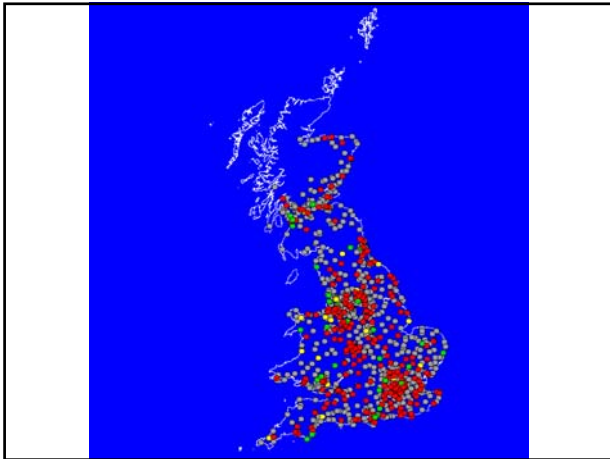


A Risk Based Approach Contaminated Land Redevelopment

Dr Steve Wallace
Secondsite Property Holdings Ltd
&
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Contents

- Secondsite & Nicole
- Risk based approach
- Planning System and requirements
- Contaminated land regulations
- Portfolio case study
- Conclusions



Our Heritage

- Manufactured gas production commenced 1798
- 1000 gas undertakings nationalised in 1949
- Natural gas introduced 1967-1977
- British Gas privatised with around 1000 former gasworks in 1986
- British Gas Properties formed 1994
- BG plc Property Division formed February 1997
- BG Property Holdings Ltd formed December 1999



-NICOLE- A Success Story

- Industry Group & Service Providers Group
- Over 150 members
- Supported by knowledgeable secretariat
- Opinions respected and actively sought by others
- Engaged regulator/Gvt community
- Risk based Contaminated Land Management approach popularised
- Viable and vibrant network
- NICOLE Phase 3 underway...

NICOLE Phase 3

- (1) provide a European forum for the dissemination and exchange of good practices, practical and scientific knowledge and ideas to manage contaminated land in a sustainable way;
- (2) stimulate coordinated, interdisciplinary projects on collaborative research and knowledge transfer to address identified needs; and
- (3) develop new relationships and strengthen existing relationships with other networks.

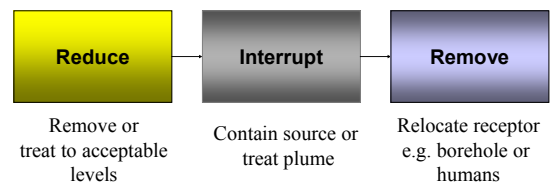
Contaminated Land Management

- A parallel system of controls
 - Planning and development controls; or
 - Ongoing compliance with environmental legislation
- Work is triggered by
 - Change of use; or
 - Actual or potential breaches of ‘compliance’
- A risk based approach based on FFP

Risk Assessment Approach



Risk Management Options



A Tiered Approach

- Initial site screening for historic uses etc
 - Commercial providers, web based screening tools
- ‘Desk Study’
 - Collates relevant information and produces CSM
 - Recommends need (or not) for intrusive SI
- Site Investigation
 - Tiered collection of real site data
 - Tiered risk assessment (from SGV’s to full QRA)
- Development of risk management objectives, approach and Methods
- Implementation
- Validation/verification reporting

The Risk Base Approach Means

- Future use must be known before detailed QRA can commence. This could be
 - Continued existing use
 - A defined change of use
- Future use must be defined before remediation standard can be agreed
- Remediation is only triggered where
 - Site is not suitable for continued existing use (contaminated land regime and other environmental legislation)
 - Where there is a change of use planned (planning regime)
- Risk management options can be built into development design
- Development appraisal can optimise costs and benefits

Planning Regime

The Development Planning Process

- Town and Country Planning Act 1990
- Permission under Act required for
 - Change of use of land
 - Building or engineering works
- Also provides for master planning to guide future development
- Legislation administered at local, regional and central govt. levels
- Supported by Planning Policy Guidance (PPG's)
- Policies place emphasis on using PDL before greenfield sites
- Additional legislation e.g. to protect SSSI's

PPG 23

Works on any contaminated site should deal with “any unacceptable risks to health or the environment, taking into account its actual or intended use”

Planning and Contaminated Land

- Land contamination is a material consideration under the planning regime
- Development control is the main means of dealing with contaminated land in the UK
- Three defined aims
 - Deal with actual or perceived threats to HS or E
 - Keep or bring back land into beneficial use
 - Minimise avoidable pressure on greenfield sites
- Planning conditions can include
 - Requirement to conduct SI
 - Requirement to remediate to an agreed standard
- Development cannot continue until conditions have been discharged

Contaminated Land Regime

Contaminated Land Regulations

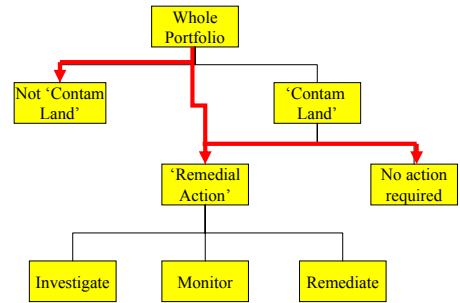
- Provides a definition of contaminated land
- LA's now lead regulators
- LA has duty to inspect area (from 'time to time')
- Must set out its approach in a written strategy
- Rational, ordered and efficient... identifying most pressing and serious problems first (proportionate)
- Identify receptors and potential pathways first
- Can take account of existing information
- Then identify 'appropriate person'

What is Contaminated Land s57 ?

Land which appears to the Local Authority to be in such a condition, by reason of substances in, or under it, that:

- (a) Significant harm is being caused or there is a significant possibility of such harm being caused
- (a) Pollution of controlled waters is being, or is likely to be, caused.

The Importance of a Proactive Approach (the regeneration route)



Case Study

Granton Gasworks

- Major gasworks serving Edinburgh, Scotland
- Affected by historic gasworks contamination
- Master plan developed with LA
- Risk assessment and remedial actions agreed
- Remediation scheme phased with development
- Controlled through development planning conditions





Summary

- Risk based approach – site use driven
- Parallel control system
 - Planning Regime
 - Environmental Regulations
- Majority of land is dealt with through planning system
- Worst sites dealt with through Contaminated Land Regime
- Need to manage which system to use and when (timing)