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**Contaminated Land Inspection Strategy**

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Assistant Director	Simon Wilkes
Report Author	Stephen Williams Specialist Lead Officer (Contaminated Land) <a href="mailto:Stephen.Williams@worcsregservices.gov.uk">Stephen.Williams@worcsregservices.gov.uk</a> 01562 738090
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Council Priority	Enhancing the quality of life for current and future generations
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Cabinet RECOMMEND that:-**

1) The Council adopts the revised strategy (as attached at Appendix 1) which should be published on the Worcestershire Regulatory Services (WRS) website.

**2. BACKGROUND**

- 2.1 The attached report in Appendix 1 is a revision of the Bromsgrove District Council Contaminated Land Inspection Strategy which was first published in May 2001. This document can be made available on request.
- 2.2 The new inspection strategy aims to replace the previous version and meet the current requirements of the statutory guidance which was issued in 2012. It outlines the process for review of potential contaminated land sites within the district and the prioritisation methodology to be used. It also aims to provide an overview of the framework that exists in respect of contaminated land and other methods under which sites can be addressed, with action under Part 2A to be taken only as a last resort.
- 2.3 The strategy does not place any additional obligations on the local authority or change any existing statutory responsibilities. It sets out the process that has been developed for prioritisation and review of

sites that is ongoing and aims to ensure that current guidance is being complied with.

- 2.4 Sites where contamination may be present have the potential to pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to review and assess these risks through the contaminated land regime. The presence of a harmful substance alone does not mean that land will meet the definition of “contaminated land”. The source of contamination must present a significant possibility of significant harm to relevant receptors through a viable pathway of exposure. The strategy presents the methodology for how assessment of all sites of potential contamination concern will be conducted via strategic inspection, prioritisation, and detailed review of highest risk sites.
- 2.5 The statutory guidance states that action under contaminated land legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These include the planning and development control processes as well as voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.
- 2.6 The original strategy document requires amendment to reflect the changes that have occurred since publication including the gradual reduction and withdrawal of the funding system from central Government for local authority contaminated land work. As a result, the Council will focus on addressing sites where contamination may exist predominantly through the planning and development control process.
- 2.7 To date no sites have been declared as ‘Contaminated Land’ by Bromsgrove District Council since the first Contaminated Land Strategy was produced in 2001. However, a number of sites of concern have been subject to detailed inspection in this time. A current total of approximately 2020 sites have been identified as potential sites of contaminated land concern within the district largely relating to the historic land use. There are a total of approximately 9300 potential sites of concern identified across Worcestershire as a whole. The prioritisation process will continue as outlined in the strategy.
- 2.8 Planning policies encourage the reuse of previously developed land (brownfield) subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on individual site basis or as part of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

**3. OPERATIONAL ISSUES**

- 3.1 There are no operational issues associated with the revision of the strategy as the process will continue as it has previously.

**4. FINANCIAL IMPLICATIONS**

- 4.1 There are no anticipated changes to financial implications with regards to revision of the strategy.
- 4.2 The Statutory Guidance states that Local Authorities should seek to minimise unnecessary burdens on the taxpayer and in the absence of any funding mechanisms and the financial risk this creates. The council will not proactively undertake this kind of work except where clear evidence of a problem exists. However potential funding streams will be assessed and pursued where appropriate and where remediation is required, the council will seek to identify persons responsible and liable for the costs of remediation.
- 4.3 The costs associated with remediating contaminated land are likely to rise due to climate change impacts, including expenses from extreme weather events. Liability considerations must also encompass climate-related risks, as responsible parties may incur additional costs if contamination worsens.

**5. LEGAL IMPLICATIONS**

- 5.1 There are no changes to legal implications in relation to the revised strategy. The current strategy is out of date and therefore requires revision to comply with Contaminated Land Statutory Guidance 2012.

**6. OTHER - IMPLICATIONS**

**Relevant Council Priority**

- 6.1 The strategy is considered to link to the three Council priorities as outlined within Bromsgrove District Council's 'Council Plan 2024-2027' [Bromsgrove District Council Plan 2024 - 2027 WEB](#)
- Economic Development
  - Housing

- Environment

**Climate Change Implications**

- 6.2 The green thread runs through the Council plan.

The identification of contaminated land must now consider the impacts of climate change, as shifting weather patterns can alter the distribution and severity of contamination. Areas previously unaffected may become contaminated due to changes in runoff, flooding, or other climate-related factors. Consequently, inspection strategies should be adapted to account for these changes. Remediation efforts must also address the effects of climate change, such as increased flooding, which can spread contaminants or hinder remediation, and changing soil conditions that affect the effectiveness of remediation techniques. Additionally, warmer temperatures can enhance microbial activity, influencing the degradation of contaminants. Adaptive measures should be integrated into remediation strategies to tackle these challenges effectively.

- 6.3 There are co-benefits and opportunities in integrating climate change considerations into contaminated land strategies. These include improved air and water quality, enhanced biodiversity, recreational opportunities, and health benefits, leading to more sustainable and resilient outcomes.

**Equalities and Diversity Implications**

- 6.4 The strategy aims to ensure housing, including social and affordable housing, is of an appropriate standard in respect of contaminated land issues. This is particularly important in former industrial areas where there may be a higher risk from historic sources of contamination.
- 6.5 The strategy sets out how sites of concern will be reviewed and assessed. Contaminated land risks are a consideration for areas of new development.
- 6.6 The revised strategy document is not considered to have a negative equalities impact.

**7. RISK MANAGEMENT**

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- 7.1 As the existing strategy is out of date this revision brings the Strategy into line with the Statutory Guidance and ensures compliance with current requirements.
- 7.2 The report has been updated to reflect changes to the Statutory Guidance in the time since the original was issued.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 – Bromsgrove District Council Contaminated Land Inspection Strategy.

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Councillor Kit Taylor	
Lead Director / Assistant Director	Simon Wilkes – Head of Worcestershire Regulatory Services	11th March 2025
Financial Services	Debra Goodall	17 <sup>th</sup> March 2025
Legal Services	Nicola Cummings, Principal Solicitor - Governance	23rd May 2025
Policy Team	Rebecca Green	14th April 2025
Climate Change Team	Matthew Eccles	12 <sup>th</sup> March 2025