



## Port Health & Environmental Services Committee

**Date:** TUESDAY, 10 MARCH 2015  
**Time:** 12.00 pm  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Wendy Mead (Chairman)	Andrew McMurtrie
Deputy John Tomlinson (Deputy Chairman)	Brian Mooney
Deputy John Absalom	Hugh Morris
Deputy John Bennett	Barbara Newman
Henry Colthurst	Deputy John Owen-Ward
Karina Dostalova	Sheriff & Alderman Dr Andrew Parmley
Deputy Billy Dove	Ann Pembroke
Peter Dunphy	Henrika Priest
Kevin Everett	Deputy Gerald Pulman
Deputy Bill Fraser	Deputy Richard Regan
Alderman John Garbutt	Delis Regis
George Gillon	Jeremy Simons
Deputy Stanley Ginsburg	Deputy James Thomson
Wendy Hyde	Deputy Michael Welbank
Vivienne Littlechild	Mark Wheatley
Professor John Lumley	Philip Woodhouse

**Enquiries:** David Arnold  
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Lunch will be served in Guildhall Club at 1PM  
NB: Part of this meeting could be the subject of audio or video recording

John Barradell  
Town Clerk and Chief Executive

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES FOR ABSENCE**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**  
To agree the public minutes and non-public summary of the meeting held on 20 January 2015.  

**For Decision**  
(Pages 1 - 8)
4. **OUTSTANDING ACTIONS**  
To note the list of Outstanding Actions.  

**For Information**  
(Pages 9 - 10)
5. **PUBLIC CONVENIENCES STRATEGY UPDATE**  
Report of the Town Clerk.  

**For Decision**  
(Pages 11 - 12)
6. **REPORT OF ACTION TAKEN BETWEEN MEETINGS**  
Report of the Town Clerk.  

**For Information**  
(Pages 13 - 18)
7. **DRAFT CITY OF LONDON CONTAMINATED LAND INSPECTION STRATEGY 2015 - 2020**  
Report of the Director of Markets and Consumer Protection.  

**For Decision**  
(Pages 19 - 72)
8. **RECYCLING ACTION PLAN**  
Report of the Director of the Built Environment.  

**For Information**  
(Pages 73 - 92)
9. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
11. **EXCLUSION OF THE PUBLIC**  
MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

## Part 2 - Non-public Agenda

12. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 20 January 2015.

**For Decision**  
(Pages 93 - 96)

13. **DEBT ARREARS – PORT HEALTH AND ENVIRONMENTAL SERVICES PERIOD  
ENDING 31 DECEMBER 2014**

Joint report of the Director of the Built Environment, the Director of Markets and Consumer Protection, and the Director of Open Spaces.

**For Information**  
(Pages 97 - 104)

14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND  
WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE  
PUBLIC ARE EXCLUDED**

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## PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE

Tuesday, 20 January 2015

**Minutes of the meeting of the Port Health & Environmental Services Committee held at the Guildhall EC2 at 11.00 am**

### **Present**

#### **Members:**

Wendy Mead (Chairman)	Wendy Hyde
Deputy John Tomlinson (Deputy Chairman)	Vivienne Littlechild
Deputy John Absalom	Professor John Lumley
Deputy John Bennett (Chief Commoner)	Andrew McMurtrie
Henry Colthurst	Hugh Morris
Karina Dostalova	Ann Pembroke
Deputy Billy Dove	Delis Regis
Peter Dunphy	Jeremy Simons
Deputy Bill Fraser	Deputy Michael Welbank
Deputy Stanley Ginsburg	Mark Wheatley
Alderman John Garbutt	

#### **Officers:**

David Arnold	Town Clerk's Department
Laura Donegani	Town Clerk's Department
Jenny Pitcairn	Chamberlain's Department
Julie Smith	Chamberlain's Department
Richard Jeffrey	Comptroller & City Solicitor's Department
Paul Chadha	Comptroller & City Solicitor's Department
Doug Wilkinson	Department of the Built Environment
Steve Presland	Department of the Built Environment
Jim Graham	Department of the Built Environment
David Smith	Director of Markets and Consumer Protection
Jon Avers	Markets & Consumer Protection Department
Tony Macklin	Markets & Consumer Protection Department
Ruth Calderwood	Markets & Consumer Protection Department
Gary Burks	Superintendent, City of London Cemetery & Crematorium

#### **Also Present:**

Louise Francis	Mapping for Change, University College London
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### **1. APOLOGIES**

Apologies for absence were received from Deputy John Owen-Ward, Sheriff & Alderman Dr Andrew Parmley, Henrika Priest, and Deputy James Thomson.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were none.

3. **MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the last meeting held on 18 November 2014 be agreed.

**Matters Arising**

42<sup>nd</sup> City of London Thames Fishery Research Experiment

The Chairman reminded Members that the Thames Fishery Research Experiment would take place on Saturday 10 October 2015. She added that the date of the annual river trip would be circulated soon once finalised.

London Wide Hazardous Waste Collection and Disposal Service

The Assistant Director of Street Cleansing advised Members that the Service consisted of 31 London Boroughs.

4. **BARBICAN RESIDENTS AIR QUALITY MONITORING PROJECT PRESENTATION**

The Committee received a presentation by Louise Francis from Mapping for Change regarding air quality in the Barbican. Members were advised that the report titled 'Science in the City – Monitoring air quality in the Barbican', which was tabled at the meeting, had been produced following a consultation meeting with Barbican residents held in October 2014.

**RECEIVED.**

5. **OUTSTANDING ACTIONS**

The Committee received the list of Outstanding Actions:

Materials Recovery Facility (MRF) visit

Members were advised that they would be given a second opportunity to visit to Veolia MRF on either Friday 27 February or Monday 2 March 2015, depending on which date was more popular. The Town Clerk would contact Members to arrange in due course.

Public Conveniences

Members referred back to the Service Based Review savings programme relating to Public Conveniences agreed at the last meeting. Members noted that there was a recent campaign by residents of the Bishopsgate Ward who aimed to keep the Public Conveniences in the area open. One Member added that a local business owner had recently complained to him about public urination in the area whilst the Public Conveniences were closed.

Members suggested that savings regarding the provision of Public Conveniences should be considered again. Mark Wheatley proposed that that Town Clerk should investigate the possibility that Public Conveniences be funded through City's Cash as it was a non-statutory provision. This proposal

was seconded by Deputy Stanley Ginsburg so the Committee proceeded to a vote on the matter.

It was **RESOLVED** that the Town Clerk investigate the possibility of providing a non-statutory service of Public Conveniences through City's Cash funding.

6. **CITY OF LONDON CEMETERY AND CREMATORIUM BUSINESS PLAN 2014-17 PROGRESS REPORT (PERIOD 2)**

The Committee received a report of the Director of Open Spaces that provided an update on progress against the elements of the Open Spaces Business Plan 2014-17 relating to the City of London Cemetery and Crematorium. Members were advised that performance had been good against key indicators and good progress had been made in delivering key projects, such as The Shoot project to deliver additional burial space.

The Superintendent of the Cemetery and Crematorium advised that there had been some problems experienced with cremator maintenance due to issues with the planning of maintenance work and relationships between the main and subcontractors. Members were advised that these were resolved through a series of meetings with the contractor, Mitie, in October 2014. In response to a Member's question, the Superintendent added that the contract with Mitie was due for review in 2017.

In response to a Members' questions, the Superintendent advised that the burial and cremation rates in the seven local boroughs served by the City of London Cemetery and Crematorium had shifted toward cremation in recent years.

**RESOLVED** – That the progress report be noted.

7. **MARKETS AND CONSUMER PROTECTION DEPARTMENT BUSINESS PLAN 2014-17 PROGRESS REPORT (PERIOD 2)**

The Committee received a report of the Director of Markets and Consumer Protection that provided an update for Members on progress against the key performance indicators and objectives outlined in the 2014/15 Business Plan of the Port Health and Public Protection Division of the Department of Markets and Consumer Protection for Period 2 (August to November 2014).

**RESOLVED** – That the progress report be noted.

8. **HEATHROW ANIMAL RECEPTION CENTRE ANNUAL REVIEW OF CHARGES**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval of the increase to be applied to the Schedule of Charges in respect of services provided at the Heathrow Animal Reception Centre (HARC) for 2015/16.

**RESOLVED** – That:-

- a) The Schedule of Charges to be adopted and applied at the HARC, with effect from 1 April 2015 or as soon as it is practicable thereafter, be approved;
- b) The proposed Byelaws contained in Appendix A.1 to the report be approved; and
- c) It be recommended to the Court of Common Council that the Byelaws be made and that the Comptroller and City Solicitor be instructed to seal the Byelaws accordingly.

9. **STREET TRADING UPDATE**

The Committee received a report of the Director of Markets and Consumer Protection that provided Members with an update on the use of the City of London (Various Powers) Act 2013.

The Committee congratulated officers for their successes in the seizure of ice cream vans and nut seller carts.

**RESOLVED** – That the report be noted.

10. **DEPARTMENT OF THE BUILT ENVIRONMENT BUSINESS PLAN PROGRESS REPORT (PERIOD 2)**

The Committee received a report of the Director of the Built Environment that provided Members with an update on the progress made relevant to this Committee during August to November 2014 against the 2014/17 Department of the Built Environment Business Plan.

**RESOLVED** – That the progress report be noted.

11. **CLEANSING SERVICE CAMPAIGNS UPDATE**

The Committee received a report of the Director of the Built Environment that provided Members with an update on the success of the two campaigns regarding smoking and gum related litter run by the Cleansing Service in partnership with Keep Britain Tidy in September and October 2014.

The Assistant Director of Street Cleansing advised that the Greater London Authority and other London Boroughs wished to expand on similar campaigns across London. He added that several more campaigns would take place keep awareness of gum and smoking related litter raised.

In response to a Member's question, the Assistant Director advised that officers would visit Prudent Passage, EC2 to remove smoking related litter.

**RESOLVED** – That the success of the two campaigns run by the Cleansing Service in partnership with Keep Britain Tidy in September and October 2014, be noted.



12. **HOUSEHOLD RECYCLING SERVICES AND THE REQUIREMENTS OF THE WASTE REGULATIONS 2011 (AMENDED 2012) "TEEP"**

The Committee considered a report of the Director of the Built Environment regarding the practicality of implementing any separate waste collection for paper, plastic, metals, and glass.

The Director of Transportation and Public Realm advised that the attached Eunomia Waste Regulations Compliance review report provided the advice that the City of London Corporation's current efforts to encourage waste prevention, reuse and recycling were compliant with the current Waste Regulations 2011 (Amended 2012). He added that contamination was now at an acceptable level but the recycling rate had dropped.

In response to a Member's question, the Assistant Director of Street Cleansing advised that the list of items that could be included in dry mixed recycling (DMR) depended on which recycling facility was used, as different materials were processed at different facilities. Members were also informed that officers were on the verge of signing an agreement to process the City's DMR using the Veolia Materials Recovery Facility in Southwark; once this was in place officers would send information to all residents advising them of the materials they could recycle and how to access the services offered.

In response to a Member's question, the Director advised that he would contact the Estate Office staff on Middlesex Street, E1 to ensure that the failure of their entrance gates was not affecting local businesses' waste management arrangements.

**RESOLVED** – That the recommendation that any separate collection for paper, plastic, metals and glass is currently not economically practicable, be approved.

13. **THIRD YEAR PERFORMANCE REVIEW OF THE DOMESTIC WASTE COLLECTION AND STREET CLEANSING CONTRACT**

The Committee received a report of the Director of the Built Environment that outlined the performance of the Domestic Waste Collection and Street Cleansing Contractor for the third full year of the contract and the first full year of the contract following the purchase of Enterprise Managed Services by Amey plc.

Members congratulated officers for achieving the best standard of cleanliness in London and an excellent national performance since October 2013.

**RESOLVED** – That the performance of the Domestic Waste Collection and Street Cleansing Contractor be noted.

14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were none.

15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**  
The Chairman advised Members of the Committee that the receipts for Taxis within the City of London now displayed adverts for various air quality campaigns on the back.

16. **EXCLUSION OF THE PUBLIC**  
**RESOLVED** – That under Section 100a(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

<b>Item No.</b>	<b>Paragraph No.</b>
17 – 19	3
20	7
21 – 22	3

17. **NON-PUBLIC MINUTES**  
**RESOLVED** – That the non-public minutes of the last meeting held on 18 November 2014 be agreed.

18. **CITY OF LONDON CEMETERY AND CREMATORIUM ANNUAL FEES AND CHARGES**  
The Committee considered a report of the Director of Open Spaces that sought approval to the 2015/16 fees and charges for the range of services provided at the City of London Cemetery and Crematorium.

19. **URGENT WAIVER REQUEST - THE SHOOT**  
The Committee received a report of the Director of Open Spaces regarding the extended lawn burial space in an area of the City of London Cemetery, known as The Shoot.

**RESOLVED** – That the report be noted.

20. **OPERATION BROADWAY - A JOINT INITIATIVE BETWEEN THE CITY OF LONDON TRADING STANDARDS SERVICE AND THE CITY OF LONDON POLICE**  
The Committee considered a report of the Director of Markets and Consumer Protection regarding Operation Broadway.

21. **RENEW ON-STREET RECYCLING UNITS - APPROVAL TO TERMINATE CONTRACT**  
The Committee considered a report of the Director of the Built Environment regarding the current position with Renew Your Streets' on-street recycling units.

22. **PROPOSED CHARGES FOR STREET CLEANSING, WASTE COLLECTION AND PUBLIC CONVENIENCES 2015/16**  
The Committee considered a report of the Director of the Built Environment that sought approval to the proposed 2015/16 charges for Street Cleansing, Waste Collection and Public Conveniences.

**23. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were none.

**24. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERED URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was none.

**The meeting closed at 12.40 pm**

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Chairman

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## Port Health & Environmental Services Committee – Outstanding Actions

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
1.	8 January 2013	<b>Service Based Review Savings Programme – Public Conveniences</b>	Town Clerk	March 2015	In January 2015, Members agreed that the previously proposed savings regarding the provision of Public Conveniences should be reconsidered. It was agreed that the possibility of providing a non-statutory service of Public Conveniences through City's Cash funding be investigated and details of the investigation are reported at item 5 on this agenda.
2.	2 July 2013	<b>Materials Recovery Facility (MRF) in Kent</b> A visit to this facility would be arranged.	Assistant Cleansing Director	Completed	A very informative visit to the Veolia MRF in Southwark took place on the 23 <sup>rd</sup> June with seven members of the PHES committee attended. The tour of the full facility was well received.  <b>March 2015 Update</b> A Member visit to the MRF was scheduled for Monday 2 March 2015.
3.	16 September 2014	<b>Comingled Dry Mixed Recycling (DMR) Contamination</b> - A wider range of waste items may be able to be recycled once a new MRF is procured	Assistant Cleansing Director	Completed	A report outlining the actions in response to the contamination of recycling is to be considered at item 8 at this meeting.

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
		- To look at the costs involved of providing free recycling bags to all City residents			
4.	20 January 2015	<b>Heathrow Animal Reception Centre (HARC) Annual Review of Charges</b>	Comptroller & City Solicitor	March 2015	The Schedule of Charges to be adopted by HARC from 1 April 2015 were agreed by your Committee in January 2015 and will be considered by the Court of Common Council for final approval at its meeting on 5 March 2015.
5.	20 January 2015	<b>Prudent Passage, EC2</b>	Assistant Cleansing Director	Ongoing	Prudent Passage is currently swept once a day, it has cigarette bins fitted and signage in place, our Street Environment Officers (SEO) patrol the area regularly and speak to smokers to encourage responsible behaviour, SEO's issue FPNs and request ad hoc sweeps from Amey when the passage is found to heavily soiled. Amey managers have been asked to monitor the passage for a month and advise if it requires extra scheduled sweeps.

<b>Committee(s)</b>	<b>Dated:</b>
Port Health & Environmental Services	10 March 2015
<b>Subject:</b> Public Conveniences Strategy Update	<b>Public</b>
<b>Report of:</b> The Town Clerk	<b>For Decision</b>

## Summary

At the last meeting of the Port Health & Environmental Services Committee, Members resolved that the Town Clerk investigate the possibility of providing a non-statutory service of Public Conveniences through City's Cash funding. This report outlines the results of the investigation and seeks Members views going forward.

## Recommendation(s)

Members' views are sought.

## Main Report

### Background

Members of the Port Health & Environmental Service Committee received a report from the Director of the Built Environment at your November 2014 meeting. The report provided an update on the Public Conveniences Strategy for 2014-17, setting out progress against a number of actions in relation to the strategy. The report also set out the financial savings target agreed through the Service Based Review process, with alternative options for delivering these savings as requested by the Policy and Resources Committee.

### Current Position

The new Strategy aimed to ensure that toilets are provided of a type and in locations that meet the needs of potential users. It recognised, for example that attended conveniences worked well during the day, but were not suited to night-time users. Its aims were therefore, through a variety of facilities, to provide adequate toilet provision for commuters, shoppers and tourists as well as address the additional needs of a growing night time economy.

The Strategy provides for daytime toilet provision delivered via attended facilities, supplemented by a Community Toilet Scheme in which local shops and businesses make their toilets available to the public in return for a relatively modest financial return. Night time provision is provided via the installation of 'pop up' style Urilift urinals with all provision being supplemented by 24/7 automatic public conveniences which are a unisex facility.

The report recommended an alternative savings proposal which would achieve the savings target of £320,000 by 2016/17 whilst achieving the City's Strategy for

delivering public conveniences. The proposals retained the recommendation to close the four attended public conveniences as alternative conveniences exist within a conservative five minute walk from the attended facilities. The proposals also included the retention of some of the Automatic Public Conveniences which are unisex (and were originally proposed for closure), as well as the standardisation of opening times for the four retained attended public conveniences. The proposals provided for a well-balanced provision of public toilets, continuing to meet the broad aims of the Strategy within the agreed budget envelope set by Policy and Resources. The recommendations set out in the report were agreed by your Committee.

## **Conclusion**

The Town Clerk has investigated the possibility of providing a non-statutory service of Public Conveniences through City's Cash funding. The use of City's Cash is a matter of Policy and it would therefore be for Policy and Resources Committee to consider this matter.

If the Port Health and Environmental Services Committee are minded to pursue this matter a report demonstrating a compelling business case would need to be made to the Policy and Resources Committee for funding from City's Cash. In addition, the case would need to be made for writing off the associated savings, which had previously been agreed by your Committee.

This alternative saving was accepted by the Policy and Resources Committee and has accordingly been included in the City's financial plans as recently agreed by the Finance Committee and which are to be put forward to the Court of Common Council on 5 March 2015. Given the above rationale this would be difficult to justify.

Members' views are sought.

## **Appendices**

None.

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<b>Committee:</b>	<b>Date:</b>
Port Health and Environmental Services	10 March 2015
<b>Subject:</b>	<b>Public</b>
Report of Action Taken Between Meetings	
<b>Report of:</b>	<b>For Information</b>
Town Clerk	
<p><b><u>Summary</u></b></p> <p>In accordance with Standing Order 41(b), this report provides Members with the details of a delegated decision taken since the Committee's last meeting in January 2015.</p> <p><b>Recommendation</b></p> <ul style="list-style-type: none"> <li>• That the contents of the report be noted.</li> </ul>	

## **Main Report**

### **Background**

1. Standing Order No. 41(b) provides a mechanism for decisions to be taken between scheduled meetings of the Port Health and Environmental Services Committee by the Town Clerk, where authority has been delegated by the Committee, in consultation with the Chairman and Deputy Chairman.

### **Decisions Taken Between Meetings**

2. A decision has been taken under delegated authority in respect of the following matter in between meetings of the Port Health and Environmental Services Committee.

#### **The City of London Corporation's response to the Transport for London (TfL) Consultation on the Ultra Low Emission Zone**

3. At the Port Health and Environmental Services Committee in November 2014, delegated authority was granted to the Town Clerk, in consultation with the Chairman and Deputy Chairman of this Committee, to consider and approve the City of London Corporation's response to the Transport for London (TfL) Consultation on the Ultra Low Emission Zone (ULEZ).
4. Transport for London has developed proposals for an Ultra Low Emission Zone for the area covered by the existing Congestion Charge Zone in central London. The scheme has been designed to reduce levels of the pollutant Nitrogen Dioxide (NO<sub>2</sub>) as concentrations in London are above the legal limit set by the European Union.. From September 2020 all vehicles driving in Central London will be required to meet new exhaust emission standards. A consultation period for stakeholders to have their say on the ULEZ proposals ended in January 2015.

## **Conclusion**

### **Decision**

10. Consequently, in accordance with Standing Order No. 41(b), Approval was given under delegated authority for the Town Clerk, in consultation with the Chairman and Deputy Chairman of this Committee, to agree and submit the City of London Corporation's response to the TfL Consultation on the Ultra Low Emission Zone.
11. Members are asked to note the contents of this report.

### **Appendices**

- Appendix 1: final response to the Consultation on the Ultra Low Emission Zone (*January 2015*)

**Contact:**  
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## **Consultation on the Ultra Low Emission Zone**

The City of London Corporation (City Corporation) strongly supports the principle of an Ultra Low Emission Zone (ULEZ) for Central London and feels that it is a vital step towards improving air quality in the capital. However, the impact on air pollution in the Square Mile is not sufficiently clear from the consultation documents to enable us to determine whether we support the scheme outlined.

Air pollution can have a real impact on public health. It has been estimated that over 4,000 Londoners have their lives cut short each year due to exposure to London's air. Diesel exhaust has been classified as a carcinogen by the World Health Organisation. The proposed ULEZ will go some way towards addressing this problem but the City Corporation feels that:

- The proposals are focused on NO<sub>x</sub> reduction and do not pay sufficient regard to PM<sub>10</sub>/ PM<sub>2.5</sub>, which is more of a health concern.
- The proposal does not do enough to encourage alternatives to diesel vehicles, particularly cars and small vans, which the City Corporation considers to be a missed opportunity.
- The Euro VI NO<sub>x</sub> emission limit for diesel vehicles is unlikely to meet the required emission reduction and this may mean that the scheme is not sufficiently robust to address air pollution in central London.

The City Corporation strongly supports the proposal for a 10 year age limit for taxis and for newly licenced taxis to be zero emission capable from 2018. We also support the proposed standards for petrol vehicles, the residents' discount, the hours of operation and area to be covered.

### **The proposed area**

The City Corporation supports the proposals for the zone to cover the existing Congestion Charge Zone. Consideration should be given to extending the geographic area if the scheme is proved to be effective in reducing concentrations of nitrogen dioxide sufficiently.

### **Hours of operation**

The City Corporation strongly supports the proposal for the zone to be in operation 24 hours a day, 365 days of the year in order to be effective.

### **Daily Charge**

The daily charge for non-compliant vehicles is set at a reasonable level for most vehicle types; however it should increase annually in line with inflation. The charge will enable drivers that make very infrequent trips into the zone to continue to do so without having to change their vehicle, or travel around the zone thus potentially creating more pollution.

Consideration should be given for increasing the daily charge for commercial vans from £12.50 to encourage compliance rather than payment which could be absorbed by the business in a similar way to the existing Congestion Charge.

### **Residents' discount**

It is appropriate to allow residents within the zone an additional 3 years beyond 2020 to comply with the requirements of the zone. At the end of the 3 year period, if the scheme has not been as effective as anticipated, TfL should reassess the scope of the ULEZ, rather than requiring residents to upgrade automatically. It is important that proper analysis is undertaken on monitoring results as soon as possible following the implementation of the scheme to assess the effectiveness of the ULEZ.

### **Vehicle standards**

Given the relatively low levels of NO<sub>x</sub> and PM<sub>10</sub> emitted by petrol vehicles, the City Corporation considers Euro 4 to be an appropriate standard for these vehicles. Similarly Euro 3 for motorcycles appears to be appropriate.

Regarding the standards for diesel vehicles, there are still concerns relating to real world emissions of Euro 6 / VI. A 2013 report by Dutch consultancy TNO 'Investigations and real world emission performance of Euro 6 light duty vehicles' reveals that NO<sub>x</sub> emissions for Euro 6 vehicles are on average 500mg/km during real world driving conditions rather than the required 80mg/km . This is over six times greater. Similarly, a 2014 study by the International Council on Clean Transportation on Real World Exhaust Emissions from Modern Diesel Cars, revealed that the average, on-road emission levels of NO<sub>x</sub> from Euro 6 vehicles was 7 times that required. **Consequently, the City Corporation questions the principle of requiring Euro VI / 6 diesel vehicles when it appears that Euro VI / 6 technology does not deliver the required emission reduction.** It would be useful to know the emission factors that were used for diesel vehicles for calculating the anticipated reduction in concentrations of nitrogen dioxide. As Paris is considering a ban on diesel cars from 2020, this should also be considered for the central zone of London. Overall, the consultation documents do not appear to give sufficient consideration to alternatives to diesel vehicles.

It is noted that there will be a high rate of vehicle compliance by 2020 (i.e. Euro 6 / VI vehicles) without the implementation of the ULEZ, for example 77% of HGVs, 67% of coaches. The City Corporation questions whether this high rate of pre-compliance makes the scheme cost-beneficial.

### **London buses**

Whilst it is acknowledged that Transport for London has an ongoing programme to make London buses cleaner, the City Corporation considers that TfL should do more to pursue options for non-diesel double decker buses in the central zone. This is due to the large proportion of NO<sub>x</sub> emitted by TfL buses and the miles travelled by these

vehicles. The proposal details that some Euro V hybrid buses will continue to operate in the zone beyond 2020; the City Corporation would question the fairness of this proposal given that coach and HGV companies will be expected to use Euro VI vehicles from 2020 in the zone.

### **Taxis**

The City Corporation strongly supports the 10 year age limit from 2020 for taxis as they are responsible for a relatively large proportion of emissions of air pollutants in the central zone. This is due to the age of the vehicles and number of miles travelled. The City Corporation also supports the proposals for newly licenced taxis to be zero emission capable from 2018 and we are pleased to see that these are likely to be petrol based hybrids. It is essential that a taxi scrappage scheme is introduced along-side the requirement to have a zero emission capable vehicle to enable taxi drivers to upgrade. Taxi drivers will also need to be confident that the new zero emission capable vehicles are reliable.

### **Private Hire Vehicles (PHVs)**

The City Corporation considers that it should be mandatory for all newly manufactured PHVs that are presented for licensing from 2018 to be petrol based zero emission capable, rather than diesel, as this will have extra benefits for air quality. Given the availability of these vehicles this could be introduced before 2018 and would be a very visible demonstration of the Mayor and the GLA's determination to deal with air pollution.

### **Impact of the ULEZ on air quality**

The impact of the proposed scheme on air quality in the Square Mile is unclear. The data has been represented as a receptor weighted change in annual average concentrations of NO<sub>2</sub>. Table 7-E of the Environmental Assessment states that the receptor weighted change in annual average NO<sub>2</sub> for the City Corporation will be 5.9µg/m<sup>3</sup>. Given that some residents in the Square Mile live on a road with an annual average nitrogen dioxide level of approximately 120 µg/m<sup>3</sup>, this change in concentrations appears to be small. The City Corporation notes that figure 7-J of the same Environmental Assessment suggests that the reduction in concentrations is expected to be 42µg/m<sup>3</sup>.

Unfortunately the data does not enable us to see how far the proposed ULEZ is expected to take us towards compliance with the annual average and hourly average NO<sub>2</sub> limit values. This information would have been useful to assess the likely cost effectiveness of the scheme.

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<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services – For Decision	10 March 2015
Health and Wellbeing Board – For Information	24 April 2015
<b>Subject:</b> Draft City of London Contaminated Land Inspection Strategy 2015 - 2020	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Decision</b>
<b>Summary</b>	
<p>The City of London Corporation published a Contaminated Land Strategy in 2001 which was subsequently reviewed in 2004.</p> <p>The Department of Environment, Farming and Rural Affairs (Defra) produced additional refined statutory guidance in 2012 (the Guidance) which is legally binding and has been the catalyst for the revised strategy.</p> <p>A draft contaminated land inspection strategy for 2015 through to 2020 has been produced in accordance with the Defra guidance and is appended to this report.</p> <p>The strategy fulfils the City of London’s statutory obligation to set out its wider approach to contaminated land and its inspection duties within the Square Mile.</p> <p style="text-align: center;"><b>Recommendations</b></p> <p>I recommend that your Committee approves the proposal set out in paragraph 9 that the attached draft contaminated land inspection strategy (Appendix 1) undergo external consultation until 25<sup>th</sup> May 2015, subject to any comments received at your meeting and a further report will be presented to your 22 September 2015 meeting to approve the subsequent new strategy.</p>	

## Main Report

### **Background**

1. The City of London dates from Roman times and has a rich history. Although mainly non-industrial, there have been a wide range of historic land uses which could potentially have given rise to contamination.

2. Historically, land contamination could be dealt with through the development management process, where development or a change of use of land provided the only opportunity to deal with contamination.
3. In 2000, Part 2A of the Environmental Protection Act 1990 (EPA) was introduced to enable the remediation of land which meets the definition of contaminated land, based on its current land use.
4. The City of London Corporation as a regulator of Part 2A must:
  - Inspect the City to identify and categorise contaminated land.
  - Establish responsibility for the remediation of the land
  - Ensure that appropriate remediation takes place
  - Keep a public register detailing regulatory action taken to deal with contamination.
5. In 2001, the City of London produced a Strategy outlining its approach to dealing with contaminated land in the ‘Square Mile’ using Part 2A.

### **Key Policies and Proposals**

6. The 2001 strategy contained a timetable of activities. These were completed by 2004, and a review was undertaken. The review concluded that *“no evidence of significant harm or pollution of controlled water is currently taking place, and there is no contaminated land in the City as defined by the legislation”*. Whilst these findings still stand, in light of the revised guidance this strategy review concludes there is scope for further ‘strategic inspection’ (desktop study) and documentation of the City’s exposed ground. Dependent on outcome of the revised ‘strategic inspection’ the City will proceed to ‘detailed inspection’ should that become applicable and appropriate.
7. The overall aim of this Strategy is to set out how the City of London will continue to address its duties under section 57 of the Environmental Protection Act 1990 (‘Part 2A’), in accordance with the Guidance. The overriding priorities of this Strategy are:
  - To protect human health
  - To protect controlled waters
  - To protect designated ecosystems
  - To prevent damage to property



- To prevent further contamination of land
8. This revised Strategy ensures that the City of London's approach continues to be suitable and appropriate. In order to address the City's obligations, and in accordance with the Guidance the strategy includes:
- a) The Strategy's aims, objectives and priorities, taking into account the characteristics of the City of London's area
  - b) A description of relevant aspects of the City of London
  - c) The City of London's approach to 'strategic inspection' of the City or parts of it
  - d) The City of London's approach to the prioritisation of 'detailed inspection' and remediation activity
  - e) How the City's approach under Part 2A 'fits with its broader approach to dealing with land contamination', so that sites do not become a capable of being determined 'contaminated land' under Part 2A in the future
  - f) How the City of London will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.

## **Proposals**

9. I propose that, subject to comments received at your meeting, the attached draft contaminated land inspection strategy is published for consultation until 25 May 2015. A further report will be presented to your 22 September 2015 meeting to approve the new strategy.

## **Financial Implications**

10. Strategic inspection (desk top study) work contained within the strategy will be funded using existing resources from within the Port Health and Public Protection Service. Assistance by way of information provision will be required from the Department of Open Spaces and the Department of the Built Environment (DBE).
11. Should quantitative risk assessment as part of a detailed inspection be required costs (consultants fees / soil sampling / remediation) will be

assessed based on the individual characteristics of the site and details of land ownership in line with the core legislation and the Guidance. Costs and liability will be apportioned to the responsible individual or organisation. A further report will be made to this committee if the need for a quantitative investigation is identified involving a financial implication for the City.

## **Corporate and Strategic Implications**

12. The work on contaminated land sits within Strategic Aim 1(SA1) of the Corporate Plan: ‘To support and promote The City as the world leader in international finance and business services’.

## **Consultees**

13. Consultation has been carried out internally (Open Spaces, DBE, Town Clerks, Comptrollers) and the results of this have been considered in this draft.
14. The strategy will undergo full external consultation e.g. Environment Agency, neighbouring boroughs until the 25 May 2015 and consultation comments will be incorporated into the final strategy where appropriate.

## **Conclusion**

15. The City Corporation has produced an updated contaminated land inspection strategy designed to protect human health, controlled waters, designated ecosystems and prevent damage to property. Subject to comments received at your meeting, the contaminated land inspection strategy will be published for public consultation until 25 May 2015.

## **Background Papers:**

The City of London Contaminated Land Strategy 2001 and 2004 review.

## **Appendix:**

The City of London Draft Contaminated Land Strategy 2015 - 2020.

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# CITY OF LONDON

## *DRAFT* Contaminated Land Inspection Strategy 2015-2020



This document has been prepared by the Pollution Control Team of  
the City of London Corporation Department of  
Markets and Consumer Protection.

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## **Proposed Foreword**

In 2000, new contaminated land legislation came into force (Part 2A of the Environmental Protection Act 1990). This enabled the identification and remediation where contamination is causing unacceptable risk to human health or the wider environment based on the current land use.

The City is not, and has never been, subject to heavy industrialisation and there are no specific areas where industrial uses have been concentrated.

This draft strategy revises and updates the original 2001 strategy and its review in 2004. It contains information about the characteristics of the City and seeks to set out clearly the City's approach to dealing with contamination using Part 2A. It also includes the City's wider approach to contaminated land through development management, whilst reflecting the uniqueness of the Square Mile.

The draft strategy has been written to reflect the Statutory Guidance issued by Defra, which provides clarity to regulators and reflects the experience since part 2A was introduced. As well as fulfilling our statutory obligations to have a targeted approach, rather than a blanket approach, it is intended that this draft strategy is used as a data source for developers and their consultants.

The strategy supports other City policies and strategies and it is intended to support the City's Code of Practice for Deconstruction and Construction, which ensures the health implications of developments are mitigated.

I hope you will find this strategy informative and useful.

**Wendy Mead CC, Chairman of Port Health and Environmental Services  
Committee**

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## Executive Summary

Historically, land contamination could be dealt with through the development management process, where development or a change of use of land provided the opportunity to deal with contamination. In 2000, Part 2A of the Environmental Protection Act 1990 (EPA) was introduced to enable the remediation of land which meets the definition of contaminated land, based on its *current land use*, i.e. it facilitates remediation outside the development and management process or other legislation. Other legislation continues to be applicable and may still be used and take precedence over Part 2A, for example approved document C of the Building Regulations 2010 (paragraphs 0.90, 0.10 and 0.11).

The City of London Corporation as a regulator of Part 2A must:

- Inspect the City to identify and categorise contaminated land
- Establish responsibility for the remediation of the land
- Ensure that appropriate remediation takes place
- Keep a public register detailing regulatory action taken to deal with contamination

In 2001, the City of London produced a Strategy outlining its approach to dealing with contaminated land in the ‘Square Mile’ using Part 2A. This document supersedes the 2001 Strategy and 2004 review, taking into the account Defra Guidance produced in 2012 (‘the Guidance’).

The Guidance recognises two types of inspection: ‘strategic inspection’ (desk-top study) and ‘detailed inspection’ (should it be required) to establish if the ‘source-pathway-receptor’ models exist. This Strategy considers the City’s approach to these two types of inspection. This Strategy also details the City’s broader approach to contaminated land through the development management process.

The City is not, and has never been subject to heavy industrialisation, and there are no specific areas where potentially contaminated land uses have been concentrated. The high concentration of buildings means the pathway for contamination is interrupted across much of the City and residual contamination will have been removed during the City’s constant



regeneration. The 2004 strategy review found no evidence of significant harm to human health, significant possibility of significant harm to human health, or pollution of groundwater. Whilst these findings still stand, in light of the revised guidance, this Strategy review concludes there is scope for further ‘strategic inspection’ (desktop study) and documentation of the City’s exposed ground. Dependent on outcome of the revised ‘strategic inspection’ the City will proceed to ‘detailed inspection’ should that become applicable and appropriate.

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## **Section 1: Background to the regulation of Land Contamination and the City's approach**

### **1.0 Background to dealing with contamination**

Development or a change of land use provides the opportunity to deal with land contamination. Part 2A of the Environmental Protection Act 1990 ('EPA') was introduced in 2000 to enable the remediation of land which meets the definition of contaminated land, based on its *current land use*, and outside the development management process. Other legislation continues to be applicable and may still be used and take precedence over Part 2A:

- Building Regulations 2010 (as amended)
- Environmental Damage (Prevention and Remediation) Regulations 2009
- Pollution Prevention and Control Act 1999
- Water Resources Act 1991
- Town and Country Planning Act 1990
- Radiative Substances Act 1993
- Waste Management Licencing (Part II of the Environmental protection Act 1990)
- Statutory Nuisance (Part III of the Environmental Protection Act 1990)

As the Part 2A regime is one of several ways in which land contamination can be addressed, the Department for Environment, Food and Rural Affairs (Defra) Guidance ('the Guidance') published in April 2012 states that "*enforcing authorities should seek to use Part 2A only where no appropriate alternative solution exists*" (Defra Guidance 1.5).

### **1.1 Environmental Protection Act 1990 – Part 2A - Legislative Requirements**

Section 57 of the Environment Act 1995 created Part 2A of the EPA and together with the Contaminated Land (England) Regulations 2006 is the legislative framework for the contaminated land regime. The regime places responsibility on the City of London as a regulator to:

- Identify any contaminated land within its boundaries (EPA s78B)
- Require remediation of contaminated land (EPA s78E – unless deemed a 'Special Site', in which case the Environment Agency becomes the enforcing authority)

- Establish responsibility for the remediation of contaminated land (EPA s78F)
- Ensure that any necessary remediation action takes place, either by agreement or enforcement action
- Determine liability for the costs of any remediation
- Maintain a public register of contaminated land matters as may be prescribed (s78R of EPA 1990).

## 1.2 Part 2A Definition of Contaminated Land

Although a site may contain contaminants, it will not necessarily be categorised as ‘contaminated land’ under Part 2A. This decision is based on the potential which any contamination has to cause harm, under the current use of the land. The EPA s78A (2) defines ‘contaminated land’ as .... *any land which appears to the local authority in whose area the land is situated to be in such a condition, by reason of substances in, on or under the land, that (a) significant harm is being caused or there is a significant possibility of such harm being caused; or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.*

The terms ‘current use’, ‘harm’, ‘significant harm’ and ‘significant possibility of such harm’ (SPOSH) have specific meanings explored in the statutory Guidance issued by Defra and summarised in [Appendix A](#).

## 1.3 Pollutant Linkage

The Guidance defines what is meant by a ‘contaminant linkage’. This linkage must occur for the land to be defined as ‘contaminated land’ under Part 2A and all three elements must exist in relation to a particular area of land:

1. **A contaminant** – defined as ‘*a substance which is in, on or under the land and which has the potential to cause significant harm to a relevant receptor, or to cause significant pollution of controlled waters*’. There must be evidence of the actual presence of contaminants.
2. **A pathway** – defined as ‘*a route by which a receptor is or might be affected by a contaminant*’.

3. **A receptor** – defined as *‘something that could be adversely affected by a contaminant, for example a person, an organism, an ecosystem, property or controlled waters’*.

#### **1.4 Categories of Land**

It is the responsibility of the City of London Corporation (the City of London) to decide, in accordance with the Guidance, whether land in the City is ‘contaminated land’. Where the potential receptors are humans or controlled waters, the Guidance requires the City of London to use 4 categorisations:

Categories 1 and 2 *‘encompass land which is capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health’*, or *‘cases where the authority considers that a significant possibility of significant pollution of controlled water exists’*.

Categories 3 and 4 *‘encompass land which is not capable of being determined on such grounds’ (human health), or ‘cases where the authority considers that a significant possibility of such pollution does not exist’*.

Part 2A makes this decision a “positive legal test”, and so the starting assumption should be that land is not contaminated unless there is reason to consider otherwise (rather than assuming that all land is contaminated and then demonstrating that it is not).

Where the potential receptors are ecological systems or property, the Guidance does not require 4 categorisations. It does however clarify what receptor types are relevant, and what should be considered ‘significant harm’ or ‘significant possibility of significant harm’.

#### **1.5 Role of the Environment Agency**

When contaminated land is identified, the Local Authority must ensure it is managed and dealt with in an appropriate manner, other agencies and authorities can also have a role. In certain cases, the Environment Agency (EA) will provide site-specific guidance to Local Authorities on land contaminated and assist in identifying contaminated land where there is a risk of pollution of controlled water.

The EA can take over as the enforcing authority where the Local Authority identifies a 'Special Site', as defined in the legislation. These can be described as sites which are likely to present the greatest threat to health or the environment.

### 1.6 Defra Guidance 2012

Section 78B (2) of the EPA 1990 states that in performing functions under s78B (1) a Local Authority shall act in accordance with any guidance. The Guidance is therefore legally binding on enforcing authorities.

The revised Guidance sets out a number of changes, reflecting national experience since the original version. The main legislative requirements have not changed and the requirement to identify contaminated land still exists. There are requirements for how Local Authorities should carry out their inspection duties, and this Strategy is designed to address those requirements. Local Authorities should:

- Take a 'strategic approach' to carrying out their inspection duties (Defra Guidance 2.3) and this approach should be '*rational, ordered and efficient*', and should '*reflect local circumstances*'. Where there is a reasonable possibility that a significant contamination linkage (as defined) exists, move to a more 'detailed inspection', giving priority to particular areas of land that are most likely to pose the greatest risk to human health or the environment. The Guidance provides for the categorisation of land into one of the four categories following 'detailed inspection'.
- The approach taken should be set out as a written strategy, formally adopted and published (Defra Guidance 2.4).
- The written strategy should be kept under periodic review to ensure it remains up to date, at a frequency that the authority deems appropriate (Defra Guidance 2.5).

The City of London will use the approach detailed in Section 3 of this Strategy. If required, the City of London would then, in accordance with the Guidance and this Strategy, determine whether the site is contaminated land.

## 1.7 Introduction to the City of London Strategy

The City published a Contaminated Land Strategy in May 2001. This Strategy was adopted by the Port Health and Environmental Services Committee in July 2001. It set out the City's duties and responsibilities and the approach it takes in relation to contaminated land. The main objectives of the strategy were to:

- a) Identify and record all sensitive receptors;
- b) Identify and record sites that have the potential to be contaminated;
- c) Assess whether a pathway exists between the potential source and receptor;
- d) If a potential pathway exists carry out a further detailed inspection of the site.

The 2001 strategy contained a timetable of activities. These were completed by 2004, and a review was undertaken. The review concluded that *"no evidence of significant harm or pollution of controlled water is currently taking place, and there is no contaminated land in the City as defined by the legislation"*. Whilst these findings still stand, in light of the revised guidance this strategy review concludes there is scope for further 'strategic inspection' (desktop study) and documentation of the City's exposed ground. Dependent on outcome of the revised 'strategic inspection' the City will proceed to 'detailed inspection' should that become applicable and appropriate.

This revised Strategy ensures that the City of London's approach continues to be suitable and appropriate. In order to address the City's obligations, paragraph 2.6 of the Guidance lists what a strategy should include:

- a) The Strategy's aims, objectives and priorities, taking into account the characteristics of the City of London's area
- b) A description of relevant aspects of the City of London
- c) The City of London's approach to 'strategic inspection' of the City or parts of it
- d) The City of London's approach to the prioritisation of 'detailed inspection' and remediation activity
- e) How the City's approach under Part 2A 'fits with its broader approach to dealing with land contamination', so that sites do not become a capable of being determined 'contaminated land' under Part 2A in the future
- f) How the City of London will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.

This Strategy addresses the items specified above. Consultation of the draft has been undertaken and Committee approval will be sought. This Strategy will be published online.

*Defra Guidance 2.6(a): The local Authority should include in its Strategy its aims, objectives and priorities, taking into account the characteristics of its area.*

## **1.8 The City's Strategy Aims, Objectives and Priorities**

The overall aim of this Strategy is to set out how the City of London will continue to address its duties under section 57 of the Environmental Protection Act 1990 ('Part 2A'), in accordance with the Guidance. The overriding priorities of this Strategy are:

- To protect human health
- To protect controlled waters
- To protect designated ecosystems
- To prevent damage to property
- To prevent further contamination of land

## **1.9 The City's vision and Strategic Aims**

The City of London has a number of strategies and plans which support and require the Contaminated Land Strategy to achieve their aims. These documents can be found on the City of London [website](#).

### ***1.9.1 The City's Corporate Plan:***

The City of London's Corporate Plan is supported by a series of other plans and is the City's main strategic planning document which provides a framework for the delivery of services and is a clear statement of the City's Vision, Strategic Aims and Key Policy Priorities (KPP). The work on contaminated land sits within Strategic Aim 1 (SA1) of the Corporate Plan: '*To support and promote The City as the world leader in international finance and business services*'. KPP1 is '*Supporting and promoting the international and domestic financial and business sector*'. To do this the City encourages quality developments in the built environment that support the Square Mile as a location for financial and business services and as a place to live and work.

### **1.9.2 The City Together Strategy:**

The City Together Strategy is the sustainable community strategy for the Square Mile. It contains five themes, for the City, including: *to protect, promote and enhance our environment*. The City does this by continuing to minimise noise, land and water pollution and improve air quality where this is possible. The Contaminated Land Strategy supports this theme (together with the Open Spaces Strategy). It also crosses into the theme of ensuring the City *is safer and stronger*, by continuing to ensure the City is a safe place to do business, work, visit, and live.

Under the theme of *Promoting Opportunity*, the City of London has an adopted Local Plan. Policy DM15.8 in the Plan deals with contaminated land:

#### **Policy DM 15.8 Contaminated Land and Water Quality**

Where development involves ground works or the creation of open spaces, developers will be expected to carry out a detailed site investigation to establish whether the site is contaminated and to determine the potential for pollution of the water environment or harm to human health and non-human receptors. Suitable mitigation must be identified to remediate any contaminated land and prevent potential adverse impacts of the development on human and non-human receptors, land or water quality.

### **1.9.3 Health and Wellbeing Strategy:**

The contaminated land strategy also supports the Health and Wellbeing Strategy's overarching aims to promote the health and wellbeing of residents and workers in the City.



## Section 2: Characteristics of the City of London

*Defra Guidance 2.6(b): A description of the relevant aspects of the City of London*

### 2.0 Introduction to the City

The City of London is located in the historic heart of London, to the north of the Thames. It provides local authority services for a relatively small area, known colloquially as the ‘Square Mile’. It has approximately 9,000 residents and a working population of approximately 400,000. It is a commercial area with a rich history and iconic London landmarks, attracting thousands of tourists per annum.

### 2.1 Potential receptors within the City of London

The Guidance specifies sensitive receptors which should be protected from harm. These sensitive receptors are then considered during the inspection prioritisation process. The sensitive receptors are summarised below (tables 1 and 2 of the Guidance provides more detail).

<b>Humans / Ecological Systems</b>	
<ul style="list-style-type: none"> <li>• Open spaces (including recreational / parks / playing fields)</li> <li>• Allotments</li> <li>• Residential with Gardens</li> <li>• Sensitive receptors: (schools / Nurseries / Playgrounds / Hospitals / Surgeries with soft landscaping)</li> <li>• SSSIs</li> <li>• Nature Reserve (National / Local)</li> </ul>	
<b>Controlled Waters</b>	<b>Property (buildings)</b>
<ul style="list-style-type: none"> <li>• private drinking water abstraction</li> <li>• surface water</li> <li>• source protection zones</li> <li>• groundwater vulnerability</li> </ul>	<ul style="list-style-type: none"> <li>• Listed Buildings</li> <li>• Conservation areas</li> <li>• Ancient monuments</li> </ul>

## 2.2 Human and Ecological Receptors in the City

The distribution of residential accommodation, at the time of publishing, is shown on the following map:



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- Hotels
- Residential Units

Map 1: City of London residential properties, including hotels

The majority of residential properties in the City are flats and are concentrated in particular areas: The Barbican Estate, Golden Lane Estate, Middlesex Street Estate and Mansell Street. Much of the open space around the estates is hard-standing, with raised planter beds in-filled with clean imported soil; pockets of managed green open space also exist around some areas.











There are a very small number of properties within the City which are detached, semidetached and terraced. Some of these properties and flats have private and communal gardens which would create a pathway for exposure if contaminants are present.

A large percentage of the City’s land area is built on or hard standing, minimising human exposure via the source-pathway-receptor model; however, there are a number of managed public spaces and gardens throughout the City which could be utilised by the 400,000 worker population and residents; these are shown below in Map 2 and on the City’s [interactive map](#). Some of these areas contain soft landscaping and others are hard standing and contain raised planter beds. There are no nature reserves or SSSIs within the Square Mile. See [Appendix B](#) for a summary of the City’s green open spaces.



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Open Spaces

- |   |                          |   |   |
|---|--------------------------|---|---|
|  | Primary Civic Space      |  | Natural and Semi-Natural Green Spaces   |
|  | Secondary Civic Spaces   |  | Provision for Children and Young People |
|  | Parks & Gardens          |  | Outdoor Sports Facilities               |
|  | Cemeteries & Churchyards |  | Local Green Corridors                   |
|  | Amenity Greenspace       |  | Under Construction                      |

Map 2: City of London Open Spaces

### 2.3 Buildings as a Receptor

The City has a rich historical heritage and land use and there are more than six hundred listed buildings and other structures in the City. Map 3 which follows is an interactive map on the City of London website and details conservation areas, listed buildings and scheduled ancient monuments within the Square Mile. It demonstrates that much of the City is covered in areas which are protected. See Appendix B for the list of scheduled ancient monuments.



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Map 3: City of London Listed Buildings and Structures

## 2.4 Controlled Waters

### 2.4.1 Geology, hydrology and hydrogeology

The superficial geology across the City includes a mixture of alluvium, silts and River Terrace Deposits. The thickness of the gravels and alluvium varies across the City and during the development management process, the excavation and construction of basements has resulted in the removal of superficial deposits in many areas.

The solid geology of the City of London comprises London Clay overlying the Lambeth Group, a mixture of sands, silts and clays. The Thanet Sand Formation and Upper Chalk underlie the Lambeth group. Borehole logs indicate the London Clay is approximately 35m thick and the Upper Chalk is encountered at 60-70m below ground level. In addition to the creation of basements in the superficial geology, there has also been an increase in the number of developments where the bored pile foundations extend down to the Thanet Sands.

There are two historic rivers flowing through the City, The Fleet and the Walbrook. Both rivers are now canalised and are incorporated into the sewer system, thus protecting them from contamination.

An aquifer is defined by the EA as *'underground layers of water-bearing permeable rock or drift deposits from which groundwater can be extracted'*. As well as maintaining the flow in some rivers, the EA states that groundwater provides a third of England and Wales' drinking water and the EA ensure it remains protected from contamination. Groundwater vulnerability zones are classified by the EA as high, intermediate or low vulnerability. More detail regarding aquifers can be found on the [EA website](#).

With reference to the aquifer and groundwater vulnerability data on the EA website, much of the City is classified as having a 'Secondary A aquifer (High)' status (formally minor aquifer). A 'Secondary A aquifer' is defined as *"permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers"*. The classification of much of the City as 'High' vulnerability means that ensuring contamination in soil which could find its way into the surface groundwater and contaminate rivers should remain a priority through the development management process.

The risk to groundwater beneath the London Clay is reduced due to the significant thickness of London Clay underlying the City. Where the London Clay is fully penetrated (for example high buildings requiring deep piled foundations and ground source heat pump installations), the risk to the groundwater beneath the London Clay is increased.

#### **2.4.2 Groundwater Source Protection Zones**

To ensure groundwater water is safe to drink, the EA define Source Protection Zones (SPZ) and have done so for 2000 groundwater sources (wells, boreholes and springs) used for public drinking water supply.

By defining the zone, the EA monitor the risk of contamination from any activities that might cause pollution in those areas. The closer the activity is, the greater the risk. Pollution prevention measures are put in place and activities of the potential pollution source are monitored.

Within the City of London boundary there are no SPZs. Further to this with reference the [EA on-line data](#), the following areas and zone are not present in the City of London:

- Surface Water Drinking Water Protected Area
- Surface Water Safeguard Zone
- Groundwater Drinking Water Protected Area
- Groundwater Safeguard Zones
- Water Protection Areas

#### **2.4.3 Groundwater abstraction and Private Water Supplies**

Numerous premises within the City are licenced by the EA to abstract groundwater. None of the premises use treated groundwater for drinking purposes, but some sites use the water for domestic purposes. The location and information relating to the private water supplies in the City is shown on the City's online [interactive map](#).

#### **2.5 Liaison with the EA**

Due to the lack of SPZ's in the City, the City is not a high risk area for the EA with regard to contamination of ground water. There is guidance with regard to which planning applications

the EA wish to be consulted upon; this includes those which relate to contamination from past or future land use which may affect groundwater.

The EA would automatically be consulted upon all developments which are large enough to require an Environmental Impact Assessment (EIA) and the EA would potentially use an informative for developments to ensure piling does not cause contamination to be taken into the groundwater. The EA would also be consulted with regard to applications within 20m of the River Thames, ensuring that surface water is protected from potential contamination. The EA is also consulted in the preparation of statutory development plans, including the City's Local Plan.

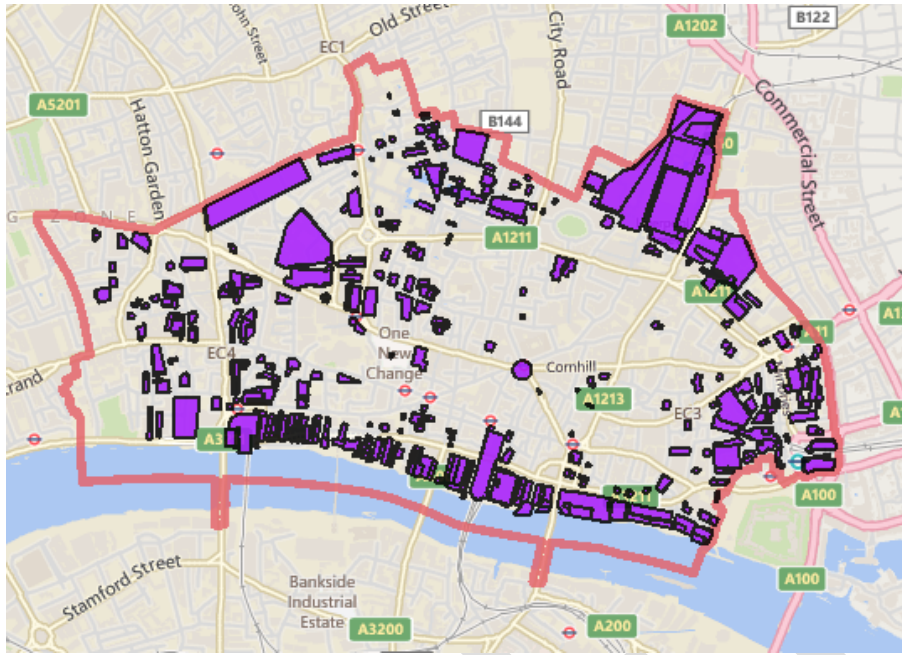
## **2.6 Potential Sources of Contamination - Historic and Current Land Use**

The City of London dates from Roman times, and has a rich history. Although predominantly non-industrial, there have been a wide range of historic land uses, which could potentially have given rise to contamination.

### ***2.6.1 Historic Land Use 1875 to 1971***

Map 4 which follows was generated as part of the original contaminated land strategy and review using historic land use maps from 1971, 1951, 1938, 1914, 1894 and 1875. It is available on the City's [interactive map](#).

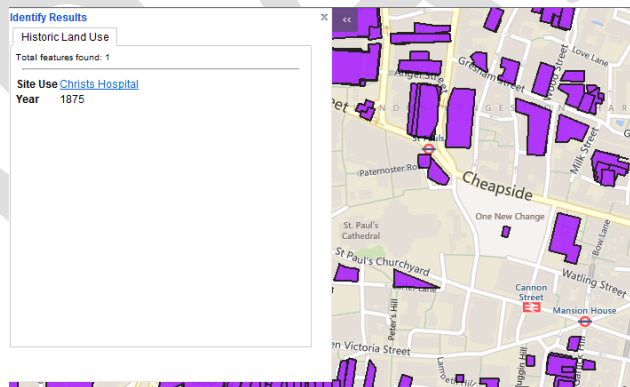
Please note that the information in the historic land use and war damaged interactive maps have been compiled from information available in the City's records and information supplied by third parties and the Corporation cannot guarantee the accuracy or completeness of the data.



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Map 4: City of London Historic Land Uses

The map can be used to zoom in on specific sites to create a pop-up of site use and the year:



Historic land uses in the square mile include:

- Wharves and docks
- Rail stations and railways infrastructure
- Almshouses and hospitals
- Warehouses and depots
- Bookbinding and printing works
- Breweries and distilleries
- Foundries & smithies
- Burial grounds and graveyards
- Telephone exchanges and electricity substations
- Tobacco and snuff manufacture
- Colourworks and hat manufacture
- Garages and petrol stations
- Gasometers and gas works
- Glass foundry
- Gun factory
- Chimneys
- The City Mortuary
- Mustard factory
- Wire works
- Chemical works
- Markets



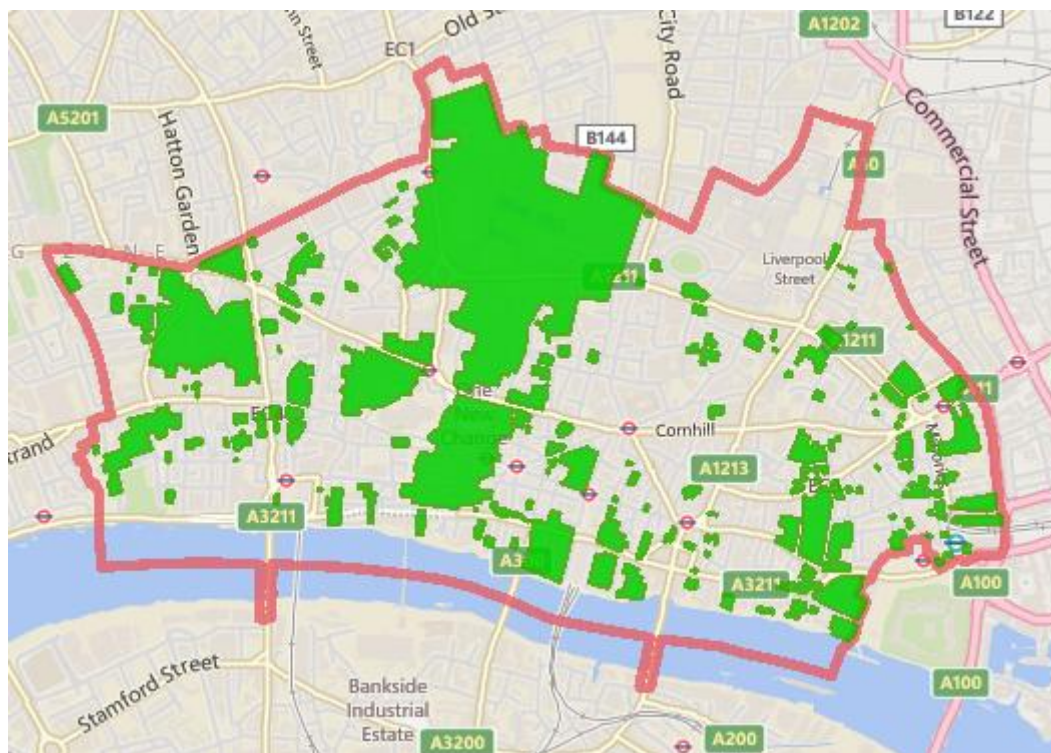
Apart from a gasworks and the newspaper printers, there has been no heavy industrialisation. All these industries have now ceased operating in the City, with the last industry group (the newspaper printers) leaving in the late 1980's.

The City of London is constantly changing and there has been extensive redevelopment of the City during its history. Due to war damage, evidence of the historic land use may not be evident above ground. New developments have often maximised space by creating deep basements and over time much of the potential contamination would have been excavated, ensuring the building (and its future occupants) are protected from contamination. Projects have also identified historic land uses which were unknown to the City, such as Crossrail which has identified unknown burial grounds.

Where there is a building, unless there is evidence of the source-pathway-receptor there is no way of confirming the presence of contamination without digging beneath the building. This would only be necessary if there was evidence of the source-pathway-receptor and evidence of significant harm or significant possibility of significant harm to humans or the environment.

### **2.6.2 War Damaged Sites**

Due to the City's position, historic maps indicate the extensive areas of the City that were damaged during war time bombing (see Map 5 overleaf and interactively [online](#)). As such, historic land use which may have led to contamination prior to this time may have been destroyed. Site redevelopment may have removed contamination or it could have spread contamination when building materials were moved at the time, or during subsequent redevelopment; this would be undocumented. Due to the intensive bombing across the City, unexploded ordinance (UXO) have been found during excavations. Buried UXO therefore remain a risk and this risk should be managed during excavations.



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Map 5: War Damaged Sites

### **2.6.3 Landfill sites and made ground**

The City of London does not have any documented landfill sites within its area. A review of the data held by the EA confirms this and indicates that the closest disused landfill site is to the SE of the City in the Wapping Basin, as indicated in their [online interactive map](#). Notwithstanding this, until the latter part of the 20<sup>th</sup> Century, particularly before the mid 1970's, backfill and hardcore was used for both road and building works and reclaiming land, for example along the River Thames. The content of the backfill and hardcore was not specified or controlled and as a result, poor quality backfill and made ground will exist in the City. There is therefore residual risk if such materials are disturbed, during maintenance or redevelopment. All land in the City has been subject to some form of development and it can be assumed that made ground exists at varying depths throughout the City.

### **2.6.4 Current Sources of Contamination**

The final printing process left the City in the 1980's and the only 'industrial' processes which remain in the City of London boundary are three premises authorised under the Environmental Permitting Regulations 2010, which are all dry cleaners. The risk associated with land

contamination from these premises is deemed to be negligible. The location of these premises is shown on the City's [interactive map](#) under 'environmental information' and are located at:

- 34-36 Lime Street, London, EC3M 7AT
- 57-60 Aldgate High Street, London, EC3N 1AL
- 24 Goswell Road, London, EC1M 7AA

Registered users of radioactive materials are also present in the City of London, for example St Bartholomew's Hospital. There is one Waste Transfer Station which operates on a concrete base, so the potential for contamination is considered negligible. There is the potential for unknown sources of contamination to exist within the City, such as above and below ground storage tanks which have the potential leak into the ground. The risk from this type of activity can be identified through regular building and maintenance checks or identified through the development management process.

## **2.7 Background levels of contamination**

The 'normal' presence of contaminants is the natural presence of contamination in soil as a consequence of common human activity (other than specific industrial processes) and local geology. In late 2011, early 2012, The British Geological Society (BGS) was commissioned by Defra to provide guidance on normal levels of contaminants in English soils. The following eight contaminants were tested: arsenic, asbestos, benzo[a]pyrene (BaP), lead, cadmium, copper, mercury and nickel.

Normal background concentrations (for contaminant domains) define what is the upper limit of 'normal' levels of contaminants in soil as described in the Guidance. When considering results from intrusive investigations, 'normal presence of contaminants' within the urban environment would need to be considered, in accordance with appropriate methodologies. See [Appendix C](#) for details.

## **2.8 Summary**

This section has detailed that sensitive receptors (as defined by Defra) do exist in the Square Mile. The City of London has had a rich, historic land use and some of this may have led to land contamination. Due to the constant redevelopment of the City and the need to maximise space through the creation of basements, much of the potential contamination would have been removed over the years during re-development, thus interrupting the source-pathway-receptor mode. The use of backfill and rubble prior to the latter part of the 20<sup>th</sup> Century means residual issues could remain and this review provides further opportunity for strategic inspection (desktop study) and documentation of the City's exposed ground.

## Section 3: City of London Inspection Strategy

### 3.0 Background to the City of London's Inspection Strategy

As part of the 2001 Strategy development the City of London set about strategically investigating the Square Mile. The City of London:

- identified and recorded all sensitive receptors;
- identified and recorded current potential sources of contamination
- assessed of all information provided by the Environment Agency for the identification of potentially contaminated land
- assessed geological data for the City;
- reviewed groundwater quality from private well abstraction points within the City
- developed a GIS system of data management;
- developed procedures for:
  - site inspections in the event of contaminated land being suspected;
  - dealing with pollution incidents or spillages
  - dealing with complaints or concerns about potentially contaminated land
- assessed Corporation owned and leased land;

Following analysis of past land use and due to the built-up nature of the current land use in the City (hard surfacing which prevents the pathway for contamination) no evidence of significant harm or pollution of controlled water was found to be taking place and no contaminated land (as defined by the legislation) was found in the City; intrusive soil sampling was therefore not conducted.

The requirement to 'periodically review' (Defra Guidance section 2.5) enables the City to consider whether the City's approach is sufficient and whether any new information is available.

### 3.1 Strategic Inspection – (stages 1-4)

*Defra 2.6(c). Design and describe an appropriate approach to ‘strategic inspection’, of the City of London, including a description of what might trigger detailed inspection.*

The aim of ‘strategic inspection’ is to establish if there is likely to be any significant contaminant linkages. This is dependent on the nature of the current land use. Based on the ‘strategic inspection’ (desk top study) the City of London is able to decide which sites might require a more detailed inspection. The City’s ‘strategic inspection’ involves four stages:

- 1 – Identification of potentially contaminated sites
- 2 – Identification of sensitive receptors
- 3 – Identification of a potential source-pathway-receptor
- 4 – Preliminary risk assessment in accordance with section 2.2 of CLR11

#### **3.1.1 Stage One – Information regarding the presence of contamination**

The first stage of strategic inspection was the City-wide identification of potential ‘sources’. Potential sources of contamination were identified by a desktop study as part of the 2001 Strategy. As detailed in section 2, this involved the analysis of historic land use directories (Kelly Directories) and historic land use maps from the Guildhall library.

New information may also come to light through local knowledge, intrusive investigations and archaeological reports as part of the development management process. This newer information also informs the ‘strategic inspection’ process.

#### **3.1.2 Stage Two – Identification of Receptors**

The Guidance specifies sensitive receptors which should be protected from harm. These sensitive receptors are then considered during the ‘strategic inspection’ process, to see if sites require ‘detailed inspection’. The sensitive receptors in the City are detailed in section 2, which include controlled waters, ecological systems and property. All sensitive receptors have been identified and mapped on the Corporation’s GIS system.

### **3.1.3 Stage Three – Potential Pathways for Contamination**

The third stage is the consideration of land where receptors could potentially be exposed to the source (contamination). The City of London's strategic approach for protecting each group of receptor is:

#### ***Humans and Ecological systems:***

- Where there is little or no exposed soil, a significant pollution linkage is unlikely. The site is then excluded from further investigation and progression to stage 4 and dealt with through the development management process; this is recorded.
- If there is exposed soil, a desk top study will reveal whether redevelopment has occurred and any contamination removed. If this is not the case, the site moves to stage 4.

With regard to investigation, open spaces fall into three categories:

- Those managed by the City's own Open Spaces Team
- Those made available for public use, but are privately owned and managed
- Privately owned space not available to members of the public e.g. private gardens

***Listed Buildings / Ancient Monuments / Buildings:*** Progression to stage 4 is evidential based, because a pathway will present itself during inspection by building managers.

***Controlled Waters:*** Prioritised and progression to stage 4 is evidential based, because:

- The City of London does not contain any SPZ's or other areas protected by the EA;
- Exposure to contamination associated with controlled waters is controlled through other legislation e.g. Private Water Supply regulations 2009; and
- Ensuring contamination does not find its way into groundwater remains a priority through the development management process.

The deliverable is a list of sites which might merit further inspection under stage 4. If there is an unknown associated with a site or if at any stage additional information comes to light the City of London will re-visit the decision in order to decide if a site should move to stage 4.

### 3.1.4 Stage 4: Preliminary Risk Assessment

The fourth stage considers whether the current land use might satisfy a full contaminant linkage (source-pathway-receptor).

Stage 4 involves conducting a site reconnaissance visit(s) to establish possible signs of contamination and gain additional information regarding receptors or pathways and to see if there is any reason why the site can be excluded. If it is excluded, then this is recorded.

During the reconnaissance visit preliminary evidence such as photographs and site plan would be obtained. To inform the decision to move to 'detailed inspection', a shallow sample would be taken and analysed if applicable (in accordance with relevant British Standards).

A preliminary risk assessment would be conducted based on section 2.2 of the EA's *Model Procedures for the Management of Land Contamination (CLR11)* to decide if the site should move to detailed inspection. The site would then be categorised under the following:

**Category A:** This category of site would move to detailed inspection. This is land where a past or present contaminative use has been identified and where there is a possibility that it might affect a receptor based on visual or documentation supporting a potential contaminative source in the past or at present. The given site could be subdivided into the following priority areas: high, medium and low where applicable.

**Category B:** Current or past land use may have led to contamination, but there is not a source-pathway receptor link. This category of site is considered suitable for its current use and any contamination found at a later date would be dealt with through the development management process.

**Category C:** This is land where no pollution linkage has been identified. It would be difficult in the City to say that no contamination is present at any site, due to the lack of virgin soil within the Square Mile.

Should the City need to create a prioritisation list for 'detailed inspection' (stages 5 and 6), the City would proceed as follows:



1. The identified sites would be grouped according to the potential *exposure scenarios* which are thought to be present.
2. These exposure scenario groups will be ranked in order of the *likelihood of exposure*.
3. Within each group, each site will be assessed in terms of the relative likelihood of exposure, and ranked.
4. Sites will be investigated in order of priority, according to the ranked lists. Higher ranking groups will be investigated first, and when all sites have been investigated, then lower ranking groups will be investigated.
5. This prioritisation approach would be reviewed on an on-going basis to ensure it remains suitable for use in the event of its requirement.

The next section considers the approach should 'detailed inspection' be required following stages 1-4.

### **3.2 Detailed Inspection (Stages 5 and 6)**

Defra 2.6 (d) Describe the City of London's approach to prioritisation of 'detailed inspection', and remediation activity should the need arise.
--

#### **3.2.1 Detailed Inspection Procedure**

Where the 'strategic inspection' indicates that a site may be at risk of being considered 'contaminated land', then that site will be assessed in greater detail; so desk studies (strategic inspection) will always be conducted in the first instance.

With regard to the 'detailed inspection' phase, as per the Guidance:

- 1) Inspection would be in accordance with a prioritisation list
- 2) The City of London would consult with the land owner before inspecting land
- 3) If powers of entry are required the City of London will be satisfied that there is a reasonable possibility that a significant contaminant linkage may exist.
- 4) Any intrusive investigations will be undertaken with due regard to best practice and British Standards, such as BS 10175:2011 (or subsequent revisions).

### 3.2.2 *Intrusive investigations*

Where there is no chemical analysis of soil, initial and limited site work can be undertaken by the City with reference to relevant British Standards and an accredited laboratory for analysis. The City will be able to utilise soil guideline values (SGVs) and Generic Assessment Criteria (GAC) to conduct risk screening to see if additional site specific risk assessments are required. During 'detailed inspection', the most up to date screening values will be used. See [Appendix D](#) for information relating to SGVs.

### 3.2.3 *Stage 5 – Generic Quantitative Risk Assessment*

Where the preliminary risk assessment conducted during stage 4 indicates more information is required a **generic** quantitative risk assessment will follow based on section 2.3 of CLR11. At the end of this stage, there are number of options and the decision made will be recorded:

- no further investigation, site categorised as 1,2,3 or 4
- options for appraisal considered
- move to 'detailed quantitative risk assessment'(stage 6)

### 3.2.4 *Stage 6 – Detailed Quantitative Risk Assessment*

A 'detailed quantitative risk assessment' will be carried out in accordance with section 2.4 of CLR11. Qualified consultants would be employed in order to conduct this stage of the investigation. At the end of this process, the following will be decided:

- no further investigation, site categorised as 1,2,3 or 4
- options for appraisal considered

## 3.3 **Site Categorisation (Defra Guidance - Chapter 4)**

If a contaminant linkage is established, the City will need to decide whether the linkage is 'significant'. The Guidance has identified four categories of possible contamination:

- Category 1 - a high probability that harm would occur if no action was taken
- Category 2 - there is a strong case that there is a significant possibility of significant harm and that the benefits of remediating the site outweigh the potential risks of remediation.
- Category 3 - there not is a strong case that there is a significant possibility of significant harm

- Category 4 - a low probability of risk

The City would therefore, in accordance with the Guidance and consultation with appropriate bodies, determine whether the site can be classified as a Category 1, 2 3 or 4 site.

### **3.4 Determination of Contaminated Land (Defra Guidance - Section 5)**

The City of London has not determined any sites within the square mile as contaminated land under Part 2A. The Guidance states that the “*local authority is likely to inspect land that it then considers is not contaminated land*” and that “*the authority should issue a statement to that fact*” This means that should a site in the City of London be subject to ‘detailed inspection’, then the City of London will come to a formal decision with regard to the land and issue a statement in order to minimise blight. The City will also keep records of its decision (Defra Guidance 5.4).

With Part 2A, the starting point is that land is not contaminated unless there is a reason to consider otherwise and as such, following ‘strategic’ and ‘detailed assessment’, if the City determines that there one or more significant contaminant linkage(s) then the City will refer to the Guidance to determine the physical extent of land to determined and informing interested parties

With reference to paragraph 5.15 of the Guidance, determination can be postponed if the problem will be dealt with without determination, for example through voluntary action or if the significant contamination linkage would only exist if the land use were to change in the future.

### **3.5 Special Sites**

Where a site meets the definition of contaminated land the City must determine whether the land constitutes a ‘Special Site’. The categories of special sites are:

- contamination affecting water
- contamination by acid tars
- land used for the manufacture of petroleum or explosives
- land regulated by the EA under Schedule A of the EPA
- land used by a nuclear facility

- land used by the military
- land contaminated by radioactivity

Where a site is identified as a Special Site the EA becomes the enforcing authority.

### **3.6 Remediation (Defra Guidance - Section 6)**

If through the Part 2A process, land is determined as contaminated and it is not declared a 'Special Site', the City of London retains control and must consider how the land should be remediated and issue a remediation notice (if required).

As per 6.4 of the Guidance, the City of London will have regard to the Guidance when:

- a) deciding what remediation action it should specify in a remediation notice as being required to be carried out;
- b) satisfy itself that appropriate remediation is being, or will be, carried out without the service of notice ; or
- c) deciding what remediation action it should carry out itself

The City of London will also seek advice from a suitably qualified experienced practitioner where required and refer to the Guidance when deciding:

- a) Remediation techniques
- b) Securing remediation without a remediation notice
- c) Standard of remediation
- d) Reasonableness of remediation
- e) Revision of remediation notices
- f) verification

### **3.7 Liability and Recovering Costs (Section 7 and 8 of the Guidance)**

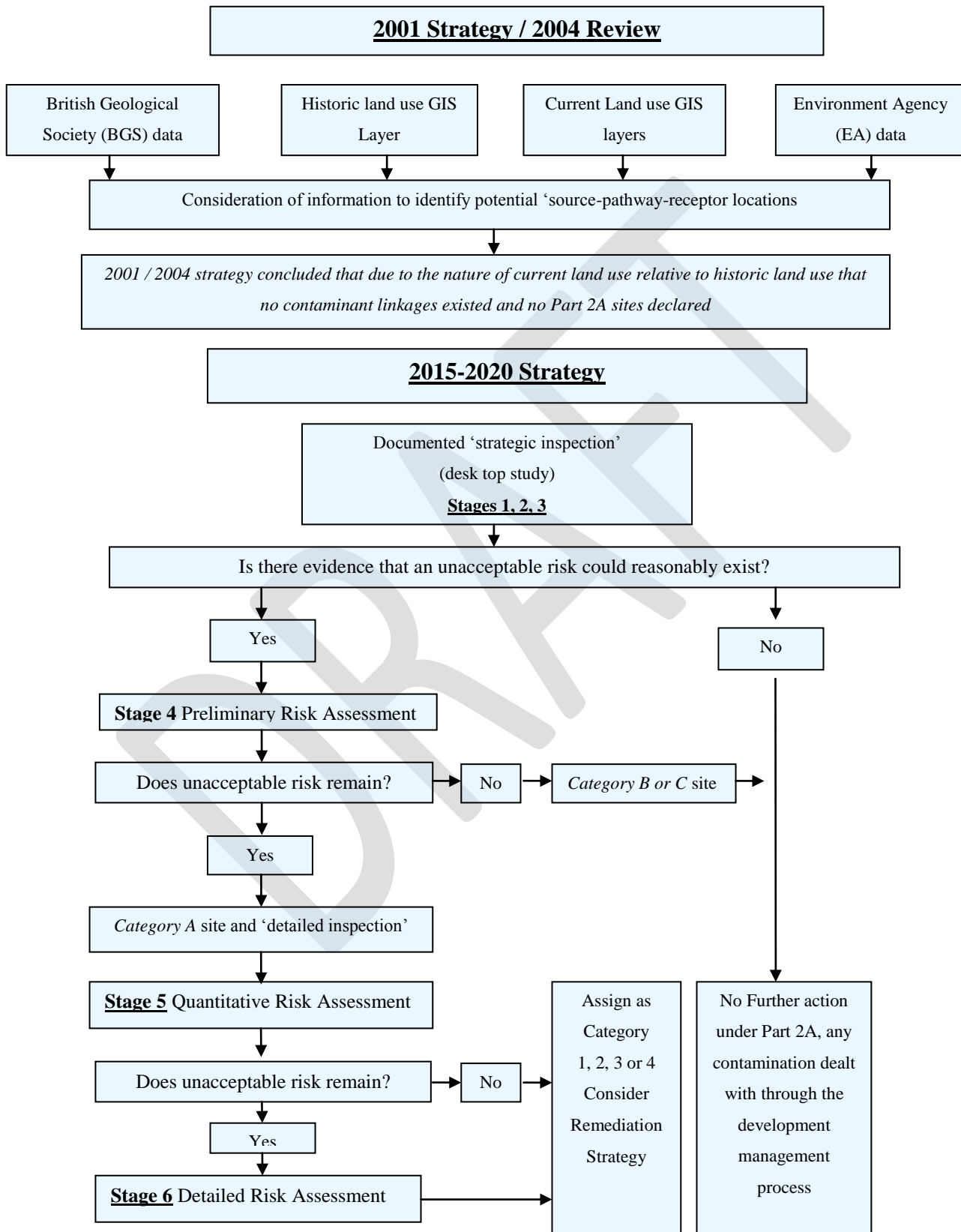
Where the City of London has determined a site as contaminated, there would be liability and cost recovery considerations. The City will refer to the core legislation and the Guidance to identify which individuals or organisations would need to be excluded from liability and costs and to apportion liability and costs to those responsible. The City of London should also seek to recover costs where appropriate in line with s78P (2) of EPA 1990.

### 3.8 Minimising Burden

*Defra 2.6(f) Set out how the City will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.*

Where contaminated land is identified, there are a number of burdens on a range of stakeholders, including landowners, the City of London itself, and neighbouring landowners. The City of London can minimise *unnecessary* burdens by always encouraging voluntary action to deal with contamination issues in the first instance, by ensuring that any determinations made are robust and evidence based, and by being as decisive as possible (i.e. not compiling or issuing lists of ‘potentially contaminated’ sites).

3.9 Overview of Strategic and Detailed assessment process



## Section 4: City of London's broader Approach to Land Contamination

*Defra 2.6 (e) set out how the City of London's approach to Part 2A fits with its broader approach of dealing with land contamination*

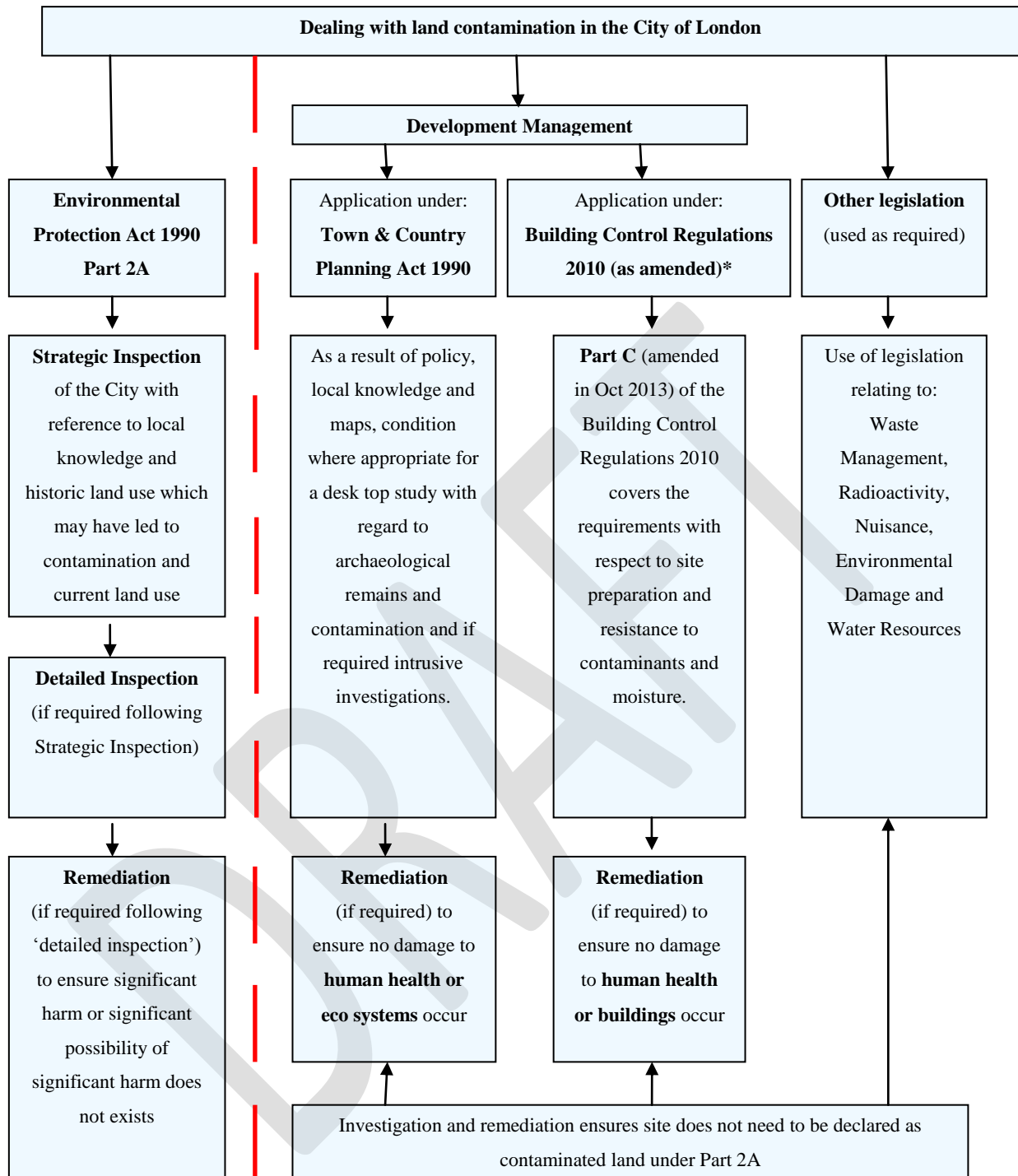
### 4.0 Introduction

Paragraph 1.5 of the Guidance states that “*Enforcing Authorities should seek to use Part 2A only where no appropriate alternative solution exists. The Part 2A regime is one of several ways in which land contamination can be addressed. For example, land contamination can be addressed when land is developed (or redeveloped) under the planning system, during the building control process, or where action is taken independently by landowners....*” The City of London has historically and will continue to deal with land contamination issues through these alternative means.

### 4.1 Other Legislation

Section one of this document details the legislation outside the Part 2A regime which can ensure that land contamination is dealt with. The City of London may therefore receive or request information about the condition of land within the City in several ways, this will inform the decision making process. This also means a developer has numerous opportunities to ensure they are aware of the land condition. By utilising the legislation in section one, sites are prevented from being declared under the Part 2A regime in the future.

The following flow diagram summarises how the City of London deals with land which is contaminated and where Part 2A regime sits:



*\*NOTE: where a developer chooses to utilise the services of an alternative Building Control Body, an 'Approved Inspector', the City has NO control through the Building Control Regulations; however, guidance refers to 'notifying other authorities'.*



#### **4.2 Building Control and Building Regulations 2010 (as amended)**

Through Part C of the Building Control Regulations, the building must be suitable for the ground conditions and to ensure the health of future occupants are protected. Through the building control process conditions, such as that detailed in [Appendix E](#), should be added to the consent by the Building Control Body. The geotechnical reports submitted include soil sampling results, which informs their Environmental Risk Assessment. Should the ground conditions not be deemed suitable, Environmental Health should be informed and additional investigations and a remediation strategy can be requested. The Building Control functions available through the City of London District Surveyor can be viewed [here](#).

#### **4.3 Town and Country Planning Act 1990**

[The National Planning Policy Framework](#) (NPPF) makes clear reference to dealing with land contamination (see [Appendix F](#)). With reference to the City of London's potential historic contaminated land uses GIS layer, the City of London is able to specify planning conditions which relate to the investigation and management of contamination. Further detailed guidance on the implementation of the NPPF is set out in the online national [Planning Practice Guidance](#).

Two planning conditions have been developed by the City of London in line with the requirements of Local Plan policy DM15.8. The first condition requires the developer to contact the Local Planning Authority if they become aware of any contamination during their development and the second 'full' condition requires a detailed site investigation, prior to the breaking of the basement slab. Both conditions require the developer to conduct investigations in accordance with CLR 11.

#### **4.4 Minimising Burden during the Development Management Process**

*Defra 2.6(f) set out how the City will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.*

The intention of The NPPF is to reduce burden on developers and as such, the 'full' planning condition will only be applied where there is a risk to human health through the creation of open space as part of the development, development occurs at a location where historic land

use dictates or if recommended through the EIA process. The first condition would trigger if additional information came to light regarding contamination. Building Control Regulations would ensure the building is suitable for the ground conditions and the health of future occupants are protected.

#### **4.5 Code of Practice for Deconstruction and Construction**

The City of London has a Code of Practice document which sets out acceptable site practice on Deconstruction and Construction Sites in its area. This document sets out a number of requirements for management of land contamination:

- Contractor(s) should review records and ensure that they have undertaken a thorough risk assessment, with a view to both the receptors identified in the Part 2A regime, and operational risks such as unexploded ordnances
- The City of London should be notified where certain issues (such as ground gas) are identified
- The above documents are requested through the 'Scheme of Protective Works' which is requested to discharge the planning condition requiring compliance with the code.

In addition to Town and Country and Building Regulation approvals, Section 80 of the Building Act 1984 requires the City of London to be notified prior to the demolition of any building in the City. See the District Surveyor webpage and Code of Practice further advice on demolition control.

#### **4.6 Environment Agency**

The Environment Agency has clear guidance with regard to which planning applications they wish to be consulted upon. During the consultation process they are able to add conditions or informatives to ensure controlled waters are protected; however, as detailed in section one, the City of London does not contain any SPZs. The proximity to the River Thames means the EA would want to comment on any applications within 20m of the river.

#### **4.7 Providing Information regarding Contamination in the City**

To facilitate access to information regarding contaminated land, the City of London is developing a database of environmental reports submitted. At present, all environmental reports submitted as part of the planning process are available on the City of London Planning Portal.

The City's Historic Land use GIS layer is available via the city's website at [www.cityoflondon.gov.uk/contaminatedland](http://www.cityoflondon.gov.uk/contaminatedland). This page is also used to provide a copy of the City's Strategy. From time to time Consultants contact the City with regard to 'Contaminated Land Searches'. The City refers consultants to this page in the first instance and where they would like the information provided in a report, a reporting service is available and a response is sent within 10 working days.

DRAFT

## References

### **Defra Statutory Guidance ('the Guidance')**

Environmental Protection Act 1990: Part 2A Contaminated Land Statutory Guidance, Defra, April 2012

<https://www.gov.uk/government/publications/contaminated-land-statutory-guidance>

### **CLR11**

Defra and the Environment Agency's '*Model Procedures for the management of Land Contamination, CLR 11*'

<https://www.gov.uk/government/publications/managing-land-contamination>

## Appendix A - Definition of harm, significant harm and current use

**EPA s78A(4):** ‘Harm’ means: harm to the health of living organisms or other interference with the ecological systems of which they form part, and in the case of man, includes harm to his property.

**Significant Harm:** The EPA provides for statutory guidance to elaborate on what is meant by ‘significant harm’, and to assist local authorities in deciding whether there is a ‘significant possibility of significant harm’. See sections 4.1 to 4.3 of the Guidance.

**Current Use:** All risks should be considered in relation to the current use of land. ‘Current use’ is defined to mean:

- a) *“The use which is being made of the land currently.”*
- b) *“Reasonably likely future uses of the land that would not require a new or amended grant of planning permission”*
- c) *“Any temporary use to which the land is put, or is likely to be put, from time to time within the bounds of current planning permission.”*
- d) *“Likely informal use of the land, for example children playing on the land, whether authorised by the owners or occupiers, or not.”*

## Appendix B – Green Open Spaces and Scheduled Ancient Monuments

### The City of London has pockets of Green Open Space, including:

- Staple Inn
- Statue, Fetter Lane
- St Dunstan's House
- Hare Court
- Brick Court
- Middle Temple
- Inner Temple Garden
- King's Bench Walk
- Tower Gardens
- St Paul's Cathedral
- Postman's Park
- Finsbury Circus
- Custom House Walk
- Seething Gardens
- Barbican: Lambeth Jones Mews / Brandon Mews / Bunyan Court / Day Nursery

### The City of London has over 60 ancient scheduled monuments, including:

- London Wall (various sections)
- Monument
- Fishmongers' Hall
- Roman Amphitheatre, Guildhall Yard
- Queenhithe dock
- Armourers' and Brasiers' Hall
- Tallow Chandlers' Hall
- below Billingsgate Market (archaeological interest)
- Roman wall in Basement of 90 Gracechurch St
- Remains of St Pancras Church, Pancras Lane
- The London Greyfriars, site of, Newgate St, Farringdon
- Roman Hypocaust and building on site of Coal Exchange
- Watermen's' Hall: 17 & 18 St Mary at Hill
- Vintners' Hall
- Roman governor's palace (site of)
- Huggin Hill Roman Baths
- Barnard's Inn Hall (Mercers' School)
- Skinners Hall
- Smiths' Wharf
- Baynard's Castle
- Merchant Taylors' Hall
- Goldsmiths' Hall
- Innholders' Hall
- Painters Stainers' Hall
- Inner Temple Hall Buttery
- Apothecaries' Hall
- Dyers' Hall

### Appendix C - Background level of contaminants

Summary of domain normal background concentrations (NBCs) for the contaminants studied in the BGS project. See [www.bgs.ac.uk](http://www.bgs.ac.uk) for more details with regard to this project.

A series of technical guidance sheets (TGSs) have been developed for contaminants where NBCs could be determined.

<b>As</b>	DOMAIN					
	Principal	Mineralisation	Ironstone			
	NBC	32	290	220		
	N	41,509	187	437		
<b>BaP</b>	DOMAIN (Great Britain)					
	Principal	Urban				
	NBC	0.5	3.6			
	N	371	32			
<b>Cd</b>	DOMAIN					
	Principal	Min. Grp. 1	Min. Grp. 2	Urban	Chalk South	
	NBC	1.0	17	2.9	2.1	2.5
	N	4,418	224	95	9,308	265
<b>Cu</b>	DOMAIN					
	Principal	Mineralisation	Urban			
	NBC	62	340	190		
	N	34,504	153	7,475		
<b>Hg</b>	DOMAIN					
	Principal	Urban				
	NBC	0.5	1.9			
	N	1,126	512			
<b>Ni</b>	DOMAIN					
	Principal	Ironstone (Ni)	Peak District	Basic	Ultrabasic	
	NBC	42	230	120	*	*
	N	41,768	117	221	23	4
<b>Pb</b>	DOMAIN					
	Principal	Mineralisation	Urban			
	NBC	180	2,400	820		
	N	34,257	347	7,529		

## Appendix D - Soil Guideline Values

Soil Guideline Values (SGV) (and supporting technical guidance) are non-statutory technical guidance values developed by the DEFRA / Environment Agency which are used to help assess the long-term risk to human health from exposure to chemical contamination in soil.

The SGVs for the chemical substances they are available for varies with land use and the ways in which people are exposed to soil contamination:

- residential properties with gardens
- residential properties without gardens
- allotments
- commercial/industrial sites

Using human toxicity data, they estimate the amount of a substance that would be taken in through exposure to the soil relevant to Health Criteria Values (HCV). SGVs give an indication of “representative average levels of chemicals in soil below which the long-term health risks are likely to be minimal” (EA) and they are 'trigger values' for screening-out low risk areas of land contamination. Further investigation and evaluation may be required if the SGV is exceeded, but it does not necessarily mean the site requires remediation.

The EA states that SGV cannot be used:

- if they are not representative of the site under investigation.
- to assess other types of risk to human health or short-term and acute exposures
- to assess risks to controlled waters, property, pets and livestock, or ecological receptors.

SGVs do not have to be used and can be used to assess other chemicals using certain procedures and software e.g. CLEA. A guide to soil guideline values can be found:

<https://www.gov.uk/government/publications/contaminated-soil-assessing-risks-on-human-health>

Soil Guideline values for individual contaminants can be found at:

<https://www.gov.uk/government/publications/land-contamination-soil-guideline-values-sgvs>



## **Appendix E - Building Control Regulations 2010 (Part C)**

### ***Preparation of site and resistance to contaminants.***

*C1 (1) The ground to be covered by the building shall be reasonably free from any material that might damage the building or affect its stability, including vegetable matter, topsoil and pre-existing foundations.*

*(2) Reasonable precautions shall be taken to avoid danger to health and safety caused by contaminants on or in the ground covered, or to be covered by the building and any land associated with the building.*

*(3) Adequate sub-soil drainage shall be provided if it is needed to avoid:*

*(a) the passage of ground moisture to the interior of the building;*

*(b) damage to the building, including damage through the transport of water-borne contaminants to the foundations of the building.*

*(4) For the purpose of this requirement, 'contaminant' means any substance which is or may become harmful to persons or buildings including substances which are corrosive, explosive, flammable, radioactive or toxic.*

### ***Resistance to moisture***

*C2. The walls, floors and roof of the building shall adequately protect the building and people who use the building from harmful effects caused by:*

*(a) ground moisture;*

*(b) precipitation including wind-driven spray;*

*(c) interstitial and surface condensation; and*

*(d) spillage of water from or associated with sanitary fittings or fixed appliance*

Through the building control process conditions (such as that detailed overleaf) should be added to the consent by the Building Control Body. The geotechnical reports submitted include soil sampling results. Should the ground conditions not be deemed suitable, additional investigations and a remediation strategy can be requested.

This is an extract from a typical condition by the City of London District Surveyor – the Building Control Body for the City of London Corporation. Further advice and information can be found [here](#).

**PART C - SITE PREPARATION AND RESISTANCE TO CONTAMINANTS AND MOISTURE**

*All references in the following conditions to Sections and paragraphs relate to Approved Document C.*

*Precautions shall be taken to avoid danger to health and safety caused by substances found on and around the ground to be covered by the building or in any land associated with the building. Full site investigation report in accordance with paragraph 1.2 shall be submitted to this office together with immediate notification of any possible contaminants to the Environmental Health Officer.*

## Appendix F - National Planning Policy Framework

109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity
- where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

120. To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

121. Planning policies and decisions should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as

contaminated land under Part 2A of the Environmental Protection Act 1990; and adequate site investigation information, prepared by a competent person,

- is presented

143. In preparing Local Plans, local planning authorities should:

- .....set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;.....
- put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.

<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services	10 March 2015
<b>Subject:</b> Recycling Action Plan	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For information</b>
<b>Summary</b>	
<p>The City of London’s 2013 Waste Strategy sets a local target to achieve a 45% recycling rate by 2015 and 50% by 2020. Initially, from 2013, the City’s recycling rate was increasing and on track to achieve this. However, due to the introduction of the Materials Recycling Facility Code of Practice in October 2014, which set stricter quality standards for recyclable materials sent for reprocessing, it was necessary for officers to investigate the quality of the recycling being sent for onward processing. In addition to the issues detailed above, it have been reported widely in the industry press that national recycling rates have flat lined.</p> <p>The Renew on-street recycling bins and those maintained by Parks and Gardens were identified as having a consistently high contamination rate which affected the quality of the recycling. As a result, these two streams of recycling have been removed from City’s recycling and the recycling rate has decreased accordingly to 30%.</p> <p>A Recycling Action Plan has been devised setting out the actions the City will take to get back on track to reach its recycling targets.</p> <p><b>Recommendation(s)</b></p> <p>Members are asked to:</p> <ul style="list-style-type: none"> <li>• Note the implementation of the Recycling Action Plan.</li> </ul>	

## Main Report

### **Background**

1. At the Port Health and Environmental Services Committee in September 2013, Members approved a revised City of London Corporation’s Waste Strategy document placing greater focus on reuse and recycling. Contained within this Waste Strategy was the target to achieve a 45% recycling rate by 2015 and 50% by 2020, aligning with the Mayor of London’s 2011 Strategy “London’s Wasted Resource”.
2. This Committee received a further report in September 2014 highlighting that, although the recycling rate had gradually increased to begin with, this trend had reversed, due to the introduction of Defra’s Materials Recovery Facility Code of Practice, effective from 1 October 2014, which introduced more stringent controls about the quality of recycling. The introduction of this Code

of Practice has added significant pressure to all local authorities recycling services.

3. It has also been widely reported in the press that national recycling rates have flat lined since 2013. In November 2014, the national recycling rate was reported to have increased by just 0.1% in the previous year.
4. The City's agreement with its previous Materials Recycling Facility (MRF), operated by Ideal Waste, expired in October 2014. Unfortunately Ideal Waste were not able to conform to the new regulations and have subsequently ceased operating. As part of the procurement process for a new MRF, sample loads of comingled Dry Mixed Recycling (DMR) were sent to two MRF operators for quality sampling. Both MRFs confirmed that our comingled DMR was producing high contamination levels; 57% for household recycling and 21% for street sweeper recycling. One sample of Renew on-street recycling was rejected as being so contaminated it was classified as general waste.
5. Since December 2014, the City has sent its DMR to a MRF operated by Veolia in Southwark, where it is sorted into individual recyclable material streams. If recycling is highly contaminated, it will be rejected and disposed of as general waste.

### **Current Position**

6. The City's comingled DMR is generated from four sources; domestic household recycling, on-street recycling bins, recycling bins located in Parks and Gardens, and litter collected by manual street sweepers. Unlike many other local authorities, the City does not collect any household garden waste, which can be significant contributing weight to total recycling figures.
7. Significant work has been undertaken by Officers to identify the sources of contamination within the DMR. In order to identify the general sources of contamination, the Recycling Team have been carrying out waste audits on samples of recycling from each source.
8. Waste audits highlighted that the Renew on-street recycling bins and the contents of the recycling bins maintained by Parks and Gardens were returning consistently high contamination levels of 43% and 75% respectively.
9. Trials were carried out last year on the Renew on-street recycling bins to ascertain whether applying more prominent and effective signage to the units would improve the quality of recycling contained within. These trials have proved unsuccessful with consistently high contamination following the increased signage. A chart showing this can be seen in Appendix 1.
10. The Renew on-street recycling bins and recycling collected by Parks and Gardens are the most challenging source to control contamination levels from as it requires a change to public behaviour. As a result of the consistently high contamination levels, the Renew on-street recycling bins and Parks and Gardens recycling were removed from the recycling stream and the contents of these recycling bins is being treated as general waste until there is an improvement in contamination levels. Subsequently, because the company that maintained the Renew have gone into administration, the Renew bins have been taken out of service and are currently being removed.

11. This action, coupled with liaising with producers of recycling in the other streams, has successfully reduced our overall contamination levels, as reported by our MRF, to between 6 - 10%.
12. The improvement in quality of recycling ensures that the City is complying with the quality levels required by the MRF Code of Practice. However, by removing the two most contaminating streams of recycling, the City's recycling rate has dropped to 30%. The City of London is therefore highly likely to fall short of the target to recycle 45% by the end of this year as set out in paragraph 1.

### **Next Steps**

13. To enable the City to reach its recycling targets as set out in paragraph 1, a Recycling Action Plan (Appendix 2) has been devised which illustrates the short and long term actions the City can take to increase the recycling rate, along with an analysis of how each individual recyclable stream can be increased. It is anticipated that complying with the Recycling Action Plan will ensure the City achieves its 50% recycling rate target by 2020.
14. In addition to the tasks identified in the Recycling Action Plan, audits of the recycling streams identified in paragraph 5 will continue enabling Officers to monitor contamination levels within each stream. Officers will also monitor the success of actions laid out in the plan and also ensure on-going compliance with recycling quality controls.

### **Corporate & Strategic Implications**

15. This supports the City's Corporate Plan Key Policy Priority, of maintaining the quality of our public services, whilst reducing our expenditure and improving our efficiency. It also supports the City Together Strategy's aim of protecting, promoting and enhancing our environment.

### **Financial Implications**

16. The proposals set out in the Recycling Action Plan can be achieved within the current Cleansing Service budget. Furthermore, it should be noted that the current disposal cost per tonne for DMR is £3, as opposed to £122 for general waste. It is therefore imperative that the quality of the 1400 tonnes of DMR that the City produces per annum remains sufficiently high to ensure it does not incur additional disposal costs.

### **Legal Implications**

17. The recycling targets of 45% by 2015 and 50% by 2020 are local and national targets. There are no legal implications if the City fails to reach the targets.

### **Conclusion**

18. The City of London has successfully been able to reduce contamination levels to below 10%. This has been driven by the new MRF Code of Practice introduced in October 2014, but has had a significant impact on the City's recycling rate and it is now highly unlikely that we will meet our 2015 Waste Strategy target of 45%. With the removal of the Renew on-street recycling bins and Parks and Gardens as sources of recycling, the City's recycling rate has decreased to 30%.

19. To enable the City of London to reach its own and regional and European targets by 2020, the City will implement this Recycling Action Plan to help drive forward an increase in the recycling rate.

#### **Appendices**

- Appendix 1 – Contamination in Renew on-street recycling bins
- Appendix 2 – Recycling Action Plan

#### **Jim Graham**

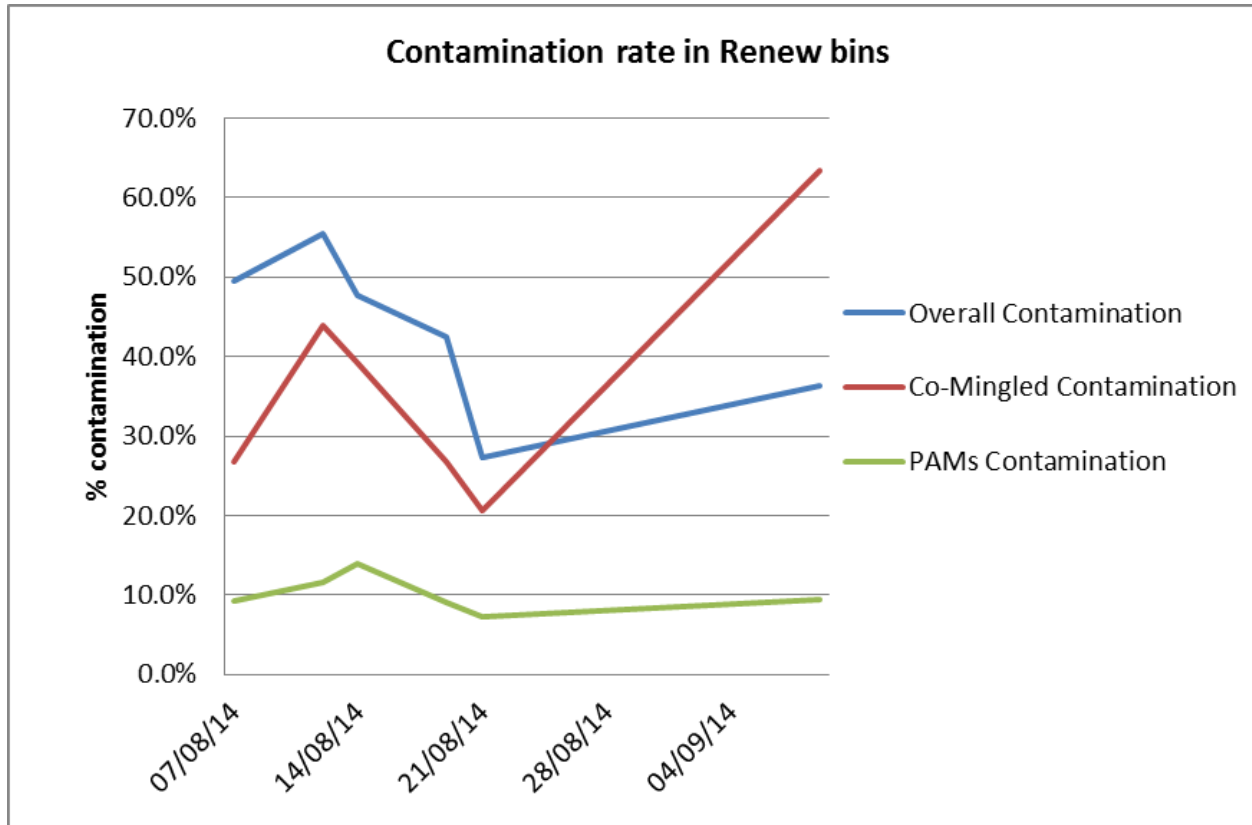
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## Appendix 1 – Contamination in Renew on-street recycling bins



Additional signage was placed on the bins from w/c 14/08/14. The graph shows that contamination levels actually increased in the first audit after additional signage had been applied and fluctuated thereafter.

## Appendix 2 – Recycling Action Plan

### Long Term Goals

Aim	Action(s)	Target
Reduce the amount of waste each household produces	Undertake waste prevention campaigns on target materials, in particular: <ul style="list-style-type: none"> <li>• food waste.</li> <li>• disposable nappies.</li> <li>• plastic bottles.</li> </ul>	1% annual reduction in waste arisings per household.
Increase participation in dry recycling scheme	Seek to understand why people do not participate (inconvenience, lack of understanding, easier just to use residual waste). Define actions to tackle motivations (provide information, consider actions to make recycling more convenient than residual). Enlist support of cleaners and concierges to reinforce messages. Consider use of incentives to motivate participation. Monitor impact of actions and review progress.	80% of households set out recycling for collection at least once per fortnight.
Decrease the level of contamination in dry recycling collected from households	Provide information to householders regarding what can and cannot be recycled. Enlist support of cleaners and concierges to reinforce messages. Try to identify any common non-target materials so that communication can focus on them. Monitor impact of actions and review progress.	No estate/block to produce more than 10% contamination.
Increase participation in food waste collection scheme	Seek to understand why people do not participate (inconvenience, lack of understanding, easier just to use residual waste). Define actions to tackle motivations (provide information, consider actions to make recycling more convenient than residual). Enlist support of cleaners and concierges to reinforce messages. Consider use of incentives to motivate participation. Monitor impact of actions and review progress.	60% of households that have access to a food waste collection set out separate food waste at least once per week.
Increase the quantity and purity of schools' recycling	Work with schools that produce high quality recycling to understand what they do in order to achieve this. Identify key influencers in schools on recycling and explain best practice to them. Consider rejecting/charging as residual waste for badly contaminated recycling. Encourage schools to take up food waste collections.	All schools reduce contamination to approx 30%. All schools have a separate food waste collection.
Increase the proportion of bulky waste that is reused or recycled	Work with LRN to understand what limits current take-up of their service to households. Explore whether bulky material collected by the Corporation can be stored in a way that enables more of it to be passed on for reuse. Consider letting a concession (perhaps in co-operation with another authority) to set up a re-use shop. Explore options to enable material that is not suitable for reuse to be recycled (e.g. seek to work with mattress recycling firms, wood recyclers, recyclers of white goods).	30% of bulky waste is received by a reuse organisation. 30% of bulky waste is recycled.

## Appendix 2 – Recycling Action Plan

Aim	Action(s)	Target
Decrease the amount of textiles in residual waste	Encourage increased use of, and possible expansion of, network of bring banks. Provide residents with information about textile recycling. Explore whether household collections are feasible, especially from estates where textiles are a higher proportion of residual waste.	Increase textiles collected by 25%.
Increase the amount of WEEE (Waste Electrical and Electronic Equipment) diverted from residual waste	Encourage increased use of, and possible expansion of, network of bring banks. Provide residents with information about WEEE recycling.	Increase WEEE collected by 25%.
Decrease the need for very high frequency residual waste collections	By diverting putrescible waste and more recycling, reduce the need for daily residual waste collections on grounds of either (a) space or (b) odour/vermin issues. Ultimately, where possible, reduce residual waste collection frequencies and container space while maintaining/increasing food/recycling collections to reinforce the incentive to recycle	For many properties, reduce residual collections to 3x per week, while maintaining a high level of customer service and satisfaction.
Increase the amount of street litter that is able to be recycled	Examine lessons from streets recycling bins (successful and unsuccessful locations, effective and ineffective signage). Consider introduction of bins with less potential for contamination (e.g. narrow slots for paper only). Consider reintroduction of recycling bins where they have been found to work. Consider whether any recyclables could be extracted mechanically from street litter bins.	Recycle 20% of material from street litter bins.

### Year 1 Priorities

Aim	Action(s)	Deliverables
Encourage participation in food waste scheme	With an initial focus on Middlesex St (where organic waste is the highest and participation very low) use lessons learned from experience with smaller estates to help residents make more effective use of food waste collections	Undertake door-knocking and leafleting work in July 2015. Ensure Corporation staff who work in Middlesex St understand the food waste system and act as advocates. Look to engage local members and community leaders as champions in Middlesex St to explain the system to other residents. Undertake short participation monitoring exercise. Participation in food waste collections increases from 6% to 50%.
Encourage participation in dry recycling scheme	With an initial focus on the Barbican (where participation in the recycling scheme appears to be low), engage with residents and cleaners to understand barriers to recycling and encourage greater participation.	Undertake door-knocking and leafleting work in September 2015. Work with cleaners to ensure they understand the food waste system and act as advocates. Look to local members and community leaders as champions in the Barbican to

## Appendix 2 – Recycling Action Plan

Aim	Action(s)	Deliverables
		<p>explain the system to other residents.</p> <p>Undertake short participation monitoring exercise.</p> <p>Weekly participation in recycling scheme increases from 13% to 50%.</p>
Reduce paper in night collection residual stream	<p>Gain understanding of why so much paper is in night residual stream.</p> <p>Devise and implement actions to reduce paper in residual (e.g. increase recycling container capacity, provide signage regarding where paper can be recycled).</p> <p>Monitor impact of actions and review whether additional/ different action is required.</p>	<p>Undertake initial analysis of problem in July 2015.</p> <p>Devise actions in September 2015.</p> <p>Implement from October 2015.</p> <p>Paper content of night collections is reduced to no more than 30%.</p>

## Appendix 2 – Recycling Action Plan

### Recycling Action plan by recycling stream

Source of recycling	Current Recycling % or Tonnes p.a	Average Contamination % (2014 audits)	DMR Participation (Autumn 2014 unless stated)	FOOD participation (Autumn 2014 unless stated)	% Dry mixed recyclables in residual waste (2012 data) NOT including textiles/ WEEE etc	Actions to increase DMR recycling	Actions to decrease contamination and increase capture rate	Aims
<b>Household properties</b>								
Barbican Estate	unknown	Unknown	82% (2012 data)	38.5% (2012 data)	32%	<ul style="list-style-type: none"> <li>Seek to understand why people do not participate in recycling/food scheme, identify barriers to participation and take action to overcome barriers.</li> <li>Enlist support of cleaners/concierge/ Estate Office to reinforce messages.</li> <li>Introduce participation in recycling/food waste as part of tenancy agreement</li> <li>Liaise with managing agents</li> <li>Regular articles in Estate literature/mail shots/City resident magazine/City View magazine</li> </ul>	<ul style="list-style-type: none"> <li>Provide information to householders regarding what can and cannot be recycled – achieved via council tax leaflet/regular articles in City Resident/City View magazine etc.</li> <li>Improve signage on bins / bin stores.</li> <li>Place contamination messages on bags containing non-recyclable items and leave on doorstep to keep out of recycling and educate resident (Estates).</li> <li>Enlist support of cleaners/concierge/ Estate Office to reinforce messages.</li> <li>Try to identify common non-target materials to enable targeted communication to</li> </ul>	Supports;  Objective 4 Objective 8  <ul style="list-style-type: none"> <li>Identify recycling rate for each Estate and private blocks by 2016</li> <li>Increase participation in DMR scheme to 60% on Estates by 2017</li> <li>80% households set out recycling for collection at least once per fortnight</li> <li>Identify contamination levels by 2016 – no block/</li> </ul>
Golden Lane Estate	unknown	Unknown	58%	19%	31%			
Middlesex Street Estate	unknown	Unknown	58%	15%	41%			
Mansell Street Estate	unknown	Unknown	55%	8%	37%			
Private blocks with concierge	unknown	Unknown			26%			
Private blocks without	unknown	Unknown			48%			

## Appendix 2 – Recycling Action Plan

Source of recycling	Current Recycling % or Tonnes p.a	Average Contamination % (2014 audits)	DMR Participation (Autumn 2014 unless stated)	FOOD participation (Autumn 2014 unless stated)	% Dry mixed recyclables in residual waste (2012 data) NOT including textiles/ WEEE etc	Actions to increase DMR recycling	Actions to decrease contamination and increase capture rate	Aims
concierge							remove from recycling	Estate to produce no more than 10% contamination by 2020
Street properties	unknown	8.5%			61%	<ul style="list-style-type: none"> <li>Send recycling info with council tax bills</li> <li>Undertake waste prevention campaigns to reduce waste arisings</li> <li>Officers and Councillors to attend TRA/community meetings to provide info on all services, answer questions</li> <li>Install RFID tags on all recycling and general waste bins to identify low performing properties – target communications as appropriate e.g. doorstepping campaigns to encourage/promote recycling</li> <li>Consider recycling competition for residents</li> <li>Investigate potential to have tour of MRF for green</li> </ul>	<ul style="list-style-type: none"> <li>Communication campaigns to help residents identify commonly mis-interpreted materials e.g. plastics to help increase capture rate</li> <li>Undertake regular waste audits to identify common contaminants to direct staff/cleaner training and identify areas of improvement</li> <li>Monitor impact of actions and review progress.</li> </ul>	<ul style="list-style-type: none"> <li>Decrease contamination in dry recycling collected from households by 7% by 2017</li> <li>Decrease average percent of recyclables in residual waste stream from 35% to below 30%</li> <li>1% annual reduction in waste arisings per household by 2020</li> <li>Increase participation in food waste service to 40% on Barbican and 22% on all other estates by</li> </ul>

## Appendix 2 – Recycling Action Plan

Source of recycling	Current Recycling % or Tonnes p.a	Average Contamination % (2014 audits)	DMR Participation (Autumn 2014 unless stated)	FOOD participation (Autumn 2014 unless stated)	% Dry mixed recyclables in residual waste (2012 data) NOT including textiles/ WEEE etc	Actions to increase DMR recycling	Actions to decrease contamination and increase capture rate	Aims
						champions/ key stakeholders to reiterate importance recycling <ul style="list-style-type: none"> <li>• Regular audits on recycling/general waste to ensure correct items being recycled/disposed – tweak communications as necessary</li> <li>• Monitor impact of actions and review progress.</li> </ul>		2016 <ul style="list-style-type: none"> <li>• 60% households set out food waste at least once per week by 2020</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
<b>Educational Establishments</b>					
Newpark Nursery	unknown	22%	<ul style="list-style-type: none"> <li>• Work with schools that produce high quality recycling to understand what they do in order to achieve this – enables best practice</li> <li>• Identify key influencers in schools on recycling and explain best practice to them.</li> <li>• Assess provision of recycling bins including staffrooms and classrooms to capture recycling.</li> <li>• Work with schools to improve signage in class/ staff/ catering areas and on bins</li> <li>• Poster competitions to engage students</li> <li>• Work with schools to introduce Recycling Club.</li> <li>• Investigate potential to have tour of MRF for green champions/ key stakeholders to reiterate importance recycling</li> <li>• Identify potential for Eco Schools accreditation</li> <li>• Encourage schools to join the CCAS to improve recycling/reuse</li> <li>• Encourage schools to sign up</li> </ul>	<ul style="list-style-type: none"> <li>• School assemblies to inform about importance of recycling correct materials.</li> <li>• Consider rejecting/charging as residual waste for badly contaminated recycling.</li> <li>• Enlist support of cleaners to reinforce messages.</li> <li>• Try to identify any common non-target materials so that communication can focus on them to prevent contamination.</li> <li>• Improve signage on bins</li> <li>• Undertake regular waste audits to identify common contaminants to direct staff/cleaner training and identify areas of improvement</li> <li>• Monitor impact of actions and review progress.</li> </ul>	Supports; Objective 4 Objective 8  <ul style="list-style-type: none"> <li>• Identify recycling rate at each site by 2016 to direct where Officers concentrate efforts to increase recycling</li> <li>• Decrease contamination from average 40% to below 30% per site by 2017</li> <li>• Achieve at least 50% recycling rate from each site by 2020</li> </ul>
Bright Horizons Nursery	unknown	unknown			
Sir John Cass P.S	unknown	38%			
St Paul's Cathedral School	unknown	14%			
CoL Girls Schools	unknown	41%			
CoL Boys School	unknown	27%			
GSMD - Silk Street/ Milton Court	unknown	33%			



## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
London School Business and Finance	unknown	unknown	<ul style="list-style-type: none"> <li>to BECS</li> <li>Work with catering areas to ensure food waste being captured throughout building</li> <li>Regular audits on recycling/general waste to ensure correct items being recycled/disposed</li> <li>Monitor impact of actions and review progress.</li> </ul>		
Bishopsgate Institute	unknown	54%			
Sundial Court – Halls of Residence	unknown	47%	<ul style="list-style-type: none"> <li>Same as private blocks with concierge</li> <li>Liaise with GSMD to assess bin provision throughout Halls of Residence</li> <li>Investigate option to have recycling competition with students</li> <li>Implement recycling as part of tenancy agreement</li> </ul>	<ul style="list-style-type: none"> <li>Same as private blocks with concierge</li> </ul>	<ul style="list-style-type: none"> <li>Same as educational establishments</li> </ul>
Urbanest – Halls of Residence	unknown	unknown	<ul style="list-style-type: none"> <li>Same as private blocks with concierge</li> <li>Liaise with Urbanest to assess bin provision throughout Halls of Residence</li> <li>Investigate option to have recycling competition with students</li> <li>Implement recycling as part of tenancy agreement</li> </ul>	<ul style="list-style-type: none"> <li>Same as private blocks with concierge</li> <li>Provision of signage/literature in different languages (Russian/Chinese)</li> </ul>	<ul style="list-style-type: none"> <li>Same as educational establishments</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
<b>Religious worship</b>					
Churches		unknown	<ul style="list-style-type: none"> <li>• Liaise with churches to discuss recycling needs</li> <li>• Review services in place and ascertain whether should be classed as household or commercial services and review current recycling provisions</li> <li>• Assess whether food waste is required</li> <li>• Provide effective signage as appropriate</li> <li>• Regular audits on recycling/general waste to ensure correct items being recycled/disposed</li> <li>• Monitor impact of actions and review progress.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide list of materials which can and can not be recycled</li> <li>• Provide effective signage</li> <li>• Work with collection crews to identify where contaminated bags are being presented for collection (majority of churches have on-street collection)</li> <li>• Undertake regular waste audits to identify common contaminants to direct staff/cleaner training and identify areas of improvement</li> <li>• Monitor impact of actions and review progress.</li> </ul>	Supports; Objective 4 Objective 8 <ul style="list-style-type: none"> <li>• Have all sites producing at least 1 bag per fortnight of recycling by 2016</li> <li>• All sites to produce less than 15% contamination by 2016</li> </ul>
<b>On-street recycling</b>					
Renew / Big Belly Recycling Trials	unknown	43% (Renew)	<ul style="list-style-type: none"> <li>• Remove Renew bins from street scene. Contents collected as general waste and counting against recycling</li> <li>• Continue Big Belly Recycling Trials/ trial other on-street recycling bins as appropriate-monitor to assess potential to collect good quality recycling</li> </ul>	<ul style="list-style-type: none"> <li>• Consider introduction of bins with less potential for contamination (e.g. narrow slots for paper only).</li> <li>• Clear and prominent signage on recycling bins to reduce contamination</li> <li>• Only locate recycling bins next to general waste bins</li> <li>• Undertake regular waste audits to identify common contaminants to</li> </ul>	Supports Objective 1 Objective 4 Objective 8 <ul style="list-style-type: none"> <li>• Install at least 10 co-located recycling bins by 2017</li> <li>• Achieve &lt;20% contamination rate in</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
			<ul style="list-style-type: none"> <li>introduce on-street co-located recycling/general waste bins at strategic points in the City – undertake audits to assess effective of collecting good quality recycling and improve signage as necessary</li> <li>Run community engagement/promotional campaigns to promote correct use of bins</li> <li>Incorporate employee education and engagement into the Business Environmental Charter</li> <li>Monitor impact of actions and review progress.</li> </ul>	<ul style="list-style-type: none"> <li>identify areas of improvement</li> <li>Monitor impact of actions and review progress.</li> </ul>	<ul style="list-style-type: none"> <li>recycling bins by 2017</li> <li>Recycle 20% of material from street litter bins by 2020</li> </ul>
<b>Sweeper recycling</b>					
Manually sorted sweeper recycling	270.3 Tonnes (2013/14)	5% (Dec 2014)	<ul style="list-style-type: none"> <li>Create handy recycling identification guide to provide to operatives to ensure they collect all recyclable materials</li> <li>Create stickers to be applied to recycling barrows to act as a guide for operative and public</li> <li>Hold regular training sessions with operatives to ensure all aware of the importance of collecting recycling</li> <li>Undertake audits on recycling/general waste collected by operatives to ensure capture rate as high as</li> </ul>	<ul style="list-style-type: none"> <li>Ensure operatives are aware of materials to collect in recycling compartment</li> <li>Regular training to ensure knowledge is up-to-date</li> <li>Undertake audits on recycling and feedback to Amey supervisors to direct training</li> <li>Operatives are to leave lid on recycling compartment down when barrow unattended – prevents contaminants entering recycling</li> <li>Monitor impact of actions and review progress.</li> </ul>	Supports; Objective 1 Objective 4 Objective 8 <ul style="list-style-type: none"> <li>Maintain 5% contamination rate between 2015 – 2020</li> <li>Achieve 95% recycling rate by 2016</li> </ul>

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Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
			<ul style="list-style-type: none"> <li>possible and identify any areas for improvement</li> <li>Monitor impact of actions and review progress.</li> </ul>		
<b>Parks and Gardens</b>					
Recycling bins in P&G	13.4 tonnes (2013/14)	75%	<ul style="list-style-type: none"> <li>Same as on-street recycling bins</li> <li>Use learnings/ experience from on-street recycling bins trials to inform recycling bin provision in P&amp;G</li> <li>Partner with P&amp;G to have litter pickers collect recyclables separately</li> <li>Liaise with P&amp;G to undertake regular training for litter pickers</li> <li>Monitor impact of actions and review progress.</li> </ul>	<ul style="list-style-type: none"> <li>Only co-locate general waste and recycling bins.</li> <li>Clear and prominent signage on bins</li> <li>Liaise with P&amp;G to have their staff undertake visual check on recycling contents to check contamination levels. If too obviously contaminated, treat as refuse.</li> <li>Monitor impact of actions and review progress.</li> </ul>	Supports; Objective 1 Objective 4 Objective 8 <ul style="list-style-type: none"> <li>Install at least 10 co-located recycling bins by 2016</li> <li>Achieve &lt;20% contamination rate in recycling bins by 2020</li> <li>Increase recycling tonnage to 14t by 2017</li> </ul>
<b>Other recycling services</b>					
Bulky reuse	2.5 tonnes (2013/14)		<ul style="list-style-type: none"> <li>Work with LRN to understand what limits current take-up of their service to households.</li> <li>Regular promotion of LRN bulky reuse service</li> <li>Investigate potential for “pop-up” reuse shops in City to further promote service</li> <li>Explore options to enable material that is not suitable for reuse to be recycled (e.g. seek</li> </ul>		Supports; Objective 2 Objective 3 Objective 8 <ul style="list-style-type: none"> <li>30% of bulky waste is received by a reuse organisation by 2017</li> <li>30% of bulky waste is recycled by 2020</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
			<p>to work with mattress recycling firms, wood recyclers, recyclers of white goods).</p> <ul style="list-style-type: none"> <li>Identify opportunities to pull bulky items out from bulky waste service and divert to reuse schemes</li> <li>Investigate potential to charge Estates for non-recyclable/non household bulky waste in bulky collection points to encourage reuse</li> <li>Liaise with LRN/reuse organisation to have bulky items leftover from Give and Take Days collected after the event</li> <li>Monitor impact of actions and review progress.</li> </ul>		
WEEEE (Waste Electrical and Electronic Equipment)	12.8 tonnes (2013/14)		<ul style="list-style-type: none"> <li>Increase provision of WEEE bins/banks to private blocks as appropriate to enable more residents to recycle their WEEE</li> <li>Liaise with ERP/Wiser to create more secure WEEE banks for the estates to ensure items are secure</li> <li>Arrange for WEEE items in bulky collection points to be regularly brought back to Walbrook Wharf depot for collection – ensures as much WEEE is collected as possible</li> </ul>	<ul style="list-style-type: none"> <li>Provision of more secure WEEE banks to prevent contaminating items from entering into banks</li> <li>Improve signage on WEEE bins/banks to give clearer instructions on accepted items</li> <li>Contractor to report contaminated bins/banks to enable Officers to identify and overcome problems</li> <li>Monitor impact of actions and review progress</li> </ul>	<p>Supports;</p> <p>Objective 3 Objective 4 Objective 8</p> <ul style="list-style-type: none"> <li>Increase WEEE rate by 25% by 2020</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
			<ul style="list-style-type: none"> <li>Promote WEEE services to residents – leaflets/articles in City Resident tetc</li> <li>Obsolete WEEE items from Give and Take Days directed to WEEE banks so all items are recycled</li> <li>Monitor impact of actions and review progress</li> </ul>		
Textiles	14.3 tonnes (2013/14)		<ul style="list-style-type: none"> <li>Increase provision of textile bins/banks to Estates/private blocks as appropriate to enable more residents to recycle their textiles</li> <li>Liaise with Salvation Army to produce internal textile bin suitable for small bin stores/concierge</li> <li>Investigate potential to have textile bins/banks in public areas e.g. libraries/Estate Office etc</li> <li>Promote textile recycling service to residents – leaflets/City Resident etc</li> <li>Investigate opportunity to provide doorstep collection of textiles to Estates to divert textiles from waste/recycling</li> <li>Investigate potential to have tour of textiles MRF for green champions/cleaners/ key stakeholders to reiterate importance of using textile</li> </ul>	<ul style="list-style-type: none"> <li>Provision of more secure textile banks to prevent contaminating items from entering into banks</li> <li>Improve signage on textile bins/banks to give clearer instructions on accepted items</li> <li>Contractor to report contaminated bins/banks to enable Officers to identify and overcome problems</li> <li>Monitor impact of actions and review progress</li> </ul>	<p>Supports;</p> <p>Objective 3 Objective 4 Objective 8</p> <ul style="list-style-type: none"> <li>Increase textile recycling by 25% by 2020</li> </ul>

## Appendix 2 – Recycling Action Plan

Recycling Action Plan – other sources					
Site	Recycling % or tonnage	Contamination rate % (2014)	Actions to increase DMR	Actions to decrease contamination in DMR	Aims
			<ul style="list-style-type: none"> <li>service</li> <li>• Old/low quality items from Give and Take Days directed to textile banks so all items are recycled</li> <li>• Monitor impact of actions and review progress</li> </ul>		
Batteries/low energy light bulbs	0.4 tonnes (2013/14)		<ul style="list-style-type: none"> <li>• Increase provision of battery/bulbs bins to more properties/ locations across the City</li> <li>• Regularly promote battery/bulb recycling services to residents e.g. leaflets/City Resident etc</li> <li>• Enable residents to recycle batteries/bulbs at Give and Take Days – promote service with event literature</li> <li>• Liaise with contractors to borrow mascot costumes for further promote the service at events e.g. Residents Day etc.</li> <li>• Monitor impact of actions and review progress</li> </ul>	<ul style="list-style-type: none"> <li>• Review signage on battery/bulb bins to ensure effective and informative</li> <li>• Contractor to report contaminated bins/banks to enable Officers to identify and overcome problems</li> <li>• Monitor impact of actions and review progress</li> </ul>	Supports; Objective 3 Objective 4 Objective 8 <ul style="list-style-type: none"> <li>• Increase batteries/bulbs by 25% by 2020</li> </ul>

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