
Contaminated Land Policy

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1.0 Purpose

- 1.1 West Berkshire Council is the enforcing 'Authority' for the primary legislation functions related to contaminated land and its management.
- 1.2 The Authority carries out this duty by employing suitable, qualified and trained staff, who are authorised in writing to enforce the requirements of the various pieces of legislation.
- 1.3 The Authority recognise's the value of having a documented policy which sets out how contaminated land, within its area, will be identified and remediated where appropriate.

2.0 Policy Statement

- 2.1 The Authority will make effective arrangements to identify and remediate contaminated land and where appropriate enforce primary legislation to achieve this. This includes all associated regulations and codes of practice, with the aim of ensuring that, within its area, individuals and communities public health is protected and enhanced.

3.0 Approach

- 3.1 The Policy will take its lead from the council's contaminated land strategy (2nd revision) 2006 which sets out the framework under which all related activities will operate.
- 3.2 Officers will also be involved with development control and the planning process within West Berkshire Council to achieve it's aims.
- 3.3 West Berkshire Council will:
 - a) Monitor development, in accordance with PPS23: Planning and Pollution Control and Policy OVS.5 – Environmental Nuisance and Pollution Control, in consultation with Development Control Officers, across the whole West Berkshire district to identify land requiring investigation and potential remediation.
 - b) Collate and interpret the data from Development Control and publish information in a timely fashion.
 - c) Manage the prioritisation list of identified potential contaminated land and progress with desk studies and where appropriate site surveys.
 - d) Contribute to the production of reports to be submitted to DEFRA under the relevant legislative requirements.
 - e) Make consistent decisions in accordance with West Berkshire Council Policy.
 - f) Refer to recognised guidance issued by Governmental and Non-Governmental agencies.

- g) Liaise with the Berkshire Environmental Health Managers group and the Thames Valley Environmental Protection Group.
- h) Ensure the continued development of its officers (both Environmental Health Officers and Technical Officers) and encourage officers to keep up to date on public health issues.

4.0 Practical Working Arrangements

- 4.1 Proactive work will be addressed through annual service planning based on identified need/risk and will be project based.
- 4.2 Reactive intervention will be carried out following the receipt of a service request.
- 4.3 Unless in exceptional circumstances, all interventions will involve a graduated approach leading to formal action if such an approach has failed.

5.0 Roles and Responsibilities

- 5.1 Responsibility for implementation of the policy rests with the Environmental Health and Licensing Manager (EHLM).
- 5.2 The Principal EHO for Pollution is responsible for the planning, organisation and subsequent monitoring of all aspects of the policy as well as other Standards or Policy concerned with West Berkshire Council undertakings.

6.0 Quality Of The Service

- 6.1 West Berkshire Council is committed to ensuring that the highest practicable standard of service is achieved and that good customer care practice is integrated into all aspects of service delivery.
- 6.2 In meeting its duties under legislation West Berkshire Council will strive for excellence in the quality of service provided. All staff will adopt a professional approach and performance monitoring will be carried out to the standard identified within the adopted Internal Monitoring Standard's to ensure compliance with agreed targets.
- 6.3 It is the responsibility of West Berkshire Council to ensure that all officers are suitably qualified, experienced and authorised to carry out enforcement under the Act and any legislation made under the Act.
- 6.4 West Berkshire Council will ensure that all authorised officers have access to appropriate professional training and other resources required in order to maintain a high level of professionalism and competence.

7.0 Monitoring the Service

- 7.1 Having set the standards that West Berkshire Council wishes the service to achieve, it is essential that the detailed arrangements in the policy are put into practice and that the outcome is regularly monitored and reviewed.

7.2 The EHLM will therefore make arrangements to monitor the following:

- a) Annual review of Contaminated Land Strategy against the current site status of known sites.
- b) Compliance with agreed targets for programmed inspections.
- c) Compliance with agreed targets for Service Requests.
- d) The number of Service Requests received year to year.
- e) The number of training courses and candidates organised year to year for public health.
- f) Any other agreed monitoring arrangements concerned with the Pollution Team Plan, the overall Environmental Health and Licensing Plan, and broader Council objectives relevant to the Pollution Team's activities.

8.0 Policy Review

8.1 This policy will be reviewed annually by the EHLM.

8.2 This Policy will be publically available.