

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Environment and Community Panel**

## **Agenda**

Tuesday, 7th June, 2022  
at 4.30 pm

in the

**Assembly Room, Town Hall, King's Lynn**  
and available to view on [WestNorfolkBC on  
You Tube](#)



**King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX**  
**Telephone: 01553 616200**

Thursday 26<sup>th</sup> May 2022

Dear Member

**Environment and Community Panel**

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Tuesday, 7th June, 2022 at 4.30 pm** in the **Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1. Appointment of Vice Chair for the Municipal Year**

**2. Apologies for absence**

To receive any apologies for absence.

**3. Minutes (Pages 5 - 10)**

To approve the minutes of the previous meeting.

**4. Declarations of interest**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

Those declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. **Urgent Business**

To consider any business which, by reason of special circumstances, the Chair proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act, 1972.

6. **Members Present Pursuant to Standing Order 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and what items they wish to be heard before a decision on that item is taken.

7. **Chair's Correspondence**

If any.

8. **Presentation from the Water Management Alliance (30 minutes)** (Verbal Report)

To receive an update on the work of King's Lynn Internal Drainage Board and Norfolk Rivers.

9. **Minor Amendment to the Homelessness and Housing Delivery Task Group's Terms of Reference (10 minutes)** (Pages 11 - 13)

The amended Terms of Reference are attached (amendments are track changes). The Panel are requested to consider and agree any amendments to the Terms of Reference for the Task Group.

10. **2021-22 Review of the Councillor Community Grant Scheme (30 minutes)** (Pages 14 - 20)

11. **Cabinet Report - Contaminated Land Strategy (40 minutes)** (Pages 21 - 60)

The Panel are requested to consider the report and make any appropriate recommendations to Cabinet.

12. **Nominations to Outside Bodies which fall within the Panels remit (5 minutes)** (Pages 61 - 63)

13. **Memberships of Task Groups and Informal Working Groups (5 minutes)** (Page 64)

14. **Portfolio Holder Question and Answer Session (15 minutes)**

15. **Work Programme and Forward Decision List** (Pages 65 - 71)

16. **Date of the next meeting**

To note that the next meeting of the Environment and Community Panel is

scheduled to take place on 19<sup>th</sup> July 2022 at 4.30pm at the Town Hall.

To:

**Environment and Community Panel:** C Bower, A Bubb, A Bullen, S Collop, M de Whalley, I Devereux, G Hipperson, J Kirk, J Lowe, C Sampson (Chair), S Squire and M Wilkinson

**Portfolio Holders:**

Councillor Sam Sandell – Portfolio Holder for People and Communities  
Councillor Paul Kunes – Portfolio Holder for Environment and Climate Change  
Councillor Stuart Dark – Leader of the Council

**Officers:**

Duncan Hall – Assistant Director  
Martin Chisholm – Assistant Director  
Nikki Patton – Housing Strategy Officer  
Debbie Ess – Policy and Performance Officer  
Dave Robson – Environmental Health Manager  
Fabia Pollard – Scientific Officer

**By Invitation:**

Representatives from the Water Management Alliance

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK****ENVIRONMENT AND COMMUNITY PANEL**

**Minutes from the Meeting of the Environment and Community Panel held on Tuesday, 22nd March, 2022 at 4.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillors C Sampson (Chair), L Bambridge (substitute for J Lowe), A Bubb, C J Crofts (substitute for C Bower), M de Whalley, I Devereux, C Hudson (substitute for S Collop), J Kirk, J Moriarty (substitute for A Bullen), S Squire and M Wilkinson.

**PRESENT UNDER STANDING ORDER 34:** Councillors A Kemp and J Rust.

**PORTFOLIO HOLDER:** Councillor B Long – Portfolio Holder for Corporate Services.

**OFFICERS:**

Martin Chisholm – Assistant Director

Chris Black – Cemeteries and Crematorium Manager

Nikki Patton – Housing Strategy Officer

Duncan Hall – Assistant Director

**EC67: APPOINTMENT OF VICE CHAIR FOR THE MEETING**

**RESOLVED:** Councillor Devereux was appointed Vice Chair for the meeting.

**EC68: APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bower, S Collop, Lowe and Bullen.

**EC69: MINUTES**

**RESOLVED:** The Minutes from the previous meeting were agreed as a correct record and signed by the Chair.

**EC70: DECLARATIONS OF INTEREST**

There were no declarations of interest.

**EC71: URGENT BUSINESS**

There was none.

**EC72: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillors Kemp and Rust.

**EC73: CHAIR'S CORRESPONDENCE**

There was none.

**EC74: SUPPORT IN SAFE ACCOMMODATION FOR NORFOLK 2021/2024**

[Click here to view the recording of this item on You Tube.](#)

The Housing Strategy Officer presented the report which presented the Safe Accommodation Strategy for Norfolk 2021/2024. She explained that the Council would be asked to endorse the Strategy which followed on from the introduction of the Domestic Abuse Act. She outlined the requirements the Act, the duties placed on Local Authorities and the key aspects of the Strategy.

The Chair thanked the Housing Strategy Officer for her presentation and invited questions and comments as follows.

In response to a question from Councillor Bambridge regarding gaps in accommodation, the Housing Strategy Officer explained that the Council was working with Norfolk County Council to look at accommodation options, with some new accommodation recently being made available in West Norfolk. Councillor Bambridge commented that she understood that the Dogs Trust could assist in finding foster placements for Dogs if people needed to leave their homes because of Domestic Abuse. The Housing Strategy Officer explained that work to ensure that a wide range of organisations were working collaboratively was being looked at.

In response to questions from Councillor Moriarty, the Housing Strategy Officer explained that the Domestic Abuse Act recognised victims of Domestic Abuse as a priority need for homelessness. She also referred to the grants available from Government. Some of the grant was being used for pilot projects for new accommodation in West Norfolk and she explained that the funding could be used for Capital and Revenue projects. The Housing Strategy Officer explained that the Council participated in the Domestic Abuse Partnership Board, which brought together support services for victims and survivors. The Housing Strategy Officer explained that there had been an increase in dementia cases and elderly abuse and work was being undertaken with Adult Social Care and Adult Social Services.

Councillor Kemp addressed the Panel under Standing Order 34 and made reference to the Norfolk County Council Community Safety Scheme and IDAS. She asked what would be done to support children

and what services were available for perpetrators. The Housing Strategy Officer explained that Norfolk County Council were the lead organisation on this and the Strategy ensured that organisations were working collaboratively to provide the necessary support.

Councillor Kemp also made reference to support for people with disabilities and high dependency and the Housing Strategy Officer explained that flexible accommodations would be looked at on a case by case basis.

Councillor Rust addressed the Panel under Standing Order 23 and asked if any data was available on financial difficulties and the breakdown on different people who required support. She also asked why some data for West Norfolk was missing in the Strategy. The Housing Strategy Officer explained that data was now available for West Norfolk and would be updated in the annual data report.

Councillor de Whalley raised concern on the lack of data and asked what support was available for people moving out of safe accommodation. The Housing Strategy Officer explained that the lack of data had been recognised and work was on going to ensure data collection was robust. This also linked with the accreditation programme work. She also provided information on those moving out of safe accommodation and the demand on social housing. She explained that all cases were different and some people wanted to move back home, but a range of options would be explored.

Councillor Squire referred to the support available for people who wanted to stay in their own homes and the Housing Strategy Officer referred to the information in the report which listed a range of support services. She agreed to circulate this list to all Councillors.

The Chair asked for the Panel to be kept up to date as appropriate.

**RESOLVED:** The Panel supported the Safe in Accommodation Strategy for Norfolk 2021/2024 being presented to the Councils Cabinet.

The Panel supported and recognised the Councils membership on the Norfolk Domestic Abuse Partnership Board.

The Panel supported the Housing Department in undertaking the Domestic Abuse Housing Alliance (DAHA) Accreditation over the next 2-3 years.

EC75: **CABINET REPORT - MEMORIAL SAFETY TESTING POLICY FOR CEMETERIES AND CLOSED CHURCHYARDS**

[Click here to view the recording of this item on You Tube.](#)

The Cemeteries and Crematorium Manager presented the report which set out the procedure for the ongoing testing of memorials and headstones and the policy and methodology for managing memorial safety.

The Chair thanked the Cemeteries and Crematorium Manager for his report and invited questions and comments from the Panel, as summarised below.

In response to a question from Councillor Crofts, the Cemeteries and Crematorium Manager outlined the process for closing a Churchyard. He explained that it would transfer to the Parish, but they could forfeit this to the Borough Council. If the Parish decided to maintain the closed Churchyard, they would be responsible for health and safety issues.

In response to a question from Councillor Bubb, it was explained that the Council did not have the resources to extend the testing service and make it commercial.

In response to questions from Councillor Moriarty, the Cemeteries and Crematorium Manager explained that to close a churchyard it had to meet certain criteria. Within the report mention was made of 'grave owner' and it was clarified that the deeds would specify who the grave owner was, and was usually the executor of the will. Work would be carried out to transfer grave ownership where necessary.

The Cemeteries and Crematorium Manager provided the Panel with detail of the testing process and the financial implications as set out in the report. The Panel was reminded that additional testing staff were not available, and existing resources would have to be utilised.

Councillor Bambridge asked for information on what happened to unsafe gravestones and those affected by flooding. It was explained that even in flood risk areas a qualified Stone Mason would be able to repair or replace as required.

In response to a question from Councillor Devereux, it was explained that once tested a stone would not be left if it was unsafe. It would be laid down respectfully and then the owner would be contacted. If the owner could not be traced, other options would be considered.

The Portfolio Holder, Councillor Long thanked the Panel for their comments and input and explained that it was very important to ensure that Churchyards were safe and posed no health and safety risks.

In response to a question from Councillor Crofts it was explained that if the Council was responsible for a closed Churchyard, it would be responsible for the whole area, including footpaths and walls.

**RESOLVED:** That the Environment and Community Panel support the recommendations to Cabinet, as set out below.

1. That the Council be invited to adopt the new policy for Memorial Safety Testing and subsequent methodology for dealing with unsafe memorials.
2. To agree an additional capital amount of £25,000 to test and inspect closed churchyards, with subsequent testing funding by an increase in the annual contributions to reserves.

EC76: **PORTFOLIO HOLDER QUESTION AND ANSWER SESSION**

[Click here to view the recording of this item on You Tube.](#)

No questions had been submitted in advance of the meeting.

Councillor Moriarty asked if flood risk and rising sea levels were a concern when it came to identifying sites for new cemeteries. The Portfolio Holder, Councillor Long explained that this was a concern and careful consideration had to be given to future sites. The Assistant Director explained that this was a concern and options for a site close to the town were currently being looked at.

The Panel discussed the issues that could become apparent when identifying future sites and the Assistant Director agreed to keep the Panel updated on options for a site in King's Lynn.

EC77: **WORK PROGRAMME AND FORWARD DECISION LIST**

[Click here to view a recording of this item on You Tube.](#)

The following were identified for addition to the Work Programme:

- Wash and North Norfolk Marine Partnership – Information on 'Motion for the Ocean'.
- King's Lynn Cemetery Site.
- Anti-littering/update on the Enforcement Policy and roadside littering.

Comments were also raised about some signage that was muddy or in need of repair and Members were advised that it depended on where the signs were on who was responsible. Many of them were the responsibility of Norfolk County Council Highways and Members were encouraged to report any problems through that route.

Councillor Bubb made reference to a particular damaged sign, which the Assistant Director agreed to look into.

Graffiti was also raised as an issue and the Assistant Director explained that this could be reported to the Borough Council's Clean Up Team.

**RESOLVED:** The Panel's Work Programme was noted.

EC78: **DATE OF THE NEXT MEETING**

The next meeting of the Environment and Community Panel was scheduled to take place on 7<sup>th</sup> June 2022 at 4.30pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn.

**The meeting closed at 6.15 pm**

Name of the group: Homelessness & Housing Delivery Task Group

Officer contact:

Duncan Hall: 01553 616445

[duncan.hall@west-norfolk.gov.uk](mailto:duncan.hall@west-norfolk.gov.uk)

**Timescale and delivery expectations**

The expectation is that the group will meet (initially) monthly until the Homelessness and Rough Sleeper Strategy has been agreed and the Local Plan Review is finalised. The Group will examine proposals that seek to respond to homelessness and rough sleeping locally and give feedback/ make recommendations to the Environment & Community Panel. There will be a particular focus on the Council's role in supporting the delivery of affordable housing and other housing supply matters. It is expected that this work will feed into the Local Panel Review, and therefore this matter should be considered before the end of the year.

The group will also monitor the council's performance in relation to homelessness and the action plan of the Homelessness and Rough Sleeper Strategy on an ongoing basis.

**Task Group Status**

It was proposed by the Environment and Community Panel that the group would be established on a formal basis. In this regard the group members will undertake (with the support of officers including Democratic services) to:

- Appoint a chair person
- Participate in meetings
- Prepare / agree meeting agenda items
- Agree and publish agenda
- Meet in public – with the exception press and public for reasons including commercial sensitivity or details appertaining to another organization
- Complete and publish minutes of meetings held

**Membership**

The task group will be made up of 5 members, which is representative/ proportional to the Councils political composition. Group Leaders will nominate members to the group.

**Purpose / role of the group**

The purpose of the group is to examine and determine appropriate policy and practice proposals to the Council's Environment & Community Panel.

The task group will look at the following key areas:-

- The requirements of the National Rough Sleeper Strategy August 2018  
And the suitability of Councils emerging Homelessness & Rough Sleeper Strategy.

- The effectiveness of the Councils newly commissioned services in relation to preventing homelessness-

- ~~The Rough Sleeper Outreach & Inreach Service & Community Support Service,-)~~
  - The Benjamin Foundation Young Persons Tenancy Support Service
  - Housing First Service
  -

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- The Councils policy on the use of Discretionary Housing approach in relation to homelessness prevention (in conjunction with relevant Portfolio and Directorate) and make recommendations for new approaches taking into account Government Guidance and recent advice from Ministry of Housing Communities and Local Government specialist.
- Consider and review the impacts of Universal credit on the Councils existing housing and benefit policies and make recommendations for new approaches where necessary.
- Scrutinise and review the Councils existing approaches to the delivery of affordable housing and wider housing delivery. Make recommendations for new approaches to address identified housing delivery issues.

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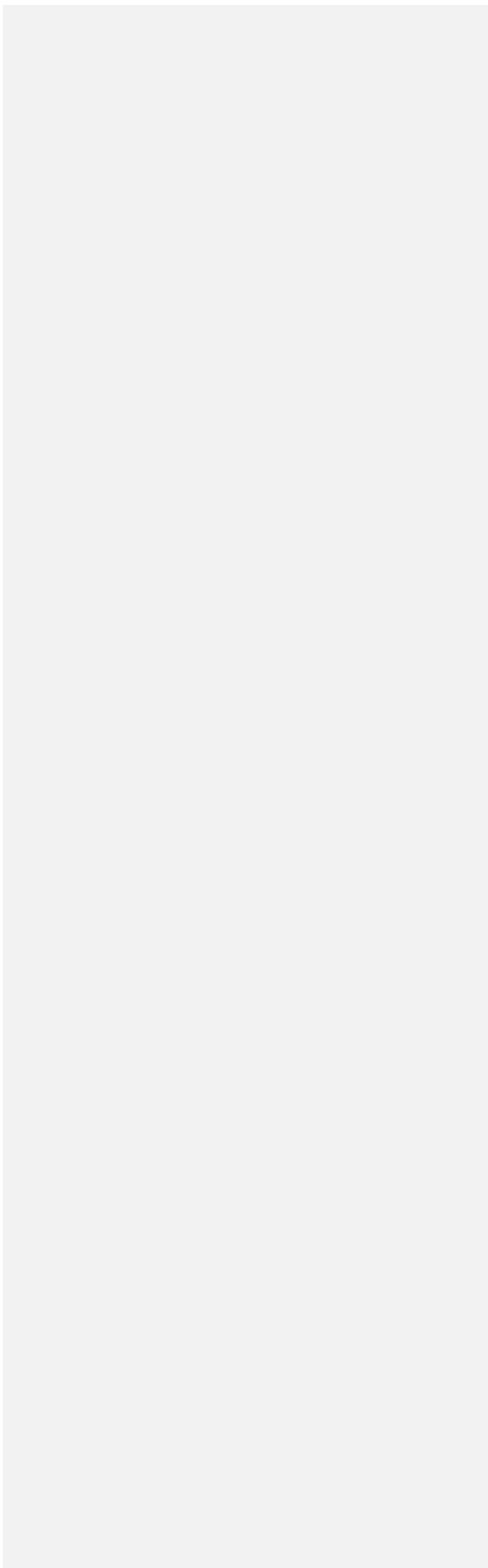
#### Meeting arrangements

Initial scoping meeting - with the purpose of agreeing a work plan. Further meetings will be arranged to discuss options, and review progress of work plan.

It is envisaged that the first meeting will be held before the **end of September 2018**.

#### Working methods

- Involvement / contributions from other officers and specialists who might be invited to present material at a meeting. Important source of pre-meeting material is to be found at:
- **Rough Sleeper Strategy August 2018**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/733421/Rough-Sleeping-Strategy\\_WEB.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733421/Rough-Sleeping-Strategy_WEB.pdf)
- **National Planning Policy Framework July**  
<https://www.gov.uk/government/publications/national-planning-policy-framework—2>
- **Discretionary Housing Payments guidance manual March 2018**  
<https://www.gov.uk/government/publications/discretionary-housing-payments-guidance-manual>
- **The homelessness monitor: England 2018(Crisis)**  
[https://www.crisis.org.uk/media/238700/homelessness\\_monitor\\_england\\_2018.pdf](https://www.crisis.org.uk/media/238700/homelessness_monitor_england_2018.pdf)



**POLICY REVIEW AND DEVELOPMENT PANEL REPORT**

REPORT TO:	Environment and Community Panel		
DATE:	7 June 2022		
TITLE:	2021-22 Review of the Councillor Community Grant Scheme		
TYPE OF REPORT:	Monitoring		
PORTFOLIO(S):	Leader of the Council, Cllr Sam Sandell		
REPORT AUTHOR:	Debbie Ess, Corporate Performance Officer		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

**REPORT SUMMARY/COVER PAGE**

<b>PURPOSE OF REPORT/SUMMARY:</b>
<p>On 9 September 2021, Council agreed to create a Councillor Community Grant Scheme to run consecutively during 2021-22 and 2022-23, the aim was to support local projects and activities that will have a positive impact throughout the borough.</p> <p>This report provides an overview of how the funding has supported projects, events and initiatives within the local community since the launch on 1 November 2021 to 31 March 2022.</p>
<b>KEY ISSUES:</b>
<p>To support members, give practical financial assistance to schemes in their constituencies which will benefit the community as well as contribute to the council's overall vision and corporate business plan.</p>
<b>OPTIONS CONSIDERED:</b>
<p>The Environment and Community Panel is asked to review the delivery of the scheme for 2021/22 and consider improvements to be implemented during 2022/23.</p>
<b>RECOMMENDATIONS:</b>
<p>The Environment and Community Panel to provide feedback and recommendations to enhance the scheme for local groups within the borough, including raising awareness of the scheme</p>
<b>REASONS FOR RECOMMENDATIONS:</b>
<p>To enhance the Councillor Community Grant Scheme for 2022/23.</p>

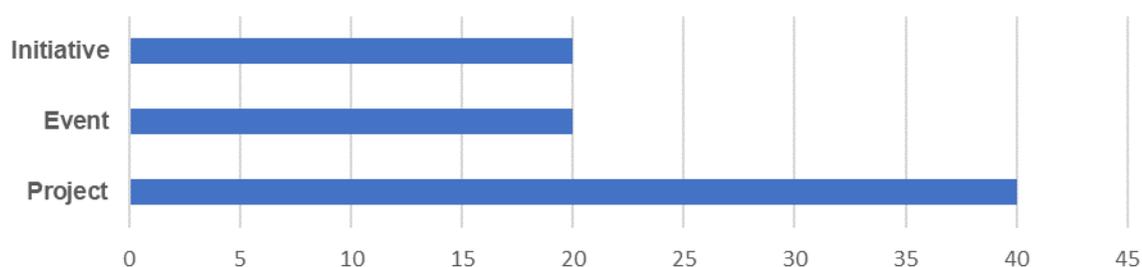
## 1. Introduction

- 1.1 The council introduced a Councillor Community Grant Scheme with the aim of funding community projects, events and initiatives to deliver better outcomes for residents in the borough as well as contributing to the achievement of the Council's Corporate Business Plan priorities.
- 1.2 A total of £55,000 grant funding for each year was made available from an underspend in the Financial Assistance Grants. Each ward councillor was given a budget of £1,000p.a. to assist their constituents with funding for projects which met the criteria of the scheme.
- 1.3 The online training offered to all councillors in October 2021 provided an overview of the rules of the scheme and the process of awarding a grant. Guidance and assistance have been given to councillors since the launch on 1 November 2021.

## 2. 2021/22 overview and achievements

- 2.1 From 1 November 2021 to 31 March 2022 councillors awarded funding to local groups and organisations for projects, initiatives and events amounting to £40,103.73. The highest volume of requests was received for sports equipment/maintenance (16), jubilee events (14) and defibrillators (6).

### 2.2 The number of Projects / Events / Initiatives awarded funding



### 2.3 The criteria met by each grant was decided by members with some grants meeting multiple criteria



## 2.4 Member's Feedback

2.4.1 Following the launch of the scheme members have said:

- a high proportion of members believe the system has worked well
- the groups received a quick turnaround receiving funds
- the forms appear to be clear to follow.

2.4.2 Members have raised the following questions and the responses are shown below:

Question	Response
Could there be flexibility in the Council's budget to increase the ward allocation to £2,500?	The member allocations were agreed as part of the scheme in September 2021, and the budget was ratified by Council on 23 February 2022.
Disbarring Parish Councils from the scheme is a mistake and tarnishes both Parish Council Members and the scheme, can the condition be dropped?	The scheme is aimed at helping voluntary and community organisations who vary enormously both in terms of their size and structures and how they support local communities. Whilst many rely on significant grant funding to deliver key support, for some more grass root organisations a small amount of funding can make a big difference. Elected members are well placed to identify these needs. Parish Councils have the ability to raise funds through Parish Precepts
Will a summary of grants in a similar fashion to CIL awards be published?	See Appendix A

## 3. Issues for the panel to consider

The Environment and Community Panel is asked to review the delivery of the scheme for 2021/22 and consider improvements to be implemented during 2022/23.

## 4. Corporate priorities

The Councillor Community Grant Scheme contributes to the following priorities within the Corporate Business Plan:

- Protecting and enhancing the environment including tackling climate change
- Improving social mobility and inclusion
- Helping to improve the health and wellbeing of our communities

## 5. Financial implications

Of the £55,000 2021/22 budget, £40,103.73 was allocated. From the £14,896.27 underspend £7,922 has been transferred to assist the Platinum Jubilee Grant and the remaining £6,974.27 transferred back to the council's general reserves.

## 6. Any other implications/risks

None.

**7. Equal opportunity considerations**

A pre-screening equality impact assessment was completed when the policy was agreed at Cabinet on 3 August 2021. This assessment was positive across all criteria.

**8. Environmental considerations**

None.

**9. Consultation**

Management Team and Council Leader

**10. Conclusion**

The Environment and Community Panel to provide feedback and recommendations, based on their experience of providing the grants for the past year, to improve the scheme for local groups within the borough.

**11. Background papers**

- Cabinet report 3 August 2021

2021/22 Councillor Community Grant Spend			
Organisation	Item requested	Ward	Funding provided £
Shouldham Bowls and Social Club	Drinks cooler	Airfield	£400.00
Runcton Holme Parochial Church Council	Maintenance of churchyard at St Andrews Church	Airfield	£350.00
Marham Friends	Bench at a bus stop	Airfield	£500.00
Fincham Memorial Hall & Playing Fields	Replacement of plastic chairs in memorial hall	Airfield	£292.00
Runcton Holme Social Club	Electrical work to install a defibrillator	Airfield	£458.00
Bircham in Bloom	Planting - Bircham in Bloom	Bircham with Rudhams	£250.00
South Creake Tennis Club	Provision of children's rackets and balls	Bircham with Rudhams	£500.00
Bircham Cricket Club	Cricket equipment for boys and girls youth section	Bircham with Rudhams	£200.00
Simms Reeve Institute	Acoustic tiles in hall	Brancaster	£500.00
Thornham Jubilee Committee	Purchase Beacon for jubilee event	Brancaster	£500.00
Friends of Burnham Market Primary School	Defibrillator	Burnham Market & Docking	£400.00
The Burnhams Surgery	Outdoor benches for patients waiting for transport and visiting the dementia garden	Burnham Market & Docking	£500.00
The Nelson Memorial Hall	Defibrillator	Burnham Market & Docking	£100.00
Clenchwarton Bowls Club	Bowls club maintenance	Clenchwarton	£500.00
Friends of the Village	Jubilee party in the park	Clenchwarton	£500.00
Denver Youth Group	Jubilee community fancy dress disco	Denver	£400.00
Dersingham Choral Society	Printer	Dersingham	£200.00
Sports Ground Management Committee	Dersingham ground improvement scheme	Dersingham	£1,000.00
Dersingham United Charities	Repair/replace dangerous wooden bridges on public footpaths on common	Dersingham	£500.00
Ingoldisthorpe Church Hall	Set up broadband	Dersingham	£300.00
Downham Market Social Centre	Provisions to help with Meals on Wheels	Downham Old Town	£1,000.00
Kids in Downham Drama Society	Hall hire fees, performance licence, script hire	East Downham	£400.00
West Norfolk Calm Families Hub	Toys for parent and child support group	East Downham	£600.00
Emneth Central Hall	Provide children of Emneth Parish with platinum souvenir mug and a street party	Emneth with Outwell	£1,000.00
Outwell village hall and playing field committee	Commemorative Jubilee mugs for all children in Outwell	Emneth with Outwell	£1,000.00
Feltwell Community Group	Jubilee celebrations - party in the park, carnival parade	Feltwell	£1,000.00
Feltwell United Football Club	Line marking machine	Feltwell	£250.00
The Friends of St Peters Church Hockwold cum Wilton	Wildflower area in churchyard with involvement of local school	Feltwell	£150.00
Feltwell Community Fund	Defibrillator	Feltwell	£600.00
Leziate Ashwicken & Bawsey Village Hall	Contribution towards provision of CCTV (security cameras for car park of village hall)	Gayton & Grimston	£1,150.00
Leziate Ashwicken & Bawsey WI	Books to start up a craft library	Gayton & Grimston	£150.00
ReMap	Materials to make disability aids provided free of charge to the community	Gayton & Grimston	£200.00
Painting for Pleasure	Purchase of pyrography equipment	Gayton & Grimston	£150.00
Grimston Cricket Club	New gate to entrance of pitch	Gayton & Grimston	£350.00
Gaywood Park Bowls Club	New pathway leading to the club house	Gaywood Clock	£1,000.00
Reffley Community Association	Queen's Jubilee street party with music, refreshments, entertainment and competitions	Gaywood North Bank	£500.00

Organisation	Item requested	Ward	Funding provided £
Heacham in Bloom	Replace raised flower beds and planting outside the fire station	Heacham	£400.00
Bereavement Support Group	Bereavement support including a monthly informal talking group with refreshments	Heacham	£360.00
Women's Friendship Group Sedgeford	30th anniversary celebrations for the group	Heacham	£200.00
St Marys Church Sedgeford	Open gardens event	Heacham	£250.00
Heacham Minors football club	Football strip	Heacham	£290.00
Heacham Horse Show	Sponsorship and production of show schedule	Heacham	£500.00
Hunstanton and District Men's Shed	Materials (wood, screws, nails, glue)	Hunstanton	£700.00
Friday Friendship Group	Queen's Jubilee flags and bunting for Tea Party	Hunstanton	£300.00
Future4Fairgrounds	Purchase books for schools about the showman community	Hunstanton	£500.00
Castle Acre Coronation Bowls Club	Automatic watering system	Massingham with Castle Acre	£200.00
Harpley Village Hall Committee	Replace existing fluorescent main hall lights with energy efficient LED lighting	Massingham with Castle Acre	£150.00
The Hillington Ladies	Decorations, bunting, refreshments for Jubilee celebrations	Massingham with Castle Acre	£150.00
Westacre Theatre	Funding to help local visiting schools to support their curriculum with cost of coaches	Massingham with Castle Acre	£100.00
Flitcham Village Hall and Community Trust	Decoration of the community room	Massingham with Castle Acre	£150.00
Gt Massingham Community Garden	Establish a new area of biodiversity for the community to relax, enjoy and play	Massingham with Castle Acre	£250.00
Methwold Community Action Group	Queen's Platinum Jubilee celebrations	Methwold	£600.00
Friends of the village - Ailene MacMullen	Memorial mugs for children of Northwold	Methwold	£400.00
North Lynn Methodist Church	Community fridge	North Lynn	£1,166.34
Memorial Hall Trust Steering Group	Refurbishment of sports pavilion	Snettisham	£1,000.00
Harding's Pits Community Association	Works to enhance the Harding's Pits Doorstep Green and support the work of the volunteers	South & West Lynn	£650.00
South Lynn Charitable Trust	Jubilee childrens tea party	South and West Lynn	£500.00
Downham Market & District Heritage Society (DMDHS)	Funds towards making the outside more attractive to new exhibitions, schools and memories. Produce a booklet, an interactive school display, exterior furniture, refreshments in the summer.	South Downham	£1,000.00
Kings Lynn & West Norfolk Pride	This year is the 50th anniversary so we would like to make the parade and free festival extra special	Springwood / St Margarets with St Nicholas	£1,600.00
The North End Trust	Defibrillator	St Margarets with St Nicholas	£960.00
Live and Let Live Community Fundraising Action Group	Defibrillator	St Margarets with St Nicholas	£200.00
Terrington St Clement Village Hall Committee	New heating system	Terrington	£1,700.00
14th Kings Lynn (Woottons) Scout Group	Sports equipment	The Woottons	£500.00
Castle Rising Cricket Club	Improvements to the clubhouse	The Woottons	£500.00
Wootton Toddler Park	Refurbishment of neglected toddler park at Wootton Park	The Woottons	£600.00
South Wootton in Bloom	Planting materials for beds of wildflowers in local parks, roadside beds and cemetery	The Woottons	£200.00
Castle Rising Football Club	New football kit	The Woottons	£477.39
West Norfolk Rugby under 10s	New rugby kit and equipment	The Woottons	£700.00
Wimbotsham Recreation Ground	Christmas tree	Upwell & Delph	£200.00
Well Creek Trust Ltd	A wooden bench for the village	Upwell & Delph	£500.00
Welney Residents Rec (and other Green paces) User Group (RUG)	To celebrate the Queens Green Canopy we are planning to plant 4-5 substantial rooted trees to enhance the site at Sandgate Corner.	Upwell & Delph	£300.00
Welney Residents Rec (and other Green paces) User Group (RUG)	Self binding gravel for footpaths	Upwell & Delph	£890.00
Lakes End Village Hall	Rosettes for Easter Fayre dog show	Upwell & Delph	£110.00
Walpole St Peters church	Jubilee celebrations	Walsoken / West Walton / Walpole	£1,000.00

Organisation	Item requested	Ward	Funding provided £
West Norfolk Lawn Tennis Club	Refurbishment of clubhouse and hard courts	West Winch	£1,000.00
Stoke Ferry Community Enterprise Ltd	Woven willow fence around play area and living willow archway	Wissey	£200.00
Wereham Jubilee Committee	To provide projects and events in relation to the Queen's Platinum Jubilee	Wissey	£200.00
Stoke Ferry Community Enterprise Ltd	To facilitate a consultation for setting up a community fresh fruit and veg outlet in Stoke Ferry for surplus produce from local producers	Wissey	£200.00
Boughton Cricket Club	Bowling net	Wissey	£200.00
Boughton Parochial Church Council	Repairs to organ	Wissey	£200.00

**REPORT TO CABINET**

<b>Open/Exempt</b>		Would any decisions proposed:			
<b>Any especially affected Wards</b> ALL	Mandatory/	Be entirely within Cabinet's powers to decide		YES/NO	
	<del>Discretionary /</del>	Need to be recommendations to Council		YES/NO	
	<del>Operational</del>	Is it a Key Decision		YES/NO	
Lead Member: Cllr P Kunes E-mail: cllr.paul.kunes@west-norfolk.gov.uk			Other Cabinet Members consulted: none		
			Other Members consulted: none		
Lead Officer: Dave Robson E-mail: dave.robson@west-norfolk.gov.uk Direct Dial: 01553 670566			Other Officers consulted: Fabia Pollard, Sarah Dennis, Michelle Drewery		
Financial Implications YES/NO	Policy/ Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO	Environmental Considerations YES/NO

Date of meeting: tbc

**TITLE: CONTAMINATED LAND STRATEGY**

<p><b>Summary</b> The attached Strategy sets out how the Borough Council will fulfil its statutory duty to inspect the district for Contaminated Land. This is an update of the existing Strategy following the issue of new national guidance.</p> <p><b>Recommendation</b> Adopt the updated Contaminated Land Strategy</p> <p><b>Reason for Decision</b> So that the Borough Council can fulfil its statutory duty to investigate the district for Contaminated Land.</p>
--

**1 Background**

1.1 The Council has a legal duty under Part 2A of the Environmental Protection Act 1990 to inspect its district for contaminated land. The Contaminated Land Strategy sets out how this function will be carried out. This is a separate process to planning applications where development on brown field sites may require some form of clean up to be completed for its new land use.

**2 Options Considered**

2.1 The Contaminated Land Strategy was last updated in 2016 following the issuing of new statutory guidance by DEFRA. This document updates that Strategy incorporating new guidance and best practice.

2.2 This is a periodic review to ensure the strategy follows best practice.

2.3 Under the statutory guidance the Environment Agency (EA) peer review local authority Strategies. The EA have reviewed and agreed this Strategy.

### **3 Policy Implications**

3.1 None identified. The Strategy follows national guidance and best practice and has been peer reviewed by the Environment Agency.

### **4 Financial Implications**

4.1 The staffing resources are fully funded.

4.2 An annual sampling budget is provided which allows staff to take a small number of near surface soil or water samples. A reserve fund exists that would be used for more detailed works.

4.3 If more extensive sampling is required, such as use of a drilling rig or larger number of surface samples, or works to remediate the site were required, then a bid to Management Team for extra resources would be made.

4.4 If a site is determined to be Part 2A Contaminated Land and works are required, then this would normally fall to the site owner or person(s) responsible to pay for the remediation.

4.5 If neither the site owner or person responsible can be identified, then the cost for the remediation for any orphaned site would fall to the Borough Council. There is no longer any contaminated land grant available to deal with any Part 2A Contaminated Land orphaned sites requiring remediation.

### **5 Personnel Implications**

5.1 The Environmental Health Manger – Environment over sees the work of the Environmental Quality Team which deals with Contaminated Land, Air Quality, LAPPC and Environmental Enquires. The Scientific Officer takes the lead role for Contaminated Land matters with support from the Contaminated Land Officer and input for the Environmental Health Admin Team.

5.2 The work in the whole area accounts for 2 FTE staff and no extra resources are being sought.

## **6 Environmental Considerations**

6.1 The Part 2A regime will primarily protect human health but other receptors under the legislation also include drinking water aquifers and agricultural land.

6.2 The Part 2A regime has focused on historical land use and identified a number of sites where previous uses may have led to contamination.

6.3 Whilst separate to the Part 2A regime, the planning application process ensures that existing brown-field sites can be brought back in to use and cleaned up as the same time. The Part 2A guidance notes that most brown field sites will be remediated through the planning process rather than through Part 2A. The Scientific Officer and Contaminated Land Officer review planning applications to ensure that any contaminated land issues are identified and remediated correctly. This forms a large piece of their day-to-day workload.

## **7 Statutory Considerations**

7.1 The Council has a statutory duty under Part 2A of the Environmental Protection Act 1990 to investigate its district.

7.2 The latest statutory guidance is dated April 2012. New technical guidance, 'Land Contamination Risk Management' (LCRM), was published in October 2020, setting out current best practice. The guidance is used under the planning process and under the Part 2A contaminated land regime site investigation, risk assessment, remediation, and assessing liabilities. The Environment Agency expects LCRM to be followed when managing the risks from land contamination.

7.3 The Strategy follows the basic principle, that the site and its contamination can only be classified as "Contaminated Land" if "significant possibility of significant harm (SPOSH)" exists. If the site in question does not meet the SPOSH criteria it will not fall within the legal definition of "Contaminated Land".

## **8 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

8.1 An EIA has been completed. No adverse impacts have been identified.

## **9 Risk Management Implications**

9.1 This area of work is a statutory duty. The Council could be subject to legal challenge if it did not discharge this function in an effective manner.

9.2 If the Council did not investigate a contaminated land site, for example a contaminated water supply to a house, then the occupiers may suffer impacts to their health. This could result in legal challenge.

9.3 The Council could receive negative publicity if Part 2A sites were not investigated in suitable manner. The Strategy sets out how an investigation would be carried out. Officers have routinely investigated a number of potential Part 2A sites with involvement with local residents and Parish Councils. Following the approach in the Strategy has demonstrated that perceived risk and blight can be mitigated and not lead to negative publicity.

## **10 Declarations of Interest / Dispensations Granted**

10.1 None

## **11 Background Papers**

Contaminated Land Strategy

Non-Technical Summary

Borough Council website [https://www.west-norfolk.gov.uk/info/20138/contaminated\\_land](https://www.west-norfolk.gov.uk/info/20138/contaminated_land)

Land Contamination Risk Management

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

**Pre-Screening Equality Impact Assessment**

Borough Council of  
**King's Lynn & West Norfolk**



Name of policy/service/function	Contaminated Land Strategy				
Is this a new or existing policy/service/function?	<del>New</del> / Existing (delete as appropriate)				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The main aim is to set out how the Borough Council will review and investigate land to consider if it meets the criteria as "Contaminated Land".</p> <p>The Council has a statutory duty to investigate and follows statutory guidance, industry best practice and case law.</p>				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Other (eg low income)			X	





# Borough Contaminated Land **Inspection Strategy**

Part 2A Environmental Protection Act 1990



## 2022 Update Non-technical summary



# Contaminated land Inspection Strategy Update 2022

## Non-Technical Summary

### 1.0 Introduction

Local authorities have the duty to identify contaminated land and to address the risks which arise from it. This document updates our previous Contaminated Land Inspection Strategy Review published in 2016 and the previous versions published since 2000 when Part 2A of the Environmental Protection Act, 1990 (EPA, 1990) was implemented.

All the changes that have taken place in the last three years are additions or improvements, so this concise format strategy update is considered appropriate. This document can be read in conjunction with the full version which sets out further background to the UK contaminated land regime and council policy. Original section numbers have been retained throughout this update for ease of cross-reference with earlier versions of the strategy.

### 1.1 Main changes to the Strategy

<b>Section</b>	<b>Change</b>
2.1	Naturally elevated Arsenic
3.0	Local Plan and SADMP
3.1	NPPF and technical guidance revisions
3.2	Update on regeneration activities
4.0	Risk Assessment Process updated
4.2	Interaction with other regimes added
4.4	Progress on inspections updated for the period 2016-2021
5.5	Sustainability and climate change added

### 2.0 The Borough Council Area

Earlier versions of the strategy set out the geographical context of the King's Lynn and West Norfolk administrative area. Historical land use in the borough is dominated by the agricultural sector, food processing and associated infrastructure. Manufacturing and engineering have also formed part of the area's industrial history. Towns, villages and large country houses had coal gasworks and landfills. The area also had several sites used as airfields during World War 2.

### 2.1 Sources of natural contamination

Arsenic is a metalloid element, which occurs in the earth's upper continental crust. Due to its reputation historically as a poison, the harmful aspects of Arsenic are well known. Topsoil covering half of England and Wales typically contains less than 15 mg/kg Arsenic. Technical Guidance by the British Geological Survey reported 'normal background concentrations' of arsenic at up to 32 mg/kg in soil. There is evidence that some areas of West Norfolk, notably the north-west and along the coastline, which have Carstone<sup>1</sup> and Sandstone geology or underlying ironstones, may have natural Arsenic concentrations higher than 'normal background', compared to other rock types. Arsenic in topsoil and subsoil in these areas could exceed risk assessment criteria.

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<sup>1</sup> BGS, Lexicon of Named Rock Units, Carstone, <https://www.bgs.ac.uk/lexicon/lexicon.cfm?pub=CA> (accessed August 2020)

The environmental quality team are consulted on planning applications and may request further human health risk assessment when development is proposed in areas with naturally high arsenic.

## **2.2 Water Resources**

Because of the underlying geology in the borough, there is a clear divide between groundwater resources sensitivity in the east and west of the Borough. In the east, bedrock contains principal aquifers (a rock formation that holds a significant amount of water, which may be used for drinking and agriculture) including the Chalk, Sandringham, Mintlyn and Leziate Sands.

## **3.0 Wider Approach**

The team works with colleagues across the council and within the County to consider land contamination as part of the council's work in development management, vacant & derelict land, economic development, affordable housing, property management, closed landfills, and open spaces.

The analysis of environmental issues formed a key part of constructing the Corporate Strategy. Therefore, many of the underlying corporate objectives are environmentally based. The Borough Council's Environmental Statement presents progress and future plans in the context of these corporate objectives. The Environmental Statement reports the Council's environmental aims and activities and includes progress on Part 2A.

Policies on land use and development reflect the Government's policy of encouraging sustainable development as set out in the National Planning Policy Framework (NPPF). As part of the Local Plan, the Borough Council's Core Strategy sets out the spatial planning framework for the development of the Borough up to 2026 and provides guidance on the scale and location of future development in the Borough. It contains strategic policies on a range of topics that include: the environment, employment, infrastructure, and housing.

In September 2016, the Borough Council adopted the Site Allocations and Development Management Policies (SADMP) plan. This plan supports the Core Strategy by providing detailed policies and guidance and allocating specific areas of land for development. The document also contains area-wide development management policies which are detailed policies for particular issues and types of development. The Environmental Quality Team have had an input on these policies as they can impact on land affected by contamination.

A review of the Local Plan has commenced. This will combine the Core Strategy and SADMP documents to create one plan for the Borough covering the period from 2016 to 2036. The first stage of consultation took place in the Spring of 2019. The new plan is expected to be adopted in 2022.

The Borough Council's Corporate Enforcement Policy explains in general terms the approach adopted by the Council when carrying out its duty to enforce a wide range of legislation. Central to this Enforcement Policy is the aim to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens.

### **3.1 Development Control**

Investigation and remediation of land contamination is predominantly through the planning system. Action is secured by negotiations with the developer and application of planning conditions. The council's approach is guided by the NPPF, national planning practice guidance and Norfolk wide technical guidance to ensure that sites can be suitable for proposed new use.

We take account of ground conditions and pollution arising from previous uses and any proposals for land remediation. The contaminated land team require that adequate site investigation information, prepared by a competent person, is presented.

The Scientific Officer is on the review panel of the YALPAG group producing technical guidance for use in the planning process and which has been adopted for use across Norfolk. The team are also helping to produce guidance with the National Contaminated Land Officers Group on cover systems for remediating contaminated land.

### **3.2 Regeneration**

Working as a consultee on the planning process, we have helped to ensure the safe redevelopment of several former factory sites to provide hundreds of new homes in King's Lynn, Hunstanton and also in some surrounding villages.

King's Lynn was designated Growth Point status in May 2008 to support the housing and jobs required in the town. It is envisaged that up to the period 2021 the population of the urban area of King's Lynn will grow from 41,500 to 50,000 people and will accommodate 7,000 of the 12,000 new houses earmarked for the borough. New development will primarily be located on the previously developed brownfield land. The integrated programme of development is based on the regeneration policy framework called the Urban Development Strategy. The Strategy was adopted in 2006 to guide the overall regeneration of King's Lynn and is part of a family of documents from the Urban Renaissance Strategy.

Our colleagues in Property Management have made good use of our expertise when making decisions about the council's portfolio of land assets and the Projects team has been successful in securing government funding for projects to regenerate disused land.

### **3.3 Brownfield Register**

The Housing and Planning Act 2016 has the objective to increase the number of new build homes. One requirement is for councils to compile a register of brownfield land suitable for housing. This will make it easier for developers to identify and build on brownfield sites. Information from Contaminated Land inspections has been made available to help compile the brownfield register.

### **4.0 The Risk Assessment Process**

The contaminated land team have carried out strategic inspections of sites according to the priority assigned during an earlier round of map-based site screening. This has helped to prioritise sites for more detailed inspection.

The map-based screening and strategic inspections identified the following groups of sites:

- Very High 26
- High 130
- Medium 1757
- Low 1323

Very high sites are predominantly landfills and former military land. The number of medium and low sites will be reduced when the documentary data is reviewed, and duplicate records removed. Sites are being inspected in priority order or when information becomes available on a particular site.

The Statutory Guidance has not changed since the last inspection strategy update, but the number and quality of available risk-assessment tools has. There are a number of useful assessment criteria including 'Suitable for Use Levels' (S4ULs) published by LQM/CIEH in 2015 which, although not intended for use in strategic risk assessment, are a useful additional line of evidence in the risk assessment process for our own strategic investigations and as part of the planning consultation process. 'Category four screening levels' (C4SLs) have been developed as a technical tool to help local authorities when deciding to stop further assessment of a site, on the grounds that there is no risk that land poses a significant possibility of significant harm. New Contaminated Land Risk Management (LCRM) guidance has been published by the Environment Agency based on the Model procedures for the management of land contamination – contaminated land report (CLR11). CLR11 has now been withdrawn.

## **5.0 Detailed Inspections**

A detailed inspection is carried out when there is a reasonable possibility that a contaminant linkage exists because of:

- information or complaints received
- evidence gathered during strategic inspection

If enough is known about likely unacceptable risks and there is a risk of harm, land could be determined as Contaminated Land. The statutory guidance sets out categories of harm and pollution of controlled waters from 1 to 4. Risk summaries will be produced for sites if they fall within the categories 1 and 2 (high overall risk). Written statements (see below) have been produced for land which is not contaminated land and falls into categories 3 and 4 (low overall risk).

Site owners and people with an interest in the land and any other relevant bodies such as Natural England are contacted before a detailed inspection takes place and are provided a copy of the draft report before it is published. All data is stored in line with current data protection laws. The Environment Agency are also consulted regarding groundwater protection. Detailed inspections have provided sufficient data to decide whether further information is needed or if the inspection can be ceased. The statutory guidance states that an inspection may be stopped where there is little or no evidence to suggest the land is contaminated land. In this case, the Borough Council produces a written statement summarising the preliminary risk assessment information, setting out why we have decided not to proceed any further with inspection and what category the site will fall into as defined in the statutory guidance.

## Summary of inspections:

Up to December 2020

- 26 sites were prioritised very high priority for detailed inspection
- 25 very high priority sites have had detailed inspections consisting of
  - 18 landfills
  - 1 oil shale extraction site
  - 1 clay pit
  - 1 gasworks
  - 1 fire site
  - 1 chemical/fertiliser works
  - 1 heavy engineering works
  - 1 former airfield
- 25 sites have written statements and 2 of the inspected sites will be kept under review. No sites have been determined as contaminated land.
- In the five years 2016-2021, the environmental quality team provided contaminated land advice on 3924 planning applications and discharge of conditions applications (average of 650 per year).

To date, no sites have been determined as contaminated land. Full details of inspected sites and written statements are published on our webpage: [www.west-norfolk.gov.uk/contaminated\\_land\\_part\\_2a](http://www.west-norfolk.gov.uk/contaminated_land_part_2a). In February 2019 the team lost an experienced team member due to relocation. There have been further staff changes and a new trainee officer in post from October 2021. This meant other work has taken priority for part of this time. Other demands are placed on the team's time such as contributing to major regeneration projects and development plans or responding to critical incidents. However, it is expected that up to 12 sites can be inspected each year over the next five years.

### 6.0 Cost Recovery

The full version of the contaminated land strategy describes the provisions for establishing liability and cost recovery as set out in Part 2A and how to consider financial hardship. The statutory guidance further sets out what the enforcing authority should consider when making any cost recovery decision.

There is no central government funding for contaminated land capital projects since funding was ceased in 2017. The Borough Council has a small fund available for initial inspections, if limited soil sampling is required. Where there is an immediate risk to public health, a report and business case would be made to consider the resources required.

### 7.0 Communication

We let landowners and occupiers know when we are investigating a site. We may also direct other interested parties such as neighbours and potential purchasers to the Written Statement if they want to know more about the land. For example, in response to 'failed' environmental searches. Written Statements are published on our webpage unless there are exemptions under the Environmental Information Regulations. The Contaminated Land public register will record regulatory action taken on land determined as contaminated land. The register currently contains no entries.

## **8.0 Review**

Once adopted, this strategy will apply until reviewed in 2026 or if there is a significant change in legislation.

## **9.0 COVID-19**

The borough council has had to reprioritise all its resources to respond to the coronavirus (COVID-19) pandemic. The environmental quality team have helped in the response to maintain essential services and will adapt our work as part of the process of recovery. This strategy may need revision over the period of the plan to reflect changes as recovery takes place.



# Borough Contaminated Land **Inspection Strategy**

Part 2A Environmental Protection Act 1990

**2022 Update**



Borough Council of  
**King's Lynn &  
West Norfolk**





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**Tables in text**

<b>Table 1 Specific Inspection Priorities</b>	<b>4</b>
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<b>Version 1 – updated 2016 Strategy sections:</b> 2.1 Naturally elevated Arsenic 3.0 Local Plan and SADMP 3.1 NPPF and technical guidance revisions 3.2 Update on regeneration activities 4.0 Risk Assessment Process updated 5.5 Sustainability and climate change added	<b>October 2021</b>
<b>Version 2 –</b> 4.2 Interaction with other regimes added	<b>February 2022</b>
<b>Version 3 –</b> 4.4 Progress on inspections updated for 2016-2021	<b>April 2022</b>

## EXECUTIVE SUMMARY

This document details the arrangements which the Borough Council of King's Lynn and West Norfolk proposes to fulfil its legal responsibilities for strategic inspection under the contaminated land regime. The legal definition of Contaminated Land in Part 2A of the Environmental Protection Act, 1990 relates to unacceptable risks to human health and/or the wider environment.

The aims of the Contaminated Land Inspection Strategy are to:

1. Protect human health
2. Safeguard the Borough's heritage and the natural environment
3. Bring land back into beneficial use by voluntary remediation and partnership
4. Communicate findings to interested parties.

We will achieve the above through:

- Strategic inspections to find where we may need to find out more about the land or where we don't need to take any more action.
- Detailed inspections on priority sites to place them in category 1 to 4 as set out in the Statutory Guidance.
- Where remediation is required, we will carry out a cost benefit analysis.
- Serving a remediation notice or agreeing voluntary action to ensure that the benefits of remediation outweigh the costs.
- Encouraging a sustainable approach where the benefit of doing the remediation is greater than its impact.
- Factor in climate change to ensure site works and any long-term remediation is sustainably robust.
- Carry out cost recovery for remediation where we are entitled but also consider any hardship which the recovery could cause.
- Provide written statements and risk summaries to explain what we have found on each site.
- Provide access to information about contaminated land inspections through our website or by contacting our office.

## **1.0 INTRODUCTION AND BACKGROUND**

Local authorities have the duty to identify contaminated land and to address the risks which arise from it. This document updates our previous Contaminated Land Inspection Strategy Review published in 2016 and the previous versions published since 2000 when Part 2A of the Environmental Protection Act, 1990 (EPA, 1990) was implemented.

Part 2A EPA 1990 gives local authorities the duty of identifying contaminated land and addressing the risks which arise from it in accordance with statutory provisions. The current risk-based approach to the investigation of contaminated land was introduced by the primary legislation and subsequent statutory guidance. Statutory Guidance was updated in April 2012. The guidance includes how the local authority should go about deciding whether land is contaminated land in the legal sense of the term. It also elaborates on the remediation provisions of Part 2A, such as the goals of remediation, and how regulators should ensure that remediation requirements are reasonable.

A concise non-technical summary strategy update has also been produced. As a result of the new Statutory Guidance and progress made with inspections, this version of Contaminated Land Inspection Strategy updates previous versions. Previous versions set out further background to the UK contaminated land regime.

The overarching objectives of the government's policy on contaminated land and the Part 2A regime are set out in the Statutory Guidance:

- (a) To identify and remove unacceptable risks to human health and the environment.
- (b) To seek to ensure that contaminated land is made suitable for its current use.
- (c) To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable, and compatible with the principles of sustainable development.

This document details the Borough Council's approach to carrying out its inspection duty under section 78B(1) of Part 2A EPA 1990 which is that: 'Every local authority shall cause its area to be inspected from time to time for the purpose - (a) of identifying contaminated land; and (b) of enabling the authority to decide whether such land ... is required to be designated as a special site.'

The Statutory Guidance suggests that local authorities take a strategic approach to carrying out the inspection duty and that the approach should be rational ordered and efficient, reflecting local circumstances. This document sets out the Borough Council's approach as a written strategy which has been formally adopted and published.

## **1.1 Aims**

The primary aim of the Borough Council is to fulfil its statutory obligations under the Part 2A regime and to achieve the objectives set out in the Statutory Guidance. The Borough Council aims to:

1. Protect human health
2. Safeguard the Borough's heritage and the natural environment
3. Bring land back into beneficial use by voluntary remediation and partnership
4. Communicate findings to interested parties.

## **1.2 Objectives**

To achieve the aims, the Borough Council will:

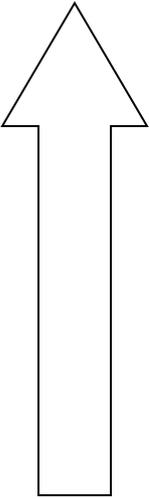
- Prioritise sites for inspection.
- Carry out Strategic inspections of priority sites.
- Carry out Detailed Inspections of sites there is a reasonable possibility that a significant contaminant linkage could exist.
- Carry out Risk Assessment to determine if a significant contaminant linkage exists.
- Communicate the findings and inform interested parties of inspections through Written Statements and Risk Summaries.

- Determine whether land is contaminated land as defined by Part 2A EPA 1990.
- Consider how contaminated land should be remediated, the cost and benefits of remediation and where appropriate issue a remediation notice.
- Establish who is liable to pay for remediation actions.
- Recover the costs of remediation where possible.

### 1.3 Priorities

Section 1.2 outlined the Council’s aims. Specific inspection priorities are outlined in table 1.

**Table 1 – Specific Inspection Priorities**

Scenario	Priority
1 Land where significant harm is being caused or there is significant possibility of such harm being caused to human health	<p data-bbox="1252 1093 1374 1128"><b>Highest</b></p> 
2 Pollution of controlled waters is being or is likely to be caused and where the EA advises the Council that prompt action is required (e.g. land within Source Protection Zones or affecting potable water supply)	
3 Land where significant harm is being caused or there is a significant possibility of such harm being caused to ecological systems or living organisms within protected locations	
4 Land where significant harm is being caused or is likely to be caused to property (in the form of crops, produce, livestock, owned or domesticated animals, wild animals subject to shooting or fishing rights and buildings)	

## **2.0 THE BOROUGH COUNCIL AREA**

Earlier versions of the strategy set out the geographical context of the King's Lynn and West Norfolk administrative area. Some of the relevant detail is provide below.

### **2.1 Sources of natural contamination**

Arsenic is a metalloid element, which occurs in the earth's upper continental crust. Due to its reputation historically as a poison, the harmful aspects of Arsenic are well known. Topsoil covering half of England and Wales typically contains less than 15 mg/kg Arsenic. Technical Guidance by the British Geological Survey reported 'normal background concentrations' of arsenic at up to 32 mg/kg in soil.

There is evidence that some areas of West Norfolk, notably the north-west and along the coastline, which have Carstone<sup>1</sup> and Sandstone geology or underlying ironstones, may have natural Arsenic concentrations higher than 'normal background', compared to other rock types. Arsenic in topsoil and subsoil in these areas could exceed risk assessment criteria.

The environmental quality team are consulted on planning applications and may request further human health risk assessment when development is proposed in areas with naturally high arsenic.

### **2.2 Water Resources**

The underlying geology in the Borough reflects the general dip of the bedrock towards the east and there is a clear divide between groundwater sensitivity in the east and west of the Borough. In the east, bedrock contains principal aquifers (a rock formation that holds a significant amount of water) including the Chalk, Sandringham, Mintlyn and Leziate Sands. There are a number of zones which have been delineated to protect public water supply. To the west of the region the

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<sup>1</sup> BGS, Lexicon of Named Rock Units, Carstone, <https://www.bgs.ac.uk/lexicon/lexicon.cfm?pub=CA> (accessed August 2020)

Kimmeridge and Ampthill Clay Formations are not significant for water supply. The bedrock is overlain by various superficial deposits and river channels, some of which are secondary aquifers supporting water supply on a smaller scale.

### **2.3 Historical Land Use**

Historical land use in the borough is dominated by the agricultural sector, food processing and associated infrastructure. Manufacturing and engineering have also formed part of the area's industrial history. Towns, villages, and large country houses had coal gasworks and landfills. The area also had several sites used as airfields during World War 2.

To date, investigation of land affected by contamination has been predominantly through the planning process when sites are proposed for redevelopment.

For example, the former gas works site on the outskirts of Hunstanton was successfully remediated and redeveloped for a new Tesco store. The infilled former Wisbech Canal was investigated to demonstrate that development alongside it did not pose an unacceptable risk to people or the wider environment. Considerable work has been carried out to remediate former industrial land which forms the Nar Ouse Regeneration Area (NORA).

Major redevelopment at NORA is underway south of King's Lynn. NORA was previously a major coal gas works and fertiliser factory. Parts of the area have been remediated as part of groundworks and construction. This regeneration project has received the active consideration of the Borough Council in co-operation with a number of external partners. Hardings Pits, in the same area, is a former brickworks and landfill, now a 'doorstep green'. The site has been investigated to show that recreational use does not pose an unacceptable risk to site users.

Land formerly belonging to Morston was investigated when the company went into receivership. An Environmental Site Assessment and Risk Assessment were completed. It was concluded that the site does not pose an immediate risk to human health.

Strategic inspections of a number of additional sites have also been completed in accordance with the Statutory Guidance. Sites have included landfills, railways, WW2 airfields, gasworks, docks, and food processing. To date no land has been determined as contaminated land as defined in Part 2A.

### **3.0 WIDER APPROACH**

The environmental quality team works with colleagues across the council and within the County to consider land contamination as part of the council's work in development management, vacant & derelict land, economic development, affordable housing, property management, closed landfills, and open spaces.

The analysis of environmental issues formed a key part of constructing Corporate Strategy. Therefore, many of the underlying corporate objectives are environmentally based. The Borough Council's Environmental Statement presents progress and future plans in the context of these corporate objectives. The Environmental Statement reports the Council's environmental aims and activities and includes progress on Part 2A.

Policies on land use and development reflect the Government's policy of encouraging sustainable development as set out in the National Planning Policy Framework (NPPF). As part of the Local Plan, the Borough Council's Core Strategy sets out the spatial planning framework for the development of the Borough up to 2026 and provides guidance on the scale and location of future development in the Borough. It contains

strategic policies on a range of topics that include: the environment, employment, infrastructure, and housing.

In September 2016, the Borough Council adopted the Site Allocations and Development Management Policies (SADMP) plan. This plan supports the Core Strategy by providing detailed policies and guidance and allocating specific areas of land for development. The document also contains area-wide development management policies which are detailed policies for particular issues and types of development. The Environmental Quality Team have had an input on these policies as they can impact on land affected by contamination.

A review of the Local Plan has commenced. This will combine the Core Strategy and SADMP documents to create one plan for the Borough covering the period from 2016 to 2036. The first stage of consultation took place in the Spring of 2019. The new plan is expected to be adopted in 2022.

The Borough Council's Corporate Enforcement Policy explains in general terms the approach adopted by the Council when carrying out its duty to enforce a wide range of legislation. Central to this Enforcement Policy is the aim to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens.

### **3.1 Development Control**

Investigation and remediation of land contamination is predominantly through the planning system. Action is secured by negotiations with the developer and application of planning conditions. The council's approach is guided by the NPPF, national planning practice guidance and Norfolk wide technical guidance to ensure that sites can be suitable for proposed new use.

We take account of ground conditions and pollution arising from previous uses and any proposals for land remediation. The contaminated land

team require that adequate site investigation information, prepared by a competent person, is presented.

The Scientific Officer is on the review panel of the YALPAG group producing technical guidance for use in the planning process and which has been adopted for use across Norfolk. The team are also helping to produce guidance with the National Contaminated Land Officers Group on cover systems for remediating contaminated land.

### **3.2 Regeneration**

Working as a consultee on the planning process, we have helped to ensure the safe redevelopment of several former factory sites to provide hundreds of new homes in King's Lynn, Hunstanton and also in some surrounding villages.

King's Lynn was designated Growth Point status in May 2008 to support the housing and jobs required in the town. It is envisaged that up to the period 2021 the population of the urban area of King's Lynn will grow from 41,500 to 50,000 people and will accommodate 7,000 of the 12,000 new houses earmarked for the borough. New development will primarily be located on the previously developed brownfield land. The integrated programme of development is based on the regeneration policy framework called the Urban Development Strategy. The Strategy was adopted in 2006 to guide the overall regeneration of King's Lynn and is part of a family of documents from the Urban Renaissance Strategy.

Our colleagues in Property Management have made good use of our expertise when making decisions about the council's portfolio of land assets and the Projects team has been successful in securing government funding for projects to regenerate disused land.

### **3.3 Brownfield Register**

The Housing and Planning Act 2016 has the objective to increase the number of new build homes. One requirement is for councils to compile

a register of brownfield land suitable for housing. This will make it easier for developers to identify and build on brownfield sites. Information from Contaminated Land inspections has been made available to help compile the brownfield register.

## **4.0 APPROACH TO STRATEGIC INSPECTION**

### **4.1 Objectives**

Strategic Inspection aims to collect information to make a broad assessment of land and then identify priority land for more detailed consideration.

To achieve this aim, we will carry out:

- Summary Desk Study
- Site visit and walkover survey
- Outline conceptual model
- Identify potential unacceptable risks
- Report including recommendations for further action

### **4.2 Risk Based Prioritisation of Inspection Activities**

We will comply with the requirements and advice set out in section 2 of the statutory guidance which relates to local authority inspection duties of land. BS 10175:2011+A2:2017 and other good practice documents are used as a basis for the investigation of potentially contaminated sites. The Statutory Guidance has not changed since the last inspection strategy update, but the number and quality of available risk-assessment tools has. There are a number of useful assessment criteria including 'Suitable for Use Levels' (S4ULs) published by LQM/CIEH in 2015 which, although not intended for use in strategic risk assessment, are a useful additional line of evidence in the risk assessment process for our own strategic investigations and as part of the planning consultation process.

The statutory guidance includes a four category system for considering land under Part 2A, ranging from Category 4, where there is no risk that

land poses a significant possibility of significant harm (SPOSH), or the level of risk is low, to Category 1, where the significant possibility of significant harm (SPOSH) is unacceptably high. 'Category four screening levels' (C4SLs) have been developed as a technical tool to help local authorities when deciding to stop further assessment of a site, on the grounds that it falls within Category 4 for Human Health.

New Contaminated Land Risk Management (LCRM) guidance has been published by the Environment Agency based on the Model procedures for the management of land contamination – contaminated land report (CLR11). CLR11 has now been withdrawn. The Environment Agency expects LCRM to be followed when managing the risks from land contamination.

The process involves identifying, making decisions on, and taking appropriate action to deal with land contamination in a way that is consistent with government policies and legislation within the UK.

Priority is given to the identification and inspection of areas of land where it is most likely that a pollutant linkage will exist involving human health. For example, land where people live and have a garden where they grow vegetables to eat.

If we consider it likely that land might be contaminated land on the grounds that significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused, it will consult the Environment Agency and have regard to the Agency's advice.

We have already decided which sites are a priority for strategic inspection. On all sites where we have found a previous contaminative use, a score has been allocated according to the types and number of sources and receptors present and the likely pathways. The highest

scoring sites are being inspected first. These initial inspections are the 'strategic inspections'.

Sites may come to our notice as a result of a complaint or information from a member of the community. These are investigated to ensure that risks to human health, to water or the wider environment are assessed, and that appropriate action taken to avoid harm as set out in the statutory guidance. This may result in a referral to other teams or agencies if the site requires investigation under another regime regarding amenity, nuisance, or waste licensing.

Depending on the individual site, the risk assessment process may be stopped part way through. For example, if enough is known about risk either to leave the process altogether or to move to the next part of the process – options appraisal. If after a strategic inspection, the site is no longer a priority for inspection then we will produce a written statement explaining how this has been decided.

#### **4.3 Written Statements**

The statutory guidance states that 'the local authority is likely to inspect land that it then considers is not contaminated land.' For example, where inspection is ceased because there is little or no evidence to suggest the land is contaminated land. 'In such cases, the authority should issue a written statement to that effect'.

The Borough Council will produce written statements for all sites which have been subject to a strategic inspection and where we have decided not to proceed any further with inspection. The written statement will summarise desk study and walkover survey information and will include conclusions and recommendations for the site. The written statements will make it clear that on the basis of the assessment, we have concluded that the land does not meet the definition of contaminated land under Part 2A.

#### **4.4 Monitoring and Reporting Progress**

Progress on achieving the objectives is reviewed and reported to Cabinet by the Environmental Health Manager. Section 7 details the progress that has been made with data management and publication of the public register.

The map-based screening and strategic inspections identified the following groups of sites:

- Very High 26
- High 130
- Medium 1757
- Low 1323

Very high sites are predominantly landfills and former military land. The number of medium and low sites will be reduced when the documentary data is reviewed, and duplicate records removed. Sites are being inspected in priority order or when information becomes available on a particular site.

#### **4.5 Summary of inspections**

Up to December 2021

- 26 sites were prioritised very high priority for detailed inspection
- 25 very high priority sites have had detailed inspections consisting of
  - 18 landfills
  - 1 oil shale extraction site
  - 1 clay pit
  - 1 gasworks
  - 1 fire site
  - 1 chemical/fertiliser works
  - 1 heavy engineering works
  - 1 former airfield
- 25 sites have written statements and 2 of the inspected sites will be kept under review. No sites have been determined as contaminated land.

- In the five years 2016-2021, the environmental quality team provided contaminated land advice on 3924 planning applications and discharge of conditions applications (average of 650 per year).

To date, no sites have been determined as contaminated land. Full details of inspected sites and written statements are published on our webpage: [www.west-norfolk.gov.uk/contaminated\\_land\\_part\\_2a](http://www.west-norfolk.gov.uk/contaminated_land_part_2a). There have been a number of staff changes and a new trainee officer in post from October 2021. This meant other work has taken priority for part of this time. Other demands are placed on the team's time such as contributing to major regeneration projects and development plans or responding to critical incidents. However, it is expected that up to 12 sites can be inspected each year over the next five years.

## **5.0 APPROACH TO DETAILED INSPECTION**

### **5.1 Aim**

The aim of detailed inspection is to obtain sufficient information to decide whether the land is contaminated land. Where there is evidence that significant harm is being caused or that there is a significant possibility of significant harm, the site will be first priority. An example would be a site where contamination has been identified on the surface of a site where humans may come into direct contact.

Sites may also require detailed inspection because the findings of the strategic inspection recommend that we find out more information. The statutory guidance says that detailed inspections are required where it is considered that "there is a reasonable possibility that's a significant 'contaminant linkage' exists".

### **5.2 Detailed Inspection Procedures**

A detailed inspection will be carried out when there is a reasonable possibility that a contaminant linkage exists because of:

- information or complaints received

- evidence gathered during strategic inspection

To achieve the aim of detailed inspection our objectives will be to identify and characterise:

- current use
- sources, contaminants & receptors
- the relationships between sources, contaminants & receptors (contaminant linkage)
- whether any contaminant linkage is significant

To achieve the above objectives the detailed inspection will include some or all of the following actions:

- i. detailed desk study
- ii. site visit and walkover survey
- iii. intrusive investigation
- iv. soil sampling
- v. chemical analysis of selected samples
- vi. generic quantitative risk assessment (GQRA)
- vii. detailed quantitative risk assessment (DQRA)
- viii. detailed inspection report including conclusions on whether or not the land might be contaminated land, including categorisation from 1 to 4 as set out in the statutory guidance
- ix. recommendations for further action.

Site owners and people with an interest in the land and any other relevant bodies such as Natural England are contacted before a detailed inspection takes place and are provided a copy of the draft report before it is published. All data is stored in line with current data protection laws. The Environment Agency are also consulted regarding groundwater protection or if the site may meet the definition of a Special Site as set out in Contaminated (England) Land Regulations 2006. Detailed inspections have provided sufficient data to decide whether further information is needed or if the inspection can be ceased.

### **5.3 Risk Summaries**

If enough is known about likely unacceptable risks and there is a risk of harm, the land will be determined as Contaminated Land. Determination is the formal process in the Statutory Guidance for Part IIA by which the Local Authority decides whether or not a particular area of land is contaminated land. The Local Authority has sole responsibility for determination although it can choose to rely on information provided by others, such as the Environment Agency or consultants. The responsible officer will collect sufficient information from a detailed inspection of a particular piece of land to determine whether or not the land is contaminated land and will produce a written record of the decision.

The statutory guidance sets out categories of harm and pollution of controlled waters from 1 to 4. Risk summaries will be produced for sites in the categories 1 and 2. Written statements (see section 4.3 above) will be produced for land in categories 3 and 4.

The risk summary will include:

- a) a summary of our understanding of the risks including: contaminant linkages, potential impacts, estimated possibility that impacts may occur, timescale that impacts may happen.
- b) description of our understanding of the uncertainties behind the assessment.
- c) description of the risks in a context that is understandable to a non-expert.
- d) Description of our initial views on remediation

### **5.4 Remediation cost benefit analysis**

The statutory guidance states that the enforcing authority must decide if remediation actions are reasonable with regard to:

- i. The practicability, effectiveness, and durability of remediation;
- ii. The health and environmental impacts of the chosen remedial options;
- iii. The financial costs which is likely to be involved;

- iv. The benefits of remediation with regard to the seriousness of the harm or pollution of controlled waters in question.

We will consider these factors as described in section 6(d) of the statutory guidance and report our findings and recommendations. If we serve a remediation notice we will require the 'best practicable technique' to be carried out. This will require the remediation action which has been identified as having benefits outweighing the costs.

At this stage the statutory guidance states that 'the financial standing of any person who may be required to pay for a remediation action are not relevant to the consideration of whether the costs of a remediation action are reasonable'. However, we will consider this factor as described in the next section below.

## **5.5 Sustainability**

Current best practice guidance recommends considering a sustainable approach to land contamination risk management. Using a sustainable approach can make sure the process balances the environmental, social, and economic impacts. This can also factor in climate change to ensure site works and any long-term remediation is sustainably robust. A sustainable approach can help to ensure that the benefit of doing the remediation is greater than its impact. LC:RM recommends following the approach in the industry-led Sustainable Remediation Forum UK (SuRF-UK). BS ISO 18504: *Soil quality – sustainable remediation* also provides procedures on sustainable remediation.

## **6.0 COST RECOVERY**

The provisions for establishing liability are set out in Part 2A. The statutory guidance provides further guidance on circumstances where more than one person is liable to bear the responsibility for remediation. The statutory guidance further sets out what the enforcing authority should consider when making any cost recovery decision.

In general, the Borough Council will:

- i. Seek to recover in full reasonable costs incurred when performing its duties in relation to remediation of contaminated land
- ii. Wherever possible apply the 'polluter pays' principle, whereby the costs of remediating pollution are borne by the polluter
- iii. Where cost recovery is not possible, seek sources of finance (external to the council) for remediation
- iv. Have due regard to the avoidance of hardship which the recovery of costs may cause
- v. Aim for an overall result which is as fair and equitable as possible to all who may have to meet the costs of remediation, including local and national taxpayers.

Section 5.4 set out the process of cost benefit analysis which will be used to decide if a remediation action is reasonable. These factors, particularly the financial cost of remediation, will also affect the decision on whether to recover costs. The statutory guidance states that 'the financial standing of any person who may be required to pay for a remediation action are not relevant to the consideration of whether the costs of a remediation action are reasonable, although they may be relevant in deciding whether the cost of remediation can be imposed on such persons.

The statutory guidance sets out some considerations which the enforcing authority should have regard to the following when making cost recovery decisions:

- i) Threat of closure or insolvency of a Commercial Enterprise
- ii) Availability of funds from a trust when the appropriate persons act as trustees
- iii) Impact on charity's activities
- iv) Impact on a social housing landlord to provide or maintain social housing
- v) If a person is likely to have profited financially from the activity which led to the land being contaminated land

- vi) Where another person is also responsible for the contamination but cannot now be found
- vii) Where the cost of remediation may exceed the likely value of the land after remediation.
- viii) Any increase in the value of the land
- ix) Precautions taken before land was acquired
- x) Where owner-occupiers did not know and could not reasonably have known that the land was affected by the contaminants in question

The Borough Council will also consider whether it could recover more of its costs by deferring recovery and securing costs by a charge on the land in question.

As recommended in the statutory guidance, we will have regard to the circumstances of each individual case. In deciding whether to recover costs we will report our reasoning to the Executive Director, Environment and Planning for approval.

### **6.1 Voluntary Action**

Where appropriate remediation measures are being taken, we will not serve a remediation notice. The cost of remediation in this case would be borne by the person carrying out the remediation. In this case the statutory guidance states that the authority should assume that appropriate measures are being taken if (a) it is satisfied that the standard of remediation will be equal to or better than what would have been specified in a remediation notice and (b) the authority is satisfied with the timescale.

### **6.2 Hardship**

When making the decision to recover costs the Borough Council will consider: (a) the extent to which the liable person would suffer financial hardship were they required to pay the costs (b) all other circumstances as deemed relevant.

In the case of owner-occupiers of dwellings the Borough Council will apply an approach similar to that in the Council's Private Sector Housing Investment Policy (2013) and will take account of the liable persons means tested benefits or the Means Test as set out in the Private Sector Housing Investment Policy.<sup>2</sup>

### **6.3 Contaminated Land Capital Projects Programme**

In the past the Environment Agency ran the Contaminated Land Capital Projects Programme to help local authorities in England cover the capital cost of implementing the contaminated land. DEFRA funded this work. The Borough Council successfully bid for funding for intrusive investigation of the former Wisbech Canal. The subsequent report showed that the land is not contaminated land. The Borough Council now has information and resources to share with owners and developers of property in the area. This has reduced the burden and removed financial costs for people wishing to buy, sell or develop properties in the area. More information is available on our [webpage](#).

From April 2014 DEFRA no longer supported the cost of investigating and remediating contaminated land under Part 2A through the Contaminated Land Capital Project Programme. All funding ceased on 1 April 2017.

The Borough Council has a small fund available for initial inspections, if limited soil sampling is required. Where there is an immediate risk to public health a report and business case would be made to consider the resources required.

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<sup>2</sup> As defined and set out in the Housing Grants, Construction and Regeneration Act 1996, The Housing Renewal Grants Regulations 1996 and the Housing Renewal Grants (Amendment) (England) Regulations 2008 No. 1190

## **7.0 ACCESS TO INFORMATION**

### **7.1 Communication**

The Statutory Guidance suggests that we keep a record of our reasons for deciding if land is not contaminated land and that we should inform land owners and consider informing other interested parties. We will consider each site individually and let landowners have a copy of the Written Statements from strategic inspections. We will also make information available when the Environmental Quality team are consulted on an application for planning consent on the land.

We may let other interested parties such as neighbours and potential purchasers have the Written Statement if they want to know more about the land. For example, in response to 'failed' environmental searches. Written Statements will be published on our webpage unless there are exemptions under the Environmental Information Regulations.

If we are carrying out a detailed inspection, we will let landowners and occupiers know. Before making a determination that land is contaminated land, we will inform the owners and occupiers of the land and any other person who appears to be liable to pay for remediation, unless there is an overriding reason not to do so. We may also let owners and occupiers of neighbouring land know if they could be affected.

The statutory guidance sets out who we shall give notice to if we determine that land is contaminated land. A written record of the determination including the risk summary will be publicly available and published on our webpage.

### **7.2 Arrangements for giving access to information**

Information on the progress of strategic and detailed inspections is managed using the Borough Council's IDOX Uniform IT system and displayed on our geographic information system. We can produce

reports to manage our workload and to find information in response to customer enquiries.

Any information related to land contamination which appears as part of an application for planning consent with the Borough Planning Office is a public record by virtue of the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedures) Order 1995 and is available at the Council's offices or via the website ([www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)).

Information which is recorded as part of the public register as required by Contaminated Land (England) Regulations 2000 is available to the public in the Environmental Health and Housing Department during normal office hours. Charges are made for the copying of such information to cover the costs reasonably incurred. Public Register information is also made available on the Council's website.

Requests for environmental information are subject to the Access to Environmental Information Regulations. They can be made in person, by post or email. A standard charge is made to cover research and administration costs. We can supply information collated as part of our strategic inspections, particularly on current Part 2A status, pollution incidents, complaints, historic land use, and historic landfill.

### **7.3 Public Register**

The public register will record regulatory action taken on land determined as contaminated land. The register currently contains no entries.

The register will form a publicly available source of information. The particular details to be included in the register are prescribed in regulation 15 of, and schedule 3 to, the Contaminated Land (England) Regulation 2000. This can include:

- remediation notices and appeals against such notices;
- remediation statements and declarations;

- appeals against charging notices;
- notices relating to the designation of land as a special site;
- notices relating to termination of designation as a special site;
- guidance issued by the Environment Agency;
- notification of remediation actions;
- convictions for offences under the legislation.

The findings from investigations are published on our website. We have included sites which have been investigated but not included on the register as they are not contaminated land.

## **8.0 REVIEW**

### **8.1 Timetable**

Once adopted, this Strategy will apply until reviewed in 2026 or if there is a significant change in legislation.

## **9.0 COVID-19**

The borough council has had to reprioritise all its resources to respond to the coronavirus (COVID-19) pandemic. The environmental quality team have helped in the response to maintain essential services and adapted our work as part of the process of recovery. This strategy may need revision over the period of the plan to reflect changes as recovery takes place.

**POLICY REVIEW AND DEVELOPMENT PANEL REPORT**

REPORT TO:	Environment and Community Panel		
DATE:	7 <sup>th</sup> June 2022		
TITLE:	Nominations to Outside Bodies and Partnerships		
TYPE OF REPORT:	Operational		
PORTFOLIO(S):	Leader		
REPORT AUTHOR:	Rebecca Parker		
OPEN/EXEMPT	OPEN	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	NO

**REPORT SUMMARY/COVER PAGE**

<b>PURPOSE OF REPORT/SUMMARY:</b>
The Panel is invited to nominate representatives to participate in the outside bodies and partnerships which fall within the Environment and Community Panel's remit as set out in the report.
<b>RECOMMENDATIONS:</b>
<ol style="list-style-type: none"> <li>1. That nominations be made by the Panel.</li> <li>2. That the reporting arrangements be noted, as shown in the report.</li> <li>3. That Council be requested to approve the nominations made by the Panel</li> </ol>
<b>REASONS FOR RECOMMENDATIONS:</b>
To ensure continued involvement in the community by the Council.

**1.0 BACKGROUND**

- 1.1 The Cabinet at its meeting on 21<sup>st</sup> June 2022 will confirm a number of Cabinet appointments to outside bodies and partnerships. Further appointments will be made by the Council on 14<sup>th</sup> July 2022 in the following categories:
- Scrutiny and regulatory roles
  - Parish level representation, parished and unparished areas
  - General appointments

**2.0 INSURANCE COVER FOR BOROUGH COUNCILLORS**

**2.1** The Council's insurance will indemnify any employee or member arising from their service on the board or participation in the capacity of governor, officer, trustee, director, committee member or other official of any not-for profit entity other than the insured.

Provided always that:

- a) The service or participation by the employee or member is specifically requested by or under the specific direction of the insured.
- b) The insured is legally entitled to approve the service or participation and to indemnify the employee of member in respect of it.

c) Any payment will only be made by the insurer for an amount in excess of any indemnification or insurance coverage provided by the not-for-profit entity or afforded from any other source and to which the employee or member is entitled.

2.2 When a member is appointed to serve on an outside body, they should also ensure that as well as completing the Register of Financial and Other Interest form, they should complete the annual "Related Party Transactions form", with the details of those bodies on which they serve.

### **3.0 FEEDBACK FROM MEMBERS ON OUTSIDE BODIES**

3.1 The Panels should be able to request reports from Councillors serving on outside bodies which fall within their remit. This will make it possible for members both to assess the usefulness of making appointments to bodies and be informed of any relevant matters.

### **4.0 APPOINTMENT OF REPRESENTATIVES**

4.1 This Panel is invited to nominate representative(s) to participate in the outside bodies and partnerships listed below which fall within the Panel's remit. For information, details of the representatives for 2022/2023 are listed below.

4.2 Any Members wanting to continue in their roles, or any Councillors who are interested in putting themselves forward for nomination are encouraged to contact the Chair in advance of the meeting.

- **Borough Council/College of West Anglia Liaison Board – 1 representative**  
Frequency of meetings: once every six months.  
Venue: Alternates between the College and the Council or remotely.  
Current representative is Councillor Lowe  
For information Councillor Dark is the current Cabinet appointment on this body.
- **King's Lynn and West Norfolk Area Museums Committee – 3 representatives**  
Frequency of meetings: Quarterly  
Venue: Alternates between Council Offices and King's Lynn Museum or remotely.  
Time: Usually 2pm  
Current representatives are Councillors de Whalley, Kemp and Bubb  
For information Councillor Nockolds is also the Cabinet appointment and A Tyler is the General appointment on this body.
- **King's Lynn Football Club Board (observer) – 1 representative**  
Venue: Football Club  
Current representative is Paul Bland (non Council)
- **Norfolk County Council – Norfolk Countywide Community Safety Partnership Scrutiny Sub-Panel – 1 representative & substitute**  
Frequency of meetings: quarterly – usually on a Monday  
Venue: Norfolk County Council  
Time: 9.30am  
Current representatives are Councillor Kemp and Hudson (sub)
- **Norfolk Health Overview and Scrutiny Committee – 1 representative & substitute**  
Frequency of meetings: 7 times a year  
Venue: Norfolk County Council  
Time: 10.00am

Note: Members must be a Member of an Overview and Scrutiny Committee.  
Preferably not be board members or governors of a local health service organisation  
or a member of the Health and Wellbeing Board in order to limit conflicts of interest.  
Current representatives are Councillor Kemp and de Whalley (sub)

- **West Norfolk Community Transport Project – 1 representative**

Frequency of meetings: Quarterly – usually on a Monday

Venue: North Lynn

Time: 5.30pm

Current representative is Councillor Nockolds

## **5.0 FINANCIAL IMPLICATIONS**

5.1 Mileage and subsistence allowances for Councillor attending meetings.

## **6.0 ACCESS TO INFORMATION**

Current lists of member representation

**POLICY REVIEW AND DEVELOPMENT PANEL REPORT**

REPORT TO:	Environment and Community Panel		
DATE:	7 <sup>th</sup> June 2022		
TITLE:	Membership of Task Groups and Informal Working Groups 2022/2023		
TYPE OF REPORT:	Operational		
REPORT AUTHOR:	Rebecca Parker, Democratic Services Officer		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

**REPORT SUMMARY/COVER PAGE**

<b>PURPOSE OF REPORT/SUMMARY:</b>
<p>This report invites the Environment and Community Panel to arrange for the appointment of Members to serve on the Informal Working Groups and Task Groups, which have previously been established by the Panel, for the municipal year 2022/2023.</p> <p>The Panel has established the following groups:</p> <ul style="list-style-type: none"> <li>- <b>Homelessness and Housing Delivery Task Group</b></li> <li>- <b>Single Use Plastics Informal Working Group</b></li> <li>- <b>Climate Change Informal Working Group</b></li> <li>- <b>Urban Wildlife Informal Working Group</b></li> </ul>
<b>RECOMMENDATIONS:</b>
<ol style="list-style-type: none"> <li>1. That the Homelessness and Housing Delivery Task Group continues to operate and the Democratic Services Officer be instructed to seek Membership of the Task Group from the Group Leaders for the 2022/2023 municipal year.</li> <li>2. Membership of the Informal Working Groups be confirmed by the Panel.</li> </ol>

**For information – current Membership of Groups is below**

**Homelessness and Housing Delivery Task Group:** Councillors L Bambridge, C Bower, T Bubb, S Collop, J Rust and C Morley.

**Single Use Plastics Informal Working Group:** Councillors Parish, de Whalley, Bower and Bubb.

**Urban Wildlife Informal Working Group:** Councillors Bower, Bullen, Hipperson, Kirk and Squire.

**Climate Change Informal Working Group:** Councillors Holmes, Bubb, Rust, Kirk, de Whalley, Spikings and Hipperson.

## ENVIRONMENT AND COMMUNITY PANEL WORK PROGRAMME 2022/2023

DATE OF MEETING	TITLE	TYPE OF REPORT	LEAD OFFICER/ ATTENDEE	OBJECTIVES AND DESIRED OUTCOMES
<b>7<sup>th</sup> June 2022</b>	Appointment of Vice Chair for the Municipal Year	Operational		
	Appointments to Task Groups and Informal Working Groups	Operational	Democratic Services Officer	To appoint Members to the Task Groups and IWG's as appropriate
	Appointments to Outside Bodies	Operational	Democratic Services Officer	To ensure continued representation on the Outside Bodies
	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
	Cabinet Report Contaminated Land Strategy	Cabinet Report	Dave Robson	To consider the report and make any appropriate recommendations to Cabinet.
	Presentation from Water Management Alliance – Internal Drainage Boards for King's Lynn and Norfolk Rivers		Water Management Alliance	To receive an update on the work of the IDB
	Updated Terms of Reference of the Homelessness and Housing Delivery Task Group	Operational	Duncan Hall and Nikki Patton	Panel to consider amended Terms of Reference
	21/22 Review of the Councillor Community Grants Scheme	Monitoring	Debbie Ess	To provide feedback on the scheme.
<b>19<sup>th</sup> July 2022</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
	Presentation from Ely Drainage Boards on Internal Drainage Boards for East of Ouse, Polver and the Nar, Downham and Stow Bardolph, Littleport and Downham, Southery and District, Stringside and		Representatives from Ely Drainage Boards	To receive an update on the work of the IDBS

	Stoke Ferry			
	LGA Coastal SIG – Motion for the Ocean	As requested by Councillor Devereux	LGA Coastal SIG	To receive information.
	Tourism Development Plan 2022-2026		Philip Eke	
<b>6<sup>th</sup> September 2022</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
	Update Reports from Members on Outside Bodies nominated by the Environment and Community Panel	Annual Updates		To receive updates on the work of Outside Bodies
<b>1<sup>st</sup> November 2022</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
<b>3<sup>rd</sup> January 2023</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
	Update on Youth West Partnership			Last update was provided in Jan 21
	Alive West Norfolk Update	Annual Update		Last update provided in January 21
<b>21<sup>st</sup> February 2023</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting
<b>4<sup>th</sup> April 2023</b>	Portfolio Holder Q&A Session			Questions to be submitted in advance of the meeting

### To be scheduled

- Gayton Road Cemetery
- Peat Bogs and CO2 emissions
- Together for Rivers Campaign
- Wild East Nature Recovery Programme

- The Docks
- Update on Outside Bodies

**FORWARD DECISIONS LIST**

<b>Date of meeting</b>	<b>Report title</b>	<b>Key or Non Key Decision</b>	<b>Decision Maker</b>	<b>Cabinet Member and Lead Officer</b>	<b>List of Background Papers</b>	<b>Public or Private Meeting</b>
8 June 2022 – Special meeting						
	Town Deal Update	Key	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public

<b>Date of meeting</b>	<b>Report title</b>	<b>Key or Non Key Decision</b>	<b>Decision Maker</b>	<b>Cabinet Member and Lead Officer</b>	<b>List of Background Papers</b>	<b>Public or Private Meeting</b>
21 June 2022						
	RIPA/non-RIPA policy and operating procedures	Non	Council	Leader Asst Dir		
	Planning Scheme of Delegation/Sifting Panel	Non	Council	Development & Regeneration Asst Director S Ashworth		Public
	Support in Safe Accommodation for Norfolk – 2021/2024 – Housing related issues.	Non	Cabinet	People & Communities Assistant Director - D Hall		Public
	Risk Management Policy	Key	Council	Finance Chief Executive		Public
	Appointments to Outside Bodies	Non	Cabinet	Leader Chief Executive		Public
	Appointments to Cabinet bodies	Non	Cabinet	Leader Chief Executive		Public
	Planning Structure	Non	Cabinet	Development & Regeneration Exec Dir – G Hall		Private - Contains exempt information under para 1 – information

						relating to the business affairs of any person (including the authority)
	Local Development Scheme	Key	Cabinet	Development & Regeneration Asst Dir – S Ashworth		Public

<b>Date of meeting</b>	<b>Report title</b>	<b>Key or Non Key Decision</b>	<b>Decision Maker</b>	<b>Cabinet Member and Lead Officer</b>	<b>List of Background Papers</b>	<b>Public or Private Meeting</b>
Sp meeting 27 June 2022						
	Levelling Up	Key	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public

<b>Date of meeting</b>	<b>Report title</b>	<b>Key or Non Key Decision</b>	<b>Decision Maker</b>	<b>Cabinet Member and Lead Officer</b>	<b>List of Background Papers</b>	<b>Public or Private Meeting</b>
2 August 2022						
	Freedom of the Borough - amendments	Non	Council	Leader Chief Executive		Public
	Lynnsport One	Key	Council	Regeneration & Development Asst Dir Companies & Housing Delivery – D Ousby		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Asset Management – Land and Property	Key	Cabinet	Property Asst Dir Property and Projects		Private - Contains exempt Information under para 3 – information

						relating to the business affairs of any person (including the authority)
	Review of Governance of Council Companies	Non	Cabinet	Leader Chief Executive		Public
	Balloon and Lantern report	Non	Cabinet	Corporate Services and Environment Asst Director – M Chisholm		Public
	Outturn 2021/22	Key	Cabinet	Finance Asst Dir M Drewery		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
20 September 2022						
20	Procurement Strategy	Non	Cabinet	Finance Asst Dir – D Ousby		Public
	Custom and Self Build Site – Stoke Ferry	Non	Cabinet	Regeneration and Development Assistant Director - D Hall		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
15 November 2022						

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
17 January 2023						

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 February 2023						
	Budget	Key	Council	Finance Asst Director – M Drewery		Public
	Capital Programme	Key	Council	Finance Asst Director – M Drewery		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 March 2023						

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
18 April 2023						

**Items to be scheduled**

	Notice of Motion 7-21 – Councillor Kemp – Equalities	Non	Council	Leader Asst Dir B Box		Public
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