

# West Suffolk Council Contaminated Land Strategy 2024 to 2029

<b>Report number:</b>	<b>CAB/WS/24/013</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	6 February 2024
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**Decisions Plan:** The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.

**Wards impacted:** All wards

**Recommendation:** It is recommended that Cabinet adopts the draft West Suffolk Contaminated Land Strategy for the period January 2024 to January 2029.

## **1. Context to this report**

- 1.1 Contaminated land is defined as that which contains substances in or under the land that are actually or potentially hazardous to health or the environment.
- 1.2 Local authorities have a statutory duty under Part 2A of the Environmental Protection Act 1990 to publish their strategic approach to tackle land contamination. Every local authority is the lead regulator in their respective administrative areas for contaminated land and works in partnership with other organisations such as the Environment Agency.
- 1.3 Local authority activity must ensure that appropriate action is taken to deal with existing contamination where it poses unacceptable risks to human health or the environment; and must support the reclamation and recycling of 'brown field' land to bring it back into beneficial use.
- 1.4 West Suffolk Council adopted an amalgamated and updated Contaminated Land Strategy in November 2018– this followed separate strategies adopted by the former Forest Heath and St Edmundsbury Borough Councils in 2013.

## **2. Proposals within this report**

- 2.1 The proposed West Suffolk Council Contaminated Land Strategy (Appendix A), that will cover the period January 2024 to January 2029, forms part of a framework affecting the quality and use of land locally. It follows the principles of sustainability, aiming to achieve a balance between social, economic and environmental concerns whilst meeting the authority's statutory obligations and corporate responsibilities to protect and improve human health and the local environment.
- 2.2 Following a review of the strategy, it was found to continue to meet the council's responsibilities. A few minor amendments were made to ensure the document was up to date:
  - Updated population figure with the 2021 census data.
  - Updated private water supplies regulation to 2016.
  - Updated Control of Major Accident Hazard Regulations to 2015.
  - Updated the environmental damage (prevention and remediation) regulations to 2015.
  - Updated the Anglian Water contaminated land brochure link to work correctly.
  - Updated the accessibility formatting.
  - Updated the front page with new effective from dates.
- 2.3 The priorities by which West Suffolk Council will continue to deal with contaminated land are outlined in the strategy and include:
  - Protecting human health, controlled waters, designated ecosystems and damage to property from existing land pollution.

- Encouraging sustainable clean-up practices to return land to a condition that it is fit for use.
- Encouraging re-use of previously developed and/or brownfield land.

### **3. Alternative options that have been considered**

- 3.1 The Contaminated Land Strategy is a statutory requirement for the council and the changes required are only minor. As such, no alternative approaches were considered.

### **4. Consultation and engagement undertaken**

- 4.1 Before adopting our strategy, we are obliged to consult the key stakeholders below. This closed consultation took place between 13 December and 29 December 2023. The following parties were advised of our revisions accordingly and invited to provide comments:

- South Cambridgeshire Council.
- East Cambridgeshire Council.
- Suffolk County Council Environmental Health Team.
- Environment Agency.
- Breckland Council.
- Kings Lynn and West Norfolk Council.
- Braintree Council.
- Babergh and Mid-Suffolk Councils.

- 4.2 We received one response:  
The Environment Agency confirmed that that there was nothing that they disagreed with, and they had no further comment.

### **5. Risks associated with the proposals**

- 5.1 There are no risks involved with making this decision.

### **6. Implications arising from the proposals**

- 6.1 Financial – There are no implications – the strategy can be implemented from within existing resources.
- 6.2 Legal compliance – The adoption of the strategy fulfils the council's obligations under Part 2A of the Environmental Protection Act 1990.
- 6.3 Personal data processing – There are no implications.
- 6.4 Equalities – There are no implications.
- 6.5 Crime and disorder – There are no implications.
- 6.6 Safeguarding – There are no implications.

- 6.7 Environment or sustainability – The strategy benefits the environment. Land contamination presents a threat to sustainable development, which the Contaminated Land Strategy prevents.
- 6.8 HR or staffing – There are no implications – the strategy can be implemented from existing resources.
- 6.9 Changes to existing policies – There are no implications.
- 6.10 External organisations (such as businesses, community groups) – The Contaminated Land Strategy includes a commitment to working with our partners to ensure inappropriate land use does not result in considerable risks to humans or the environment.

## **7. Appendices referenced in this report**

- 7.1 Appendix A - Draft Contaminated Land Strategy (2024-2029)

## **8. Background documents associated with this report**

- 8.1 [Defra Contaminated Land Statutory Guidance](#)
- 8.2 [West Suffolk Council Contaminated Land Strategy](#)