

Committee(s)	Dated:
Port Health and Environmental Services Health and Wellbeing Board	27 th September 2021 17 th September 2021
Subject: City of London Contaminated Land Inspection Strategy 2021-2030	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1,2,11,12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	
Report of: Director of Markets & Consumer Protection	PHES: For decision HWB: For information
Report author: Robin Whitehouse – Pollution Control	

Summary

City of London Corporation published a Contaminated Land Strategy in 2001 which has been subsequently reviewed in 2004 and 2015.

In accordance with statutory guidance issued by the Department of Environment, Food and Rural Affairs (Defra) the Contaminated Land Inspection Strategy has been reviewed again.

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 and provides a more accessible, shorter and condensed strategy document.

The draft strategy was approved to go out to external consultation by this committee (18th May 2021). The consultation has been completed, comments considered, and minor amendments have been made to the strategy in line with those comments.

This report requests the adoption of this revised strategy.

Recommendation(s)

Members are asked to:

- Approve the proposal set out in paragraph 10 that the attached draft contaminated land inspection strategy 2021-2030 (Appendix 1) is adopted from the 1st October 2021.

Main Report

Background

- 1 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.
- 2 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.
- 3 In 2001, the City of London produced a strategy outlining its approach to dealing with contaminated land in the 'Square Mile' using Part 2A Environmental Protection Act 1990.
- 4 This revised Strategy builds upon the earlier 2001 strategy and its revisions. It is considered 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"*.
- 5 This draft strategy review concludes there is scope for further 'strategic inspection' (desktop study) and documentation of the City's exposed ground and work to be undertaken to ensure continued compliance with the aims and objectives of the legislation and Statutory Guidance.
- 6 This revised and condensed draft strategy ensures that the City of London's approach continues to be suitable and appropriate to address the City's obligations.
- 7 The details of the Strategy were included in the papers for the 18 May 2021 Committee meeting.
- 8 External consultation was undertaken in accordance with the Committee report (18 May 2021).
- 9 The Environment Agency responded recommending technical amendments regarding the description of the underlying soils and aquifers, and the nature of some water abstraction licences within the City (appendix 2). These amendments have been made to this revised draft and highlighted (Appendix 3).

Proposals/Options

- 10 The attached draft contaminated land inspection strategy 2021-2030 is adopted from the 1 October 2021.

Corporate & Strategic Implications

- 11 The proposals within this report and draft strategy meet the statutory requirements set out under Part 2A Environmental Protection Act 1990, as they apply to the City of London Corporation.
- 12 The work on contaminated land sits within the Corporate Plan Strategic Aims to “shape outstanding environments” and to “contribute to a flourishing society”.

Implications

- 13 The work contained within the strategy will be funded using existing resources from within the Port Health and Public Protection Service.
- 14 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.

Appendices

- Appendix 1 - The City of London Draft Contaminated Land Inspection Strategy 2021-2030.
- Appendix 2 - Environment Agency consultation response.
- Appendix 3 - The City of London Draft Contaminated land Inspection Strategy 2021-2030 (Track changes)

Background Papers

- The Port Health and Environmental Services Committee 18 May 2021, available at:
<https://democracy.cityoflondon.gov.uk/documents/g21985/Public%20reports%20pack%2018th-May-2021%2011.00%20Port%20Health%20Environmental%20Services%20Committee.pdf?T=10>

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