

Maidstone Borough Council

Regeneration and Sustainable Communities Overview and Scrutiny Committee

Tuesday 24 November 2009

Contaminated Land Strategy

Report of: Overview and Scrutiny Officer

1. Introduction

- 1.1 At the meeting of the Regeneration and Sustainable Communities Overview and Scrutiny Committee on 30 June 2009, Members agreed to carry out a review of contaminated land. The relevant extract from the minutes of the meeting is as follows:

"The Committee agreed that clearance of contaminated land would be its major review of this year. It was noted that there were a number of sensitive issues with regard to this matter, and the Legal Team had been asked for advice on this."

- 1.2 It was agreed, in consultation with the Chairman, to delay the Committee's in-depth review of contaminated land to November 2009 as changes to the contaminated land software were being made and it was expected that this would have a big impact on the service.
- 1.3 Furthermore, the Environmental Health Manager informed Members that the Contaminated Land Strategy was being revised and it was agreed that it would be considered by the Committee in due course.
- 1.4 At its meeting on 27 October 2009, the Committee agreed to consider the contaminated land strategy at its meeting in November. It was also agreed that this would assist Members in determining whether they felt there was any outstanding work and whether its review was still appropriate. The relevant extract from the draft minutes of the meeting is as follows:

"The Chairman informed the Committee that he had met with the Contaminated Land team to discuss the Committee's forthcoming review and the work of officers. Members were advised that officers were reviewing the Council's Contaminated Land Strategy, including the definition of contaminated land, to align it with other Local Authorities. A new Environmental Health Manager would be attending the Committee's meeting on 24 November to present the draft revised strategy. Members would then be able to establish whether they felt there was any outstanding work and whether a further contaminated land review was required by Members. The Chairman highlighted that the Committee had to receive the draft strategy at its meeting in November as the Cabinet Member's decision was scheduled to be taken before 29 January 2010."

- 1.5 The revised Contaminated Land Strategy has been delayed and the draft revised Contaminated Land Strategy will be presented to the Committee at its meeting on 26 January 2010.

2. Land Contamination

- 2.1 The United Kingdom has the world's longest history of industrial activity dating back to the beginning of the Industrial Revolution in the 18th century, and as such has left a legacy of land contamination to address.
- 2.2 Maidstone, as a historic town, has its share of former industrial land, including land that was used for quarrying operations, often subsequently used for landfill.
- 2.3 Maidstone Borough Council has a statutory duty to identify land which is contaminated within the Borough and to secure, where appropriate, remediation of that land¹.
- 2.4 Remediation of land in Maidstone is being carried out largely by use of the planning process, whereby developers are responsible for determining whether land is suitable for a particular development or can be made so by remedial action, though a proactive approach to sites of potential contamination is carried out whenever possible.
- 2.5 The Environmental Enforcement Team has prioritised a list of over 600 sites of possible contamination and has started to remedy them as appropriate.
- 2.6 The Council's Land Contamination Strategy was adopted in July 2001 and was partly revised in May 2006. The latest draft can be found at [http://www.maidstone.gov.uk/pdf/Draft%20Strategy\(31.05.06\)%20final.pdf](http://www.maidstone.gov.uk/pdf/Draft%20Strategy(31.05.06)%20final.pdf). Copies can also be obtained by contacting Esther Bell, Overview and Scrutiny Officer, on 01622 602463 or at osc@maidstone.gov.uk.

3. Recommendations

- 3.1 The Assistant Director of Environmental Services, Steve Goulette, the Pollution Team Leader, Steve Wilcock and the Senior Pollution Officer, John Newington will be in attendance at the Committee's meeting on the 24 November 2009 to discuss the revisions being made to the Contaminated Land Strategy.
- 3.2 Members are recommended to consider the comments of the witnesses and make recommendations as they see fit.
- 3.3 Furthermore, Members are recommended to consider the scope and contents of the strategy to determine whether a further review of contaminated land is required by the Committee.

¹ Removal of environmental pollutants or contaminants for the general protection of the environment, this is accomplished by various chemical, biological, and bulk movement methods, in conjunction with environmental monitoring

2.1 Members are reminded that "Quality Recommendations" are those that adhere to the following categories:

- Recommendations that affect and make a difference to local people;
- Recommendations that result in a change in policy that improves services;
- Recommendations that identify savings and maintain/improve service quality; or
- Recommendations that objectively identify a solution.