermot Bambridge, Portfolio Holder for Environmental Services

Document Information

Appendix No	Title
Appendix 1	South Northamptonshire Council Contaminated Land Strategy 2020
Background Papers	
None	
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