Hull City Council

Contaminated Land Inspection Strategy

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Contaminated Land Inspection Strategy – Hull City Council

Summary

This document replaces the Council's original Contaminated Land Inspection Strategy, which was produced in 2001 after the introduction of legislation known as Part 2A of the Environmental Protection Act 1990 ("EPA 1990"). Due to various changes in contaminated land policy, regulation, and guidance, the Strategy has been reviewed and updated. A summary of the progress made with contaminated land inspections since the original Strategy was published is also provided.

Contamination of soil and water can be caused by substances, such as chemicals or gases, resulting from human activity as well as from natural processes. In certain situations, land contamination may pose a serious risk to the health of people and the environment. Due to the persistent nature of some contaminants, polluting industries of the past have often left a legacy of land contamination which needs to be dealt with as land use changes and our understanding of the risk develops.

To help address the problems caused by historic contamination, the Part 2A contaminated land regime was introduced in 2000 and requires councils to inspect their areas to identify contaminated land and take formal action where the risks are significant. Councils must follow statutory guidance when carrying out their contaminated land inspection duties and produce a written strategy setting out their approach to this work.

Intervention under Part 2A is usually seen as a last resort, for dealing with the most seriously contaminated sites where no other options are available. In practice, cleaning-up or 'remediating' contaminated sites is often driven by the planning system, when land is redeveloped. There are also regulations to prevent current businesses from causing pollution and ensuring that any environmental damage is rectified. These other regimes are intended to work alongside Part 2A.

As part of the updated Strategy, the Council will review its previous approach for identifying, prioritising, and inspecting potentially contaminated land, to ensure it is still fit for purpose and that decisions made are consistent with current policy. Information gathered from site inspections and planning records will continue to be logged and assessed in line with current guidance and the updated Strategy, in order to assist residents and businesses through planning consultations and environmental search requests.

In carrying out its statutory duties, the Council will work with landowners and other stakeholders to ensure proportionate measures are taken to manage potential risks from land contamination. We will look to encourage voluntary action wherever possible and will always aim to minimise the financial burden on those affected. Where detailed inspection or formal intervention by the Council is required, it will be subject to appropriate cost-benefit analysis, taking into account other local priorities and the wider objectives of the Part 2A regime.

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1. Introduction

Industrial activities of the past, which were often unregulated, can leave a legacy on the environment, in the form of land contamination. Sources of pollution such as waste materials and chemicals can remain in the ground for a long time if not dealt with properly. In some situations, land contamination may cause unacceptable risks to people's health or the environment, and further action is needed to manage, reduce, or remove these risks.

The Council has a legal duty to inspect its area for the purposes of identifying contaminated land. This Contaminated Land Inspection Strategy (the "Strategy") informs the public and other stakeholders of the approach taken by the Council when dealing with contaminated land in Hull, and the framework used to identify, inspect, and determine contaminated land. The Strategy provides a summary of the key aims and objectives of the contaminated land regime and explains how these align with other Hull City Council policies, local priorities, and different regulatory systems.

The Council's original Contaminated Land Inspection Strategy was formally adopted in 2001 and a lot of work has previously been done to identify and prioritise potential contaminated land in Hull and carry out detailed inspections on priority sites. This led to two properties being determined as 'contaminated land' and subsequently remediated. Due to various changes and updates to statutory guidance, technical guidance, contaminated land regulations and policies, it is important to review and update the Strategy, to ensure it is fit for purpose and reflects the current position of the Council. This current Strategy replaces the 2001 version and will be reviewed every 5 years to take account of any further changes in legislation or guidance.

1.1 The contaminated land regime – Part 2A

The government's main policy objectives on contaminated land are:

- To identify and remove unacceptable risks to human health and the environment.
- To seek to bring damaged land back into beneficial use.
- To seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable.

The primary legislation for the contaminated land regime is Part IIA of the Environmental Protection Act 1990 (as amended), known simply as 'Part 2A', which was introduced on 1st April 2000. It is supported by secondary legislation, The Contaminated Land (England) Regulations 2006 and subsequent amendments, and statutory guidance issued by the Department for Environment, Food and Rural Affairs (Defra). The latest version of the statutory guidance was issued in 2012.

The Part 2A regime gives local authorities legal powers to deal with risks from historical land contamination. Councils are required to inspect their areas to identify land which may be contaminated and prioritise sites for further assessment where there are potentially significant risks to people, property, nature, or the wider environment. The Council's Environmental Regulation team, within the Public Protection division, is responsible for Part 2A work in Hull.

Detailed inspection is needed to establish whether identified land either meets the statutory definition of contaminated land or is suitable for its current use. Although a precautionary

approach should always be taken when dealing with contaminated land, local authorities must also try to avoid causing unnecessary property blight or cost burdens. Therefore, the starting point under Part 2A is that land is not contaminated land unless there is reason to consider otherwise. Only where unacceptable risks are clearly identified after a robust risk assessment has been undertaken, should land be capable of meeting the Part 2A definition of contaminated land.

1.2 The definition of contaminated land

Contaminated land is defined in section 78A of Part 2A, EPA1990, as:

"any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that – (a) significant harm is being caused or there is a significant possibility of such harm being caused; or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused"

In this context a 'substance' is any type of contaminant that has the potential to cause significant harm or significant pollution. They can be natural or artificial and occur as a solid, liquid, gas, or vapour. Land can be contaminated by substances such as heavy metals, e.g., arsenic, cadmium, and lead; oils and tars; ground gases; asbestos; and chemical substances and preparations, such as solvents.

Significant harm to human health is defined in the statutory guidance and includes death; life threatening diseases (such as cancers); other diseases likely to have serious impacts on health; serious injury (such as from explosive or asphyxiating gases); birth defects; and impairment of reproductive functions. Other relevant receptors can be affected by significant harm from contamination, including certain ecosystem effects and some types of damage to buildings and property (including harm to livestock, domestic animals, and crop damage).

Significant pollution of controlled waters is defined in the statutory guidance and may include situations where: 'environmental damage' is being caused to surface water or groundwater; there is a deterioration in the quality of drinking water supplies; or there is a breach of the relevant Environmental Quality Standards. The definition of "controlled waters" is given in section 104 of the Water Resources Act 1991.

The statutory guidance provides further guidance on deciding when there is a significant possibility of significant harm, or a significant possibility of significant pollution of controlled waters.

Although there is limited evidence of direct links between exposure to contaminated soils and severe health effects, there are many examples of environmental pollution incidents or occupational exposure to chemicals and other substances (such as asbestos) which have caused significant harm, in some cases over the course of many years. Indirect health or property effects can also be caused by contaminated land, for example, harmful ground gases and vapours can build up in enclosed spaces in buildings, leading to breathing difficulties, serious illness or death, as well as causing explosions. There are also well documented acute health effects from eating or drinking contaminated food and water. Further guidance on the toxicological effects of contaminants is available on the GOV.UK website.

For some categories of site, known as 'special sites', the Environment Agency is the lead regulator under Part 2A. Examples include certain sites where there is pollution of controlled waters, such as when a drinking water supply may be impacted; land contaminated by waste acid tars; sites used for processing petroleum; sites used to manufacture explosives; nuclear sites; and sites operated by the Ministry of Defence, or involving chemical or biological weapons. More detail on special sites is provided in The Contaminated Land (England) Regulations 2006 (as amended).

Radioactive contaminated land is defined in The Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006, as follows:

"any land which appears to the local authority in whose area the land is situated to be in such a condition, by reason of substances in, on or under the land (as a result of radioactivity), that;
a) harm is being caused; or
b) there is a significant possibility of harm being caused."

In this context a 'substance' is any substance which contains radionuclides which have resulted from the after-effects of a radiological emergency, or which are or have been processed as part of a past practice or past work activity. It excludes radon gas and certain other radionuclides. There is separate statutory guidance available on the GOV.UK website for determining radioactive contaminated land.

1.3 Contaminant linkage

For land to be determined as contaminated land, there needs to be a significant 'contaminant linkage' present, which is based on the 'source, pathway, receptor' model. In other words, there must be a source of contamination, a relevant receptor such as humans or controlled waters, and a viable route or 'pathway' which connects the source to the receptor.

Contaminants can enter the environment from a variety of sources, such as leaks, spillages, and other pollution incidents, industrial activities, waste storage and disposal, fires and combustion processes, as well as the movement and reuse of contaminated soils and demolition waste material. Some forms of contamination can also occur naturally due to the type of soils and rocks, such as naturally occurring metals or ground gas from peat deposits.

Pathways may include direct contact with contaminated soils, migration of pollutants in groundwater or contaminated surface water run-off, inhalation of contaminated dust or vapours, ingestion of food produce grown on contaminated land, or migration of gases through soils and into buildings and confined spaces.

Relevant receptors to which significant harm or significant pollution can be caused, include human health, controlled waters, ecological systems and living organisms in protected locations, buildings, crops, homegrown produce, livestock, and pets.

The statutory guidance refers to 'normal' levels of contaminants in soil, which may be present in an area due to the natural soil forming processes and underlying geology. Experience has shown that some metals consistently occur at elevated levels across Hull. Background levels of contaminants can also be found in urban areas, due to low level diffuse pollution and common human activities, such as the use of leaded petrol or the spreading of domestic ash in gardens. Normal, background levels of contaminants are unlikely to fall within the scope of

Part 2A, where they are not the result of specific industrial processes and can be considered typical and widespread, and there is no reason to suspect they are causing unacceptable risks to health or the environment.

In urban environments such as Hull, there will typically be a wide variation in soil chemistry across the area, and from one site to the next. This is due to a long history of human and industrial activity, as well as differences in the underlying geology and composition of made ground. In 2012, the British Geological Survey (BGS) carried out a study of background levels of contaminants across the country, to provide guidance on behalf of the government on what 'normal' levels of contaminant concentrations are in English soils, in support of the revision of the statutory guidance. Levels that are 'typical' for any given area would need to be considered as part of the risk assessment process.

1.4. Risk assessment

A precautionary risk-based approach should be taken when assessing contaminated land, whether it's in a planning or Part 2A context. This generally involves gathering site-specific information to identify likely contaminant linkages present on a particular site and assessing those which may pose an unacceptable risk and require remediation. Within a Part 2A scenario, the risk assessor is trying to determine whether there is significant harm or pollution, or a significant possibility of significant harm or pollution, occurring, as defined within the legislation and statutory guidance.

A preliminary risk assessment, also known as a 'Phase 1' or 'Tier 1' assessment, is the starting point of the process. This will usually involve a desk-top study and site walkover survey to establish the history and current uses of the site, and to identify possible sources of contamination, potential pathways, and likely receptors. This qualitative assessment of potential risks forms the basis of a 'conceptual site model' (CSM), which can then be refined as more detailed information is gathered.

Where potential contaminant linkages are identified by the Phase 1 risk assessment, these may require further investigation and more detailed risk assessment to decide what action, if any, might be needed. This is known as a Phase 2 risk assessment, where an intrusive site investigation is usually carried out, for example by drilling boreholes or digging trial pits, so that samples of soil, groundwater or ground gases can be taken and tested.

Once chemical analysis or monitoring data is available, an initial screening exercise, referred to as generic quantitative risk assessment (GQRA), or a 'Tier 2' assessment, can be undertaken. This will typically involve comparing analysis results with suitable generic assessment criteria (GACs), which are specific for the type of land use concerned. Examples of GACs include Category 4 Screening Levels (C4SLs) developed by Defra to support local authorities in Part 2A work; Suitable for Use Levels (S4ULs), developed by Land Quality Management (LQM) Ltd and the Chartered Institute of Environmental Health (CIEH), and Environmental Quality Standards (EQS) available from the Environment Agency for controlled waters risk assessment.

If generic assessment criteria are exceeded, then more detailed quantitative risk assessment (DQRA), or a 'Tier 3' assessment, may be required. This may involve deriving site-specific assessment criteria using the Contaminated Land Exposure Assessment (CLEA) model or

similar tool. Where, after a Phase 2 risk assessment, there are still unacceptable risks identified, then remediation options may need to be considered.

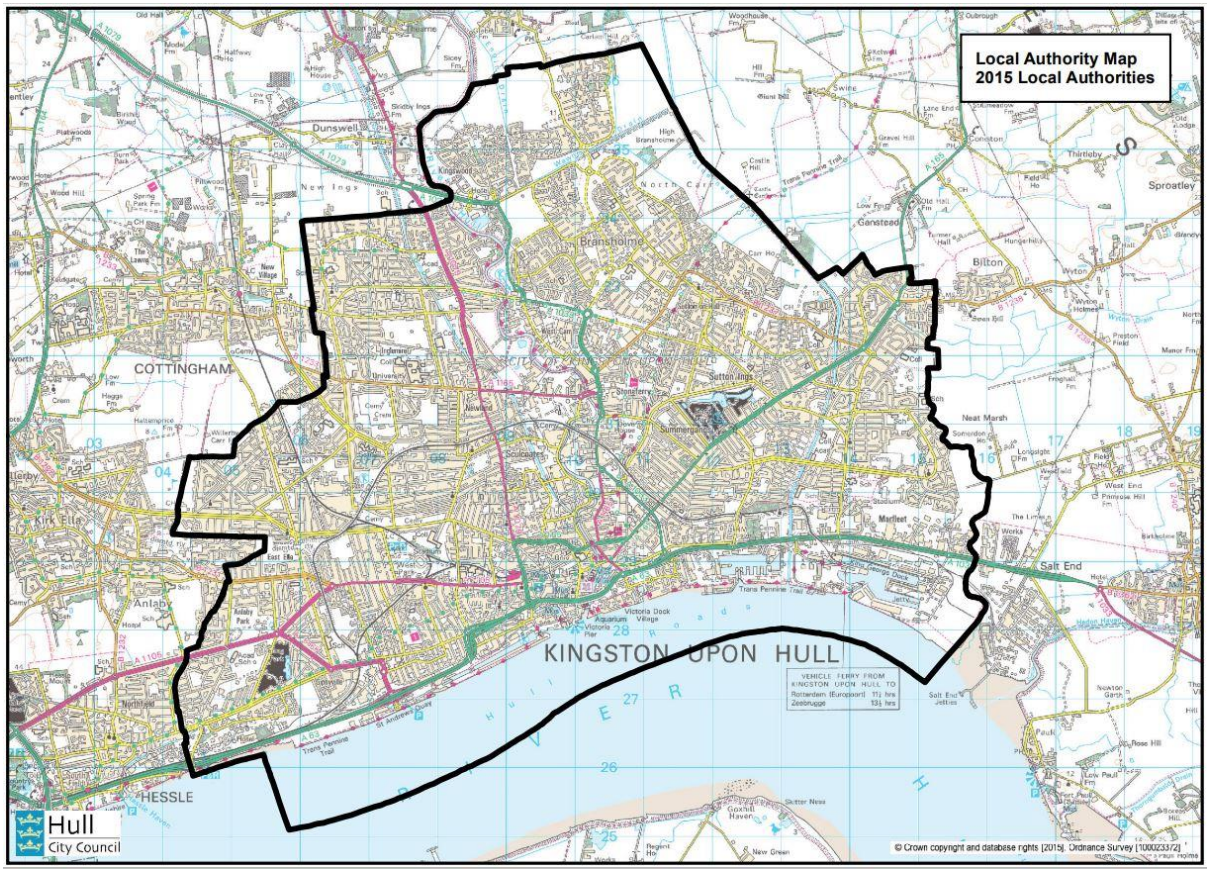
Remediation is often referred to as ‘Phase 3’ in the risk management process and involves the clean-up or protection of a site to ensure unacceptable risks have been addressed and the site is suitable for use. Remediation is very site specific and can take many forms, for example putting a barrier between the source of contamination and the relevant receptor to interrupt the pathway (such as a soil cover system or protective gas membrane); removing the source of the contamination; or changing the receptor so it is less sensitive to the effects of the contamination, such as redesigning the layout of a site. A remediation strategy will set out the remediation objectives and details of the proposed remediation works, including the verification plan. Verification or validation, referred to as ‘Phase 4’, is the process of demonstrating that the remediation has been successful and the objectives have been met.

Further information on the different phases of risk assessment is available in the government’s Land Contamination: Risk Management (LCRM) guidance.

2. Local characteristics of Hull

2.1 Location and history

The city of Hull is located in East Yorkshire, in Northern England, approximately 32km inland from the North Sea on the north bank of the River Humber. Kingston upon Hull was founded in the 12th Century and given city status in 1897. It is the fourth largest city in the Yorkshire and Humber region, with a population of 268,852 (as of 2022). The city covers an area of 71.5 square kilometres and is bounded by the East Riding of Yorkshire Council area to the north, east and west, and the River Humber to the south. The area is flat and low lying, with some parts of the city near to the river being built on reclaimed land which is at or just below sea level. The River Hull flows north to south through the middle of the city before joining the Humber, roughly bisecting the area into east and west.



Hull has a tight administrative boundary with most of the land already urbanised and developed. For historical reasons, broad areas of the city have an established use and character. For example, the industrial areas of Hull are largely established around the banks of the Humber and the River Hull, forming an inverted T-shape on the map. Outside the city centre and the industrial areas, Hull largely consists of a number of distinct residential neighbourhoods. With a few exceptions, these have been built from the nineteenth century onwards, with the older areas nearer to the centre, and the newer areas further out. Many of the city's older residential areas now have conservation area status in order to preserve their character.

Hull has a long and proud maritime and industrial heritage, from its origins as a medieval trading post for the export of wool and cloth, to its evolution as one of the country's main port cities. Locally important industries which have played a prominent role in the growth of the city and the wider region include shipping, whaling, fishing, oil seed processing, timber yards, and engineering. These uses were often associated with the development of the docks and railways in the 18th and 19th centuries. Subsequently, as some of these industries declined and former docks became redundant, they were infilled and, more recently, used for new development.

As an east coast port, Hull was a target for bombing raids in the Second World War and suffered significant bomb damage, which was followed by a period of extensive post-war rebuilding. Developers must assess and mitigate the risks of encountering buried unexploded ordnance ('UXO'), particularly on larger construction projects or where deeper excavations are required. Under The Construction (Design and Management) Regulations 2015, UXO risk analysis should be included as part of the preliminary risk assessment for a site, before intrusive ground investigations are carried out.

The Port of Hull still handles a large amount of cargo each year, in particular timber, and remains a major employer for the area, along with the businesses it supports. These include a large wind turbine blade manufacturing plant located at Alexandra Dock (part of the 'Green Port Hull' site), which supplies the North Sea offshore wind sector. Away from the port, other significant industries in the city include health, hygiene and chemical sectors, safety equipment manufacturing, engineering, holiday home manufacturing, food production and processing, timber and building supplies.

The main transport links are the A63/A1033 corridor which runs East-West through the city centre connecting the city and Port of Hull to the M62 and national motorway network; the A1079 Hull to York Road; and the A165 Hull to Bridlington Road. There are mainline railway connections from Hull's city centre Paragon Station and transport interchange to Leeds, Doncaster and York to the west, and Beverley, Bridlington, and Scarborough to the north. Railway lines also serve the docks for transporting freight. Passenger and freight ferry services to the Netherlands and Belgium operate from King George Dock.

There are two Scheduled Monuments in the city centre – Beverley Gate, and part of the original Hull Fort, as well as numerous listed buildings and a number of conservation areas and sites of archaeological or heritage value. These are identified and protected through the Local Plan, and their locations are available to view on the Hull City Council 'My Maps' website. Much of the city's heritage is closely linked with its industrial development. The Humber Historic Environment Record (HER) is the collection of all known heritage assets and historic landscapes within the East Riding of Yorkshire and Hull boundaries, which include archaeological sites, historic buildings, and landscape features.

Where intrusive site investigation or remediation work is planned, we will liaise with the Humber Archaeology Partnership to identify whether or not there is likely to be any significant archaeological remains on the site. We will also consult the Humber Archaeological Partnership and Historic England to obtain specialist advice where contaminated land has the potential to cause significant harm to a site of historic or archaeological interest.

2.2 Geology and water resources

The geology that underlies Hull mostly consists of 'tidal flat deposits', previously called 'estaurine alluvium', formed by sediments of mud and sand in the intertidal zone of marshy coastal areas. Locally they tend to consist of clays, silts, and organic peat, and extend to an average of 5-6m below ground. These deposits are absent from northeast parts of the city. Underlying these alluvial deposits is 'till', previously known as 'glacial till' or 'boulder clay', which is typically 5-15m in thickness. This is a mixture of clay, sand, and gravel, including rock fragments. The sand and gravel beds within the glacial till are often water bearing. Former pits associated with the extraction of clay for use in brick works, have subsequently been infilled and redeveloped. The filling of voids such as clay pits and former drains was often done in an uncontrolled manner in the past, and therefore they are likely to include a variety of waste and fill material of unknown origin.

Below the superficial geology, the bedrock that underlies the whole region is chalk, which is designated as a principal aquifer for groundwater. Although there are no public or private drinking water abstractions in the city, much of central, northern, and western parts of Hull fall within a source protection zone (SPZ), which relates to groundwater abstraction points to the west of the city. As a result, much of the groundwater beneath the area is within the total catchment for a drinking water abstraction. Pollution that enters or is present in groundwater within an SPZ can reach the abstraction point and potentially impact on drinking water supplies. There are also several private abstraction wells used for commercial, industrial, or energy use located within the city.

Historically, the chalk aquifer near to the Humber estuary has experienced issues with saline intrusion, where salt water is drawn in from the estuary and mixes with fresh groundwater. There is a tidal influence from the Humber estuary which can cause groundwater and surface water levels to fluctuate. Groundwater vulnerability for Hull is generally classed as Low to Medium, due to the presence of low permeability soils which protect the underlying aquifer. However, the thickness of these superficial deposits may vary and could be reduced locally by development and construction activities such as piling and reprofiling. Piled foundations also have the potential to introduce preferential contaminant pathways. The potential risks to groundwater should always be considered as part of the contaminated land risk assessment process.

Two main rivers, the Humber and the Hull, are within the city boundary and there are a number of smaller water courses and drains located throughout the city (some of these former drainage channels have been culverted or infilled). As such, surface water is particularly sensitive and vulnerable to contamination. Consent from the Environment Agency is required for any abstraction from or discharge to a main river or other significant watercourse. Much of the city is in a flood risk zone and the area has experienced severe floods in the past. In terms of number of properties at risk, it has the second highest of all UK cities. In addition to flood defences along the river frontages, there is a tidal surge barrier at the mouth of the River Hull which is used to protect the city from flooding during high tide events.

Where there is a risk of contaminated land causing significant pollution of surface water or groundwater, or impacting on water supplies, we will consult with the Environment Agency and Yorkshire Water (the statutory water authority for the area), as well as other relevant partners and organisations, and seek specialist advice where necessary. Where a more immediate response to a pollution incident is required, this will be dealt with as an emergency,

in order to protect water resources. Members of the public and businesses should report pollution incidents to the Environment Agency, using their 24-hour service incident hotline (Telephone: 0800 80 70 60).

2.3 Ecology and habitats

In terms of wildlife habitats and protected sites for ecology, there are a number of locally, nationally, and internationally important designated areas within and adjacent to the Hull City Council area. These include the Humber Estuary, which is a Ramsar Site, a Special Area of Conservation (SAC), and a Special Protection Area (SPA), and these designations form its European Marine Site status. It is also designated as a Site of Special Scientific Interest (SSSI). These designations are identified for protection in the Hull Local Plan, and their location can be viewed on the Defra Magic Map website.

There are two Local Nature Reserves (LNRs) within the city boundary, at Noddle Hill and Rockford Fields, and two Registered Parks and Gardens, Pearson Park and East Park. In addition, there are a number of other public parks, recreational facilities, green spaces and corridors, and locally important habitats which are identified and protected in the Local Plan.

Where there is a risk of contaminated land causing significant harm to a protected ecological site or habitat, we will seek specialist advice from relevant teams within the Council as well as external organisations, such as Natural England, who are the government's adviser for the natural environment in England.

2.4 Other Council plans and priorities

There are a number of Council plans and strategies which are key for setting local priorities and making decisions across key areas, such as health and wellbeing, community engagement, economic development, planning, regeneration and infrastructure. The Contaminated Land Inspection Strategy aims to align with these other plans and strategies wherever possible, so that local priorities and the needs of residents and businesses are always considered in the work we do. A few of the key documents are summarised below:

Hull Community Plan 2024-2034

The Community Plan provides a focus for the Council and other partner organisations for delivering a new vision for Hull over the next ten years. The plan sets out six ambitions:

1. Safe and welcoming neighbourhoods
2. A healthier and fairer Hull
3. Reaching our potential
4. Economic growth that works for all
5. Responding to the climate and nature emergency
6. Our culture, our heritage, our city.

The Community Plan also sets out three commitments to help achieve these ambitions:

- Engagement of all residents and communities
- Strong, united leadership committed to improving outcomes
- A focus on inclusion.

The Strategy aligns with several of the Council's wider ambitions, by helping to encourage a healthier environment for residents, improving neighbourhoods and supporting sustainable development. This is particularly relevant when managing land contamination issues through the planning system and regulation of polluting activities. Some examples of how it will help to achieve the ambitions are:

Ambition 1 – Safe and welcoming neighbourhoods – creating cleaner, greener, more attractive neighbourhoods.

Ambition 2 – A healthier and fairer Hull – investments in the city, its communities and people can effect change and have a role in preventing ill health and drive the link between the environment and health whilst achieving our carbon reduction ambitions.

Ambition 4 – Economic growth that works for all – Improve and invest in neighbourhood centres; provide an environment for businesses to thrive; work with partners to deliver high-quality, lifelong homes and the creation of new communities.

Ambition 5 – Responding to the climate and nature emergency – creating an environmentally friendly city; better understanding of the impact of carbon pollution on our communities.

The Council is currently updating its four-year Council Plan (previously called the 'Corporate Plan'), which will set out how the Council will contribute to the Community Plan. The Council Plan is about the Council itself and how it will deliver against its priorities and vision. It will be supported by other plans and strategies, in particular individual Service Plans.

Hull Local Plan 2016-2032

The Local Plan is a statutory document setting out a vision and framework for the future development of Hull, which is in accordance with the National Planning Policy Framework. It is used to determine planning applications in the city and includes a number of local planning policies, site allocations and land use designations.

The current Hull Local Plan was adopted in November 2017 and sets key strategic outcomes, such as city regeneration, improving environmental quality, and maintaining protected sites. These strategic outcomes are supported by a set of key strategic principles which include roles of places and strategic patterns of development, housing development, economic development, environment, and transport. Climate change and public health are also important cross-cutting themes of the Local Plan.

Chapter 13 of the Local Plan deals with environmental quality, including land affected by contamination, and recognises that re-use of land may include contaminated sites which require remediation before development can take place. Policy 48 specifically relates to land

affected by contamination and requires applications for certain types of development to be accompanied by a contamination assessment. The Local Plan policy states that development will be supported where it has been demonstrated that appropriate mitigation can be carried out and will have conditions attached to require the appropriate works to be carried out.

Supplementary Planning Documents (SPDs) provide greater detail to the Local Plan policies and are also a material consideration in planning decisions. SPD3 deals with Environmental Quality and provides more detailed guidance on how to undertake an appropriate contamination assessment. Applicants must follow the guidance contained in supplementary planning documents and provide sufficient supporting information, for example a preliminary risk assessment of land contamination, with their planning application. The Environmental Regulation team will be consulted by the Planning department on the majority of applications for new development or change of use, where land contamination may need to be considered, or where relevant information has been submitted to discharge a planning condition.

Following an initial review of the currently adopted Hull Local Plan, the Council has determined that there is a need for the Plan to be updated. A revised Local Plan Timetable for the update of the adopted Local Plan has been published that sets out the required stages for review and update.

Joint Health and Wellbeing Strategy for Hull 2022

Hull faces significant health challenges and health inequalities, largely due to its economic and geographical situation. The Joint Health and Wellbeing Strategy was developed with an overarching vision of 'working together to create a fairer Hull where everyone benefits from real and sustained improvements in health and wellbeing'.

The Joint Health and Wellbeing Strategy encourages a values-based approach to improving health and wellbeing and delivering better outcomes across the city, with progress overseen by a multi-agency Health and Wellbeing Board. It identifies three higher level priorities, which are: proactive prevention; reducing health inequalities; and system integration. Examples of where the Council's approach to dealing with contaminated land tie in with these health and wellbeing priorities include: ensuring that the environment in which people live, work and spend their leisure time is free from risks to their health; and prioritising good quality homes, living space and infrastructure that supports the health of communities in Hull.

The role of Environmental Health and other Public Protection services, which form part of the Public Health directorate at Hull City Council, is important to help improve the health of residents in the city and work towards achieving the wider vision and aims of the Joint Health and Wellbeing Strategy.

3. Inspection and determination of contaminated land

The statutory guidance sets out the process that should be followed for identifying and inspecting sites of potentially contaminated land. The Council must take a strategic approach when carrying out its inspection duties under Part 2A, which should be rational, ordered, and efficient and reflect local circumstances. There are two broad types of inspection: strategic and detailed.

3.1 Strategic inspection

Strategic inspection involves gathering information to make a broad assessment of potentially contaminated land in the Council's area and prioritising land for more detailed inspection and risk assessment. The Council undertook the process of identifying and prioritising potentially contaminated land as part of the original Strategy in the early 2000's.

At the time, the Council focused on current or former industrial land uses which may have given rise to contamination. These were based on the lists of contaminants provided in standard Industry Profiles**,** developed by the former Department of the Environment (DoE). Different contaminative uses were initially put into three priority groups (PG1, PG2, and PG3), with PG1 being those uses most likely to be associated with contamination, and therefore a higher priority, and PG3 being the lowest priority.

Information on the location of current or former industrial uses was gathered from various sources, including historic maps, land use surveys from the planning department, registers of hazardous materials, landfill records, and historic trade directories. These sites have been mapped on a computerised Geographic Information System (GIS), to allow further interrogation and assessment.

Information on priority receptors, including people (human health), controlled waters, ecological receptors, and property, was also collected and added to the GIS, using existing land use surveys and maps, aerial photographs, Environment Agency records on controlled waters, geological records, and site visits.

To assist with data management and the strategic assessment and prioritisation of sites, a software tool, called 'GeoEnviron' (produced by Geokon and STM Environmental Consultants Ltd), was purchased by the Council in 2001. GeoEnviron is an environmental data management system designed to handle site data gathered through Part 2A, or other case work such as planning consultations.

GeoEnviron has an in-built site prioritisation tool based on the 'source-pathway-receptor' contaminant linkage model. Stage 1 of the prioritisation process looks at the types of industrial uses and the sensitivity of potential receptors on site. Pre-defined hazard scores are assigned to the contaminants associated with each past industrial use (i.e., based on the DoE Industry Profiles), and these are combined with receptor sensitivity scores (based on current land use) to calculate an overall site risk score. This scoring system allows a simple priority listing to be produced for all sites identified as potentially contaminated land, with the ability to recategorise sites in different priority groups based on their specific site risk scores or other factors. Further refinement of the priority list can be done in Stage 2 of the prioritisation and preliminary risk assessment process, by assessing the site-specific pathways and likely exposure of receptors, in order to determine if a potential contaminant linkage exists.

Approximately 2540 sites of potential contaminated land have been identified in Hull using the above process of identification and prioritisation: at present this comprises approximately 230 sites categorised as PG1; 1050 sites as PG2; and 1260 sites as PG3.

The strategic assessment and prioritisation of sites that has been undertaken by the Council is consistent with statutory and technical guidance issued by government, to allow detailed inspections to be focused on higher priority sites. The actual presence of a significant contaminant linkage can only be confirmed after a detailed inspection has been undertaken, taking into account local circumstances and other factors.

It is anticipated that in Hull, many of the industrial sites identified will still be in some form of commercial or industrial use and, if there is no other cause for concern, they are unlikely to require more detailed assessment. Any changes in land-use since the original identification and prioritisation exercise should have been dealt with through the planning process, with risks from land contamination being addressed. However, as part of the review of the Strategy, the Council will focus on the top priority group of sites (PG1), or where previous inspections have been undertaken, to update information on current use.

As sites are assessed and redeveloped through the planning process, or remediated on a voluntary basis, this is likely to change the priority order. Where available, this information will continue to be captured on the GIS and GeoEnviron database, so that site specific reassessment can be done as part of a review of the strategic inspection of sites. This will be an ongoing process, as new information comes to light. The Council will continue to explore the capabilities and advancements in GIS technology and risk assessment tools to support this work.

3.2 Detailed inspection

The aim of detailed inspections is to gather site specific information on ground conditions to allow a robust risk assessment to be carried out. For Part 2A, the purpose of this is to establish whether any significant contaminant linkages exist and make a determination on whether there is significant harm or a significant possibility of significant harm occurring, or significant pollution of controlled waters.

Detailed inspections will typically follow the risk assessment process outlined in section 1.4 and begin with a desk-top study review of available information, a site walkover survey, and the development of a conceptual site model (CSM) to identify likely sources, pathways, and receptors on a site. This may be followed by an intrusive ground investigation to collect soil, water, or ground gas samples, so that more detailed risk assessment can be undertaken. Once a thorough site investigation and robust risk assessment has been completed, it should be possible to establish whether any significant contaminant linkages are present. Further details on the risk assessment process is provided in the statutory guidance, as well as various technical guidance documents available on the GOV.UK website and the online Water and Land Library, hosted by Contaminated Land: Applications in Real Environments (CL:AIRE).

Following the adoption of the original Strategy in 2001, the Council undertook many inspections of prioritised sites over a 10 to 15-year period. Initial inspections involved site walkover surveys and desk-top studies of sites identified as potentially contaminated land, followed by exploratory investigations and more detailed risk assessment of approximately

fifty priority sites. Work was also undertaken to identify buildings and assets within the city owned by the Council, where land contamination may need to be considered. Due to the time that has elapsed since the original Strategy was published, the Council will need to review its current asset list and housing stock with the relevant land-owning departments. Where possible, we will make use of available GIS tools to carry out a strategic assessment of this land in accordance with the revised Strategy.

The vast majority of detailed inspections previously carried out by the Council concluded that these priority sites did not meet the legal definition of contaminated land under Part 2A, with the exception of two residential properties which were determined in 2010 and subsequently remediated. In addition, a former landfill site within the city was determined as contaminated land and designated a 'special site', where the Environment Agency are the regulator under Part 2A. Following further monitoring and assessment, this contaminated land designation was terminated in 2007.

Due to changes in technical guidance and risk assessment methods, including generic assessment criteria, it may be necessary to review data previously obtained from intrusive site investigations. This exercise will be done as part of the Strategy review process, based on the priority order of sites, and a decision record kept detailing the outcome of any re-assessment.

Because of the potential disruption and cost involved, any future intrusive investigations will only be carried out where there is a reasonable possibility that a significant contaminant linkage exists, considering all the relevant factors relating to a site. In this situation, the Council would liaise with the affected persons and relevant stakeholders at the earliest opportunity. The aim would be to complete any intrusive investigations quickly and efficiently, minimising the disruption and stress to those involved as far as reasonably possible. Inspections would be carried out in accordance with the statutory guidance using appropriate standards.

When the Part 2A regime was first introduced it was supported by the government's Contaminated Land Capital Grants scheme to help meet the costs associated with assessing and remediating sites. However, the scheme was phased out from 2013 and withdrawn altogether in 2017. This placed additional pressure on the feasibility to continue with proactive detailed inspections of potentially contaminated land and shifted the emphasis on delivering these objectives through voluntary action or other regulatory drivers.

The approach taken by the Council going forward will primarily be to address sites identified as potentially contaminated land through the planning system and encourage voluntary remediation wherever possible, which is consistent with many other local authorities and the current statutory guidance. The Council will be open to landowners or other stakeholders taking their own steps to resolve the status of land which has been identified as potentially contaminated. Where formal intervention under Part 2A is needed, this will be subject to appropriate cost-benefit analysis, taking into consideration the wider objectives of the Part 2A regime.

The Part 2A regime does not lend itself to setting specific timescales for completing detailed inspections and determinations of contaminated land, due to the technical and legal complexities that are often involved in this process. For example, a relatively small site may take a number of years to fully assess and remediate. There is also a need for flexibility in the inspection process to allow for new information coming to light, as well as changes to

legislation, statutory guidance, and the allocation of resources. There may be situations from time to time where there is an immediate risk of serious pollution of the environment or of serious harm to health. These cases will be dealt with as a matter of urgency, regardless of the Part 2A status or priority order of the land.

Where intrusive investigations or remediation work is proposed, information on expected ground conditions and constraints, such as buried services, obstructions, potential UXO, and other health and safety concerns, will be reviewed and assessed. All site work will be carried out in accordance with appropriate Council and sub-contractor health and safety procedures.

3.3 Determination of contaminated land

Where contaminated land, as defined under Part 2A, is identified, it will be determined in accordance with the statutory guidance. It is a regulatory decision as to whether harm (or the possibility of harm) is significant and must consider both policy and science. When it comes to making decisions about risks to controlled waters, the Council will have regard to the Environment Agency's advice on whether any pollution is significant, or if there is a significant possibility of significant pollution occurring.

Where land is determined as being contaminated land, the Council will give written notice of that determination to the owner(s) and occupier(s) of the land, any person appearing to the Council to be an 'appropriate person', and the Environment Agency. Appropriate persons are individuals or businesses that may be liable for the costs of remediating a site, for example, if they caused the contamination.

To assist with the decision on whether land should be determined as contaminated land, based on risks to human health, the Council will use the system of categorisation set out in the statutory guidance. This describes 4 categories of land, with Categories 1 and 2 being land which is capable of being determined as contaminated land, and Categories 3 and 4 which is not capable of being determined on such grounds. A similar system can be used to help determine whether or not a significant possibility of significant pollution exists for controlled waters and is described in more detail in the statutory guidance. Examples of how the categories would be applied are given below:

Category 1: Land which is clearly contaminated land. These are the worst-case sites, where there is a very strong argument that significant harm would occur if no action is taken to stop it, such as where similar land or situations have caused such harm before, or because significant harm has already been caused.

Category 2: Land where there is a strong case for taking action under Part 2A on a precautionary basis, but where there is little or no direct evidence that similar land, situations or levels of exposure have caused harm before.

Category 3: Land where there may still be risks posed by contaminants, but a strong case (as described above) does not exist, and so the positive legal test cannot be met. In such cases, regulatory intervention may be unjustified.

Category 4: Land which is clearly not contaminated land. This would include land where no significant contaminant linkage exists; or where there are only normal levels of

contaminants in soil; or where contaminant levels do not exceed relevant generic assessment criteria.

It is likely to be more straightforward to establish when land is in Category 1 or Category 4. However, when deciding whether land is in Category 2 or Category 3, the Council will need to consider a number of factors, in accordance with the statutory guidance. Firstly, we will consider the outcome of the risk assessment, including the estimated likelihood and impact of potential harm and the timescale over which it might occur. If there is not a strong case based on this assessment alone, then other factors should be taken into account, such as the socio-economic impacts and the likely direct and indirect health and environmental impacts of intervention, including stress and disturbance. If the health benefits of remediation do not outweigh the health impacts the land should be placed in Category 3, and therefore would not be determined as contaminated land.

Generic assessment criteria for soils, known as Category 4 Screening Levels (C4SLs), are available to help regulators identify land which is within Category 4 (suitable for use and clearly not contaminated land). They are based on risks to human health for different types of generic land use. They may also be used as a remediation standard for development of brownfield land through the planning system. Other generic assessment criteria for soil contamination have been developed by different organisations to indicate a minimal level of risk to human health.

Where it is clear, following a detailed inspection or where remediation has been carried out, that land does not meet the legal definition of contaminated land based on the current use of a site (Categories 3 and 4), the Council will issue a written statement to the landowner(s) and other interested parties, as a record of this decision. For sites which are likely to be determined as contaminated land following a thorough risk assessment (Categories 1 and 2), the Council will produce a 'risk summary'. This document will set out the findings of the Council's assessment in a simple and easy to understand format and will form part of the record of determination. Details of what should be included in a risk summary are provided in the statutory guidance.

The Council may postpone making a determination of contaminated land if the landowner or other interested party proposes to take their own action to deal with the problem, and we are satisfied with the measures proposed. The Council may also choose to keep the status of any land under review, in the event of any change of circumstances in the future which could cause the land to become contaminated land, or where the information that the original decision was based on changes. A written record of these decisions will be kept by the Council.

3.4 Remediation and liability

Where land is determined as contaminated land, the Council may serve a remediation notice on the appropriate persons, specifying what that person must do to remediate the land and the timescales in which they must do it. Appropriate persons are any person who might bear responsibility for remediation, as determined in accordance with the Part 2A legislation and statutory guidance. There are two broad types of liability groups: 'Class A', who are those who caused or knowingly permitted the contaminant(s) to be present; and 'Class B', who are the current owners or occupiers of the land.

Remediation under Part 2A includes: (a) doing anything for the purpose of assessing the condition of the contaminated land in question, as well as any controlled waters affected by that land, or any adjoining or adjacent land; (b) doing any works or taking steps to prevent, minimise, remedy, or mitigate the effects of significant harm, or significant pollution of controlled waters, in relation to the contaminated land, or restoring the land or waters to their former state; and (c) making subsequent inspections from time to time to keep the condition of the land or waters under review. The general aim of remediation will be to 'break' the significant contaminant linkage concerned, and this can involve a range of measures and techniques to ensure the site is suitable for use and no longer regarded as contaminated land.

Underpinning the Part 2A regime is the 'polluter pays' principle, which says that those responsible for causing the contamination should be the ones who pay to clean it up. However, establishing who is liable for this can be complicated, especially when the original contamination may have occurred many years ago and the people or companies involved no longer exist. There may also be multiple relevant contaminant linkages, associated with different appropriate persons, or a number of owners and occupiers who have contributed to or been affected by the contaminated land.

Where no Class A person is found, then the costs of remediation may fall to the Class B person(s). Where no Class A or Class B responsible person(s) can be found, the contaminant linkage will be treated as an 'orphan linkage', and the enforcing authority may need to bear the cost of any remediation carried out. The Council may also consider carrying out remediation work itself in urgent cases, where there is an imminent danger of serious harm or serious pollution of controlled waters occurring. Other situations where the Council may be responsible for the costs of remediation include land where the Council is the Class A person because it caused the contamination or is the Class B person because it owns the land affected, and no Class A person can be found.

There are a number of exclusions and exemptions when establishing liability, for example where land is sold with information regarding the contamination. The details of the various exclusion tests are set out in the Part 2A legislation and statutory guidance and will depend on the specific circumstances of the site and contaminants in question. The Council will act in accordance with Part 2A and the statutory guidance when determining and apportioning liability, and using its enforcement powers, and will always consult the current owners and occupiers of the land before taking any formal action.

If a remediation notice is not complied with, the Council may carry out the remediation work and look to recover its costs. There are a number of situations where an appropriate person may be exempt from paying the full costs of remediation, for example when 'hardship' would be caused by meeting these costs, or where the costs of remediation are greater than the value of the remediated land. In such cases, the Council may decide to waive or reduce the recovery of its costs for carrying out the remediation. There is also a provision to place a charge on the land, to secure payment at a later date or in instalments. When making decisions on recovering costs, the Council will act in accordance with the statutory guidance and any formal cost recovery policy applicable at the time.

The intention is that in most cases a scheme of voluntary remediation by the appropriate persons will be agreed with the Council (or the Environment Agency in the case of special sites), without the need for a formal remediation notice to be issued. In such cases, the responsible person(s) will be required to prepare a remediation statement setting out the steps

they intend to take. Where Council-owned land is determined to be contaminated land, the Council will not be able to issue a remediation notice but will instead work with the relevant Council departments and nominate a responsible person to prepare a remediation statement, detailing what steps it will take in accordance with Part 2A and the statutory guidance.

4. The broader approach

In accordance with the statutory guidance, the Council has considered how Part 2A fits with its broader approach for dealing with land contamination. The Government's policy is that, where possible, land contamination should be dealt with 'voluntarily', for example when sites are redeveloped. Due to the potential for significant costs and legal complexities when determining contaminated land and carrying out remediation under Part 2A, the use of these enforcement powers is often seen as a last resort, reserved for the most seriously contaminated sites where no other options are available.

4.1 Planning and building control

The planning system is often used to encourage voluntary remediation of sites affected by contamination, in order to bring land back into beneficial use. Part 2A is intended to work alongside the role of planning and building control where land is suitable for redevelopment.

Whenever new development is proposed on previously developed land (known as 'brownfield' land), or where there is a change to a more sensitive use of an existing building, the planning regime will always be the primary mechanism for dealing with potential risks from contamination (as governed by the Town and Country Planning Act 1990 (as amended), the National Planning Policy Framework (NPPF), The Building Regulations 2010 (as amended) and Approved Document C - Site preparation and resistance to contaminants).

Landowners and developers are required under planning laws to assess the risks from land contamination to a proposed development and carry out remediation where these risks are deemed to be unacceptable. This is often secured through conditions of the planning permission to ensure the land is safe and suitable for the intended use. The NPPF includes the following:

196. Planning policies and decisions should ensure that:

a) *a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
b) *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
c) *adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

As previously discussed, The Hull Local Plan and Supplementary Planning Documents set out the local policies and requirements for undertaking contamination assessments for different types of proposed development. These documents can be accessed on the Hull City Council website. Relevant national planning guidance for land affected by contamination is available on the GOV.UK website.

The Building Regulations 2010 (as amended) includes resistance to contaminants as a requirement where there is a material change of use, with specific guidance included in Approved Document C: Site preparation and resistance to contaminants and moisture.

The Council's Environmental Regulation team works closely with planning officers to ensure the requirements in relation to land contamination risks for new development are dealt with appropriately. This may include giving advice on sites that have been allocated for future redevelopment through the Local Plan.

4.2 Industrial emissions and commercial activities

Many current commercial activities that involve waste or industrial processes are regulated through the environmental permitting regime, under The Environmental Permitting (England and Wales) Regulations 2016 (as amended), which aims to control potentially polluting activities and limit emissions to the environment through imposing strict operating conditions. Where significant harm or pollution of controlled waters is caused by a regulated facility, enforcement powers under the environmental permitting regime, rather than Part 2A, will be used to address these contamination issues, where applicable.

Where serious pollution or contamination has occurred after 2009 and is the result of a commercial activity, regulatory action can be taken under The Environmental Damage (Prevention and Remediation) (England) Regulations 2015. Similar to Part 2A, these regulations are based on the 'polluter pays principle', however they do not apply to historical contamination (i.e. that which has occurred before 2009). Where there is an imminent threat or actual damage caused (as defined in the Regulations), the business or other operator responsible must take immediate action to prevent or remedy this. Depending on the type of environmental damage involved, there are different enforcing authorities, including local authorities. Where appropriate, enforcement powers under these Regulations may be used to deal with contaminated land, rather than Part 2A. However, environmental liability should always be regarded as a 'backstop', and the emphasis should be on putting in place appropriate pollution prevention measures so that imminent threats and damage do not occur.

4.3 Voluntary action

The Council welcomes any discussions with landowners, developers and their consultants who are looking to address land contamination on a voluntary basis, without the need for Part 2A to be used directly. This is seen as the most suitable way of addressing the risks from contaminated land whilst also minimising unnecessary burdens on the taxpayer, businesses, and individuals. These discussions will usually come about through the planning process but may also arise through other voluntary projects or wider regeneration schemes. We would always encourage early engagement when potential land contamination issues are identified, so that appropriate advice and guidance can be given, and any proposals agreed.

5. Information management

5.1 Public register

The Council has a duty to maintain a public register of contaminated land, in accordance with the Part 2A legislation. This will include copies of remediation notices and remediation statements, as well as other relevant details relating to formal remediation actions and enforcement under Part 2A. Public registers can be kept in any form. The statutory guidance also states that records of determinations of contaminated land should also be publicly available and include the risk summary (as referred to in section 3.3).

5.2 Sharing information

The Council may provide site specific information on contaminated land in relation to its Part 2A work and the Strategy, which will be in accordance with The Environmental Information Regulations 2004. Environmental searches are often requested by solicitors and agents as part of the conveyancing process when property is bought and sold. Information that we hold may also be shared with landowners, consultants or other interested parties who are undertaking site investigations, risk assessments, and remediation or regeneration schemes. In order to allow others to make informed decisions, it is essential that the Council maintains its contaminated land records, so that, as far as reasonably possible, we are providing accurate and up to date information. Information will be managed and processed in accordance with the Data Protection Act and the General Data Protection Regulations, as well as the Council's privacy policy.

5.3 Records management

As outlined previously, the Council will continue to update and review the contaminated land information it holds on its GeoEnviron database and GIS, and this will be done on an ongoing basis. Contaminated land records include strategic and detailed inspections for Part 2A as well as site investigations, risk assessments and remediation schemes that the Council are consulted on through the planning process. The ongoing review of data will include assessing contaminated land information in accordance with current guidance and standards, as well as the updated Strategy. This may result in changes to the identification and prioritisation of sites of potentially contaminated land and the status of the land under Part 2A.

5.4 Communication, consultation, and collaboration

A number of Council departments and external organisations, including the Environment Agency, Natural England, Historic England, UK Health Security Agency, and the neighbouring East Riding of Yorkshire Council, were consulted in the preparation of this Strategy. We are committed to working with residents and businesses, as well as colleagues and partners across the Council and other sectors, to deliver the objectives of the Strategy. This will include identifying appropriate opportunities to work collaboratively with colleagues in Public Health and other partners, to better understand potential health impacts and inform our decision making at both a strategic level and during detailed inspections.

We will aim to always provide clear and accessible advice and guidance on contaminated land issues, through the Council's website, or in response to environmental information requests and informal enquiries. The Council will always consult landowners and other stakeholders

when considering any formal intervention under Part 2A, and if appropriate, will ensure an effective communication strategy is in place to address any questions or concerns. This would be developed in consultation with the Council's Corporate Communications team. We will also seek relevant expert advice and support on more complex technical or legal issues where necessary, in order to produce robust risk assessments and decisions.

Hull City Council is a member of the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG), which is a voluntary organisation made up of local authorities across the region. YALPAG provides support to local authorities in the technical areas of land quality, air quality, permitting, and noise, and acts as a link with several national partner organisations. It aims to promote professional good practice and consistency of approach when implementing environmental regulation within the region. YALPAG have produced a number of publicly available guidance documents including technical guidance for developers, landowners and consultants for development on land affected by contamination, which is included as part of the Council's supplementary planning documents (SPD 3 of the Local Plan).

6. Strategic objectives

A number of core objectives have been identified as part of the Strategy review, which are summarised in the table below. They reflect the broader approach for dealing with contaminated land and include priority tasks for the review, assessment, and ongoing management of relevant information, as well as the continued delivery of key services.

Where appropriate, critical partners and estimated timescales for implementation have been provided, so that progress can be periodically reviewed. The objectives will be updated as part of the main Strategy review, as a minimum every 5 years.

No.	Objective	Estimated timescale	Critical partners
1	Use the planning system as the primary mechanism for dealing with potential risks from land contamination on brownfield sites and for encouraging voluntary remediation, without the need for formal intervention under Part 2A.	Ongoing	Economic Development and Regeneration
2	Respond to contaminated land search requests in a timely manner to assist residents, businesses, and members of the public in the sale and redevelopment of land and properties.	Ongoing	N/A
3	Respond to urgent cases of potential contaminated land that come to light, ensuring significant risks are managed appropriately in accordance with the statutory guidance, and provide advice to residents, businesses, and members of the public that may be affected.	Ongoing	Public Health; Environment Agency and UKHSA (where appropriate)
4	Add contaminated land information from previous inspections, planning applications, or other available resources, to the GeoEnviron database and GIS, and update as new information comes to light. Review implications for the strategic assessment and prioritisation of sites.	12-18 months to digitise existing records (then ongoing for new information and review)	N/A
5	Review information on land use for the top priority group of sites (PG1) identified under the original Strategy, and update prioritisation where appropriate.	12-18 months	N/A

6	Review site investigation data previously obtained from Part 2A inspections, to take account of changes in technical guidance, risk assessment methods, and updated generic assessment criteria. A record of any re-assessments will be kept with the original information, along with the outcome of any further inspections.	18-24 months for initial review of information on priority sites (then ongoing for any further re-assessments and inspections needed)	N/A
7	Review the current asset list of land and buildings for which the Council is responsible for, so that a strategic assessment of the land can be carried out in line with the updated inspection Strategy, and technical advice offered where any major projects are being undertaken.	12-18 months	Property and Assets; Economic Development and Regeneration; Neighbourhoods and Housing; Major Projects, Culture & Place.
8	Explore the capabilities and advancements in GIS technology and risk assessment tools to support the strategic assessment, prioritisation, and detailed inspection of sites, where required.	Ongoing	ICT; third party software suppliers

Glossary

Appropriate person	Any person who is an appropriate person, determined in accordance with section 78F of Part 2A, EPA1990, to bear responsibility for anything which is to be done by way of remediation in any particular case.
Aquifer	A body of rock or sediment that is sufficiently permeable to store and transmit water under the ground, in quantities that permit use of the water. 'Principal' aquifers usually provide a high level of water storage, and support water supply and/or river base flow. 'Secondary A' and 'Secondary B' aquifers usually have a lower level of water storage, but can still be locally important.
Class A person	A person who is an appropriate person, because they caused or knowingly permitted a contaminant to be in, on or under the land.
Class B person	A person who is an appropriate person because they are the owner or occupier of the land in circumstances where no class A person can be found with respect to a particular remediation action.
Contaminant	A substance which is in, on or under the land and which has the potential to cause harm or to cause pollution of controlled waters.
Contaminant linkage	The relationship between a contaminant, a pathway and a receptor.
Contaminated land	Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that; a) significant harm is being caused or there is a significant possibility of such harm being caused; or b) significant pollution of controlled waters is being, or there is a significant possibility of such pollution being caused.
Controlled waters	As defined by Part 3 of the Water Resources Act 1991 and includes relevant territorial waters, coastal waters, inland freshwaters and groundwaters (any waters contained in underground strata). However, for Part 2A purposes groundwaters does not include waters contained in underground strata that are above the saturation zone.
Harm	Defined in section 78A(4) of Part 2A, EPA1990 as: '*harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property*.' OR with respect to radioactive contamination defined in section 78A(4) (as modified) as: '*lasting exposure to any person resulting from the after effects of a radiological emergency, past practice or past work activity*.'

Orphan linkage	A significant contaminant linkage for which no appropriate person can be found, or where those who would otherwise be liable are exempted by one of the relevant statutory provisions.
Pathway	One or more routes or means by, or through, which a receptor: a) is being exposed to, or affected by, a contaminant, or b) could be so exposed or affected.
Pollution of controlled waters	Defined in section 78A(9) of Part 2A, EPA1990 as: 'The entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter.'
Public register	Register maintained by the enforcing authority under section 78R of Part 2A, EPA1990, of particulars relating to contaminated land.
Radioactive contaminated land	Any land which appears to the local authority in whose area the land is situated to be in such a condition, by reason of substances in, on or under the land (as a result of radioactivity), that; a) harm is being caused; or b) there is a significant possibility of harm being caused.
Radionuclide	Also known as 'radioisotopes'; atoms with an unstable nucleus which can undergo radioactive decay, emitting gamma rays and/or subatomic particles, which constitutes ionising radiation.
Receptor	Either: a) a living organism, a group of living organisms, an ecological system or a piece of property (as listed in the statutory guidance) which is being, or could be, harmed, by a contaminant; or b) controlled waters which are being, or could be, polluted by a contaminant; or c) a person subjected to lasting exposure resulting from the after-effects of a radiological emergency, past practice or past work activity.
Remediation	The doing of any works to prevent, minimise, remedy or mitigate against the risk of contamination.
Remediation notice	A notice specifying what an appropriate person is to do by way of remediation and the periods within which they are required to do each of the things specified.
Remediation statement	A statement prepared and published by the responsible person detailing the remediation actions which are being, have been, or are expected to be, done as well as the periods within which these things are being done.
Risk	The combination of: a) the probability, or frequency, of occurrence of a defined hazard (for example, exposure to a contaminant); and b) the magnitude (including the seriousness) of the consequences.
Significant harm	Types of harm as defined under Part 2A and the statutory guidance.

Site investigation	An investigation of land (for example by exploratory excavations of boreholes) which involves actions going beyond simple visual inspection of the land or assessment of documentary evidence.
Source Protection Zones	Zones around a public drinking water source, such as a well or borehole, which indicate the risk of contamination from potentially polluting activities in the area. The closer to a source the greater the risk, and therefore the stricter the controls and level of protection.
Special site	Any contaminated land which has been designated as such in accordance with 78C and 78D of Part 2A, EPA1990. The effect of a site being designated as a 'special site' is that the Environment Agency, rather than the Council, becomes the enforcing authority for the land.
Substance	Defined in section 78A(9) of Part 2A, EPA1990 as: '*Any natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour*.' OR with respect to radioactive contamination As defined in section 78A(9) of Part 2A, EPA1990 (as modified): '*Whether in solid or liquid form or in the form of a gas or vapour, any substance which contains radionuclides which have resulted from the after-effects of a radiological emergency or which are or have been processed as part of a past practice or past work activity, but shall not include radon gas or the following radionuclides: Po-218, Pb-214, At-218, Bi-214, Rn-218, Po-214 and Tl-210*.'

Useful References

Environmental Protection Act 1990, Part IIA – Contaminated Land (as amended)
https://www.legislation.gov.uk/ukpga/1990/43/part/IIA

The Contaminated Land (England) Regulations 2006 (as amended)
https://www.legislation.gov.uk/uksi/2006/1380/contents

Contaminated land statutory guidance (Defra, 2012)
https://www.gov.uk/government/publications/contaminated-land-statutory-guidance

Radioactive contaminated land: statutory guidance (BEIS, 2018)
https://www.gov.uk/government/publications/statutory-guidance-covering-radioactive-contaminated-land

Land contamination: technical guidance
https://www.gov.uk/government/collections/land-contamination-technical-guidance

Land contamination risk management (LCRM)
https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm

National Planning Policy Framework (NPPF)
https://www.gov.uk/government/publications/national-planning-policy-framework--2

Planning practice guidance: Land affected by contamination
https://www.gov.uk/guidance/land-affected-by-contamination

Building Regulations – Approved Document C: Site preparation and resistance to contaminants and moisture
https://www.gov.uk/government/publications/site-preparation-and-resistance-to-contaminates-and-moisture-approved-document-c

Historic England – Land Contamination and Archaeology Good Practice Guidance
https://historicengland.org.uk/images-books/publications/land-contamination-and-archaeology/

Hull City Council - Supplementary planning documents
https://www.hull.gov.uk/planning-applications/supplementary-planning-documents

Hull City Council – Contaminated land
https://www.hull.gov.uk/environmental-crime-pollution/contaminated-land

CL:AIRE Water and Land Library (including DoE Industry Profiles)
https://claire.co.uk/information-centre/water-and-land-library-wall