

**DECLARATION OF CONTAMINATED LAND
(Report by the Head of Housing Services)**

1. INTRODUCTION

- 1.1 The purpose of this report is to advise Members about the recent declaration of the site as 'contaminated land' following a survey of the Council's mobile home park at Eynesbury, and to outline the next steps.

2. BACKGROUND

- 2.1 This mobile home park was in operation prior to the 1974 reorganisation of local government. Previously it was owned by St Neots Urban District Council. At LSVT (2000) management of the site was passed to Huntingdonshire Housing Partnership (HHP).
- 2.2 There are 50 pitches on the site and residents own their own mobile/park home paying a ground rent to the Council. The site covers about 1.25 hectares. The mobile home park has been partly developed on the site of an old clay pit and brick and tile works.
- 2.3 A site survey was commissioned, in June 2005, both to investigate the land in accordance with the Council's contaminated land strategy and to inform a review of the mobile home site as an asset. Residents were informed in advance of the survey, by letter. The results indicated that the imported materials used to fill and level the land may include contaminants that may require intervention.

3. RESULTS OF THE CONTAMINATED LAND SURVEY

- 3.1 Soil samples showed elevated concentrations of compounds, including one called benzo(a)pyrene (BAP). The distribution of BAP across the site varies. However, it seems that this compound is associated with ash and coal fragments in the fill material. This is a significant contaminant. The risks it poses, in shallow soils, are generally considered in terms of excess life-time risk rather than short acute illness through short term exposure.
- 3.2 The sampling identified elevated levels of carbon dioxide. The consultant recommended that where brick built surrounds have been constructed around the base of mobile homes, ventilation bricks be incorporated to increase air circulation. This work was put in hand.
- 3.3 All residents of the site plus local ward members were invited to a meeting on 6th October 2005 to be given feedback on the consultant's findings, and the next steps. Thirteen of the fifty mobile homes on the site were represented. Following the meeting a letter was sent to each mobile home providing information on the main findings of the survey. The residents were also advised of the next steps in the process and given health and safety advice by way of a 'dos and don'ts' sheet. A help-line telephone number to deal with enquiries from residents has also been established.

4. THE DECLARATION

- 4.1 The Regulator has concluded, on the basis of the evidence available, that the level of contamination in some parts of the site pose significant risk of significant harm to human health (over a lifetime). Therefore, the site has been determined to be “contaminated land”. It has also been concluded that more soil samples are required to determine the extent of the remedial works.
- 4.2 At the time of writing this report remediation works are probably required to 14 plots plus the open space but this might change following further sampling. The method to determine this is quite complex but, in simple terms, it involves averaging the values of BAP found on each plot and on the open spaces. With more sampling the average values might change for the better or worse, meaning either less or more of the site requiring remedial works.
- 4.3 The Regulator has written to the residents as part of the formal notification process. Letters have also been sent to advise on the next steps and to repeat the dos and don'ts health and safety advice previously issued.

5. THE NEXT STEPS

- 5.1 The council as landowner now needs to present a remediation statement to the Regulator for agreement. Preparing a remediation statement is specialist work. It will be necessary to employ a consultant to propose a remedial statement in accordance with government guidelines and carry out further sampling and analysis.
- 5.2 The consultant has to evaluate a range of options before making a proposal. This may take up to 12 weeks from appointment of the consultant. This process of obtaining quotations is in hand.
- 5.3 Once the remedial statement has been agreed the works will need to be tendered.

6. FINANCIAL IMPLICATIONS

- 6.1 The works to provide air bricks below the mobile homes was estimated to cost circa £14k. This was funded from the contingency reserve and will not be eligible for government grant.
- 6.2 It is not possible to predict within any degree of accuracy the likely costs of other works until a remediation strategy has been agreed with the Regulator and works tendered.
- 6.3 As previously reported to Cabinet the government has a Contaminated Land Capital Projects Programme (CLCPP) available which can grant Supplementary Credit Approvals in support of work which is undertaken to remediate contaminated land. The support is based on increasing a Council's government 'grant' sufficiently to allow them to make the repayments on a loan of the accepted sum. All things being equal, a questionable assumption in the field of government 'grant', there would be no net cost to the Council in relation to the amount accepted by the government.

- 6.4 The funds in the CLCPP are limited and have to be bid for. Whilst there is a good chance that 100% support will be available, this cannot be guaranteed if a large number of high priority bids are received.
- 6.5 Quotations from consultants to prepare a remediation strategy, carry out additional soil sampling and carry out associated consultancy works in support of implementing the remediation strategy are awaited. The cost is expected to be less than £35k. This cost is unavoidable and will be eligible for government support. If government support is not received then the revenue impact will be around £2k per year.

7 CONCLUSIONS

- 7.1 The Eynesbury mobile home park has some plots with elevated levels of benzo(a)pyrene. The concentration of this compound is considered to present an unacceptable life-time risk in some parts of the site. The Council, as enforcing authority, has therefore formally determined the site is 'contaminated land'. Residents have been notified.
- 7.2 At the time of writing this report remediation works are probably required to 14 plots plus the open space but the extent of the remediation required might change for the better or worse following further sampling.
- 7.3 A further report will be submitted to Cabinet when the remediation strategy has been agreed and estimated costs are available for the next stage of the works.

8. RECOMMENDATION

- 8.1 That the report be noted.
- 8.2 That Cabinet approve a supplementary capital estimate of up to £35k to enable the carrying out of the tasks outlined in paragraph 6.5 above, and note that the revenue impact will be nil if government support is received but around £2k per year if this is not the case.

BACKGROUND INFORMATION

Environmental Protection Act 1990 (Section 78A)

DETR Circular 02/2000 [Chapter A of Annex 3 and Part 4 of Chapter B of Annex 3]

Cabinet Report, 3 November 2005 - Mobile Home Site, St Neots: Contaminated Land Survey

Notification of contaminated land

Contact Officer: Steve Plant
☎ 01480 388280