

THE SOIL AND GROUNDWATER TECHNOLOGY ASSOCIATION

SAGTA REPORT 15 - LOCAL AUTHORITY STRATEGIES

SAGTA's December 2000 Workshop focused on current activities related to local authorities and the development of their Part IIA contaminated land strategies and how these interact with landholders particularly those with diverse land portfolios. The objective of the day was to provide many of those involved in the process – the regulators, landholders and those involved in related training initiatives on the key factors to be addressed and how, through interaction, the issues could be taken forward.

Issues within 3 main topic areas emerged:

1 Data Management:

- *collection and timing of data.* In preparing their strategies, local authorities (LA's) have undertaken collection of data from a multiplicity of sources, coupled with their local knowledge. Time available to undertake the process in the lead-up to submission of LA strategies in July 2001 places practical constraints on the extent to which data can be assessed. Experiences from landholders, who have undertaken similar assessment processes for their own land portfolios, endorsed the need for care in ensuring that suitable databases were accessed to obtain appropriate information for assessment purposes
- *quality and extent of data.* In the context of Part IIA, data quality was a factor. A particular consideration to take into account was to ensure that the information net was not cast too wide where pollutant linkages did not exist. As such at the initial stages, undertaking a progressive screening of the components of pollutant linkages could do much to rationalise the first analysis of land and assist in the prioritisation process
- *prioritisation of sites.* Certain landholders' experiences in prioritising sites, particularly those with nationwide portfolios suggests there are circumstances that could lead to some differences in the prioritisation compared to those of specific L.A.'s. Certain members have developed protocols and software to support the prioritisation of land portfolios and opportunities for exchange of approaches to encourage more common thinking were possible. It was agreed that L.A. access to effective site prioritisation protocols and software would be a welcome interaction.

Areas where SAGTA may contribute

1. Current protocols on site prioritisation developed by SAGTA's Members to be offered as frameworks with LA's to assist in common approaches.

2 Communication:

- *approaches to communication.* There is need to consolidate communication in respect of approaches between:
 - landowners and regulators
 - wider stakeholders

Various communication initiatives are already in place. An example is the recent initiative by the Environment Agency in developing Technology Summary Sheets; these are welcomed. In addition there could be room for considered case study review of "what went right and what went wrong with communication channels" in the wider context of land management

- *feedback.* Opportunity to feedback on local authority strategies was a particular example of where considered commentary could assist the process. In this respect local authority websites may be a source of information.

Areas where SAGTA may contribute

1. SAGTA members are happy to engage and contribute to the consultation process in the reviewing of draft strategies.
2. SAGTA also happy to foster and develop links with co-ordinated groups such as CIEH and BURA to take communication processes forward.

3 Training and support:

- *hurdles to training.* Current hurdles to increasing effectiveness of training were funding levels and levels of resources
- *key training issues.* The perception and communication of risk has to be undertaken on a sound as well as consistent basis and this is seen as a key training issue. Development of knowledge centres for example through local authority clusters provided a potential solution to facilitating better communication between local authorities. Technical training is also a key requirement and has a vital part to play, particularly in the context of exposure to best practice and case studies
- *appropriate levels of training.* In terms of establishing appropriate levels of training for relevant tasks, the development of competency frameworks was felt to be a most worthwhile concept. The Environment Agency, for example, has developed a competency framework defining minimum levels of exposure to procedural and practical aspects and given responsibilities.

Areas where SAGTA may contribute

1. To promote practical training activities, SAGTA is happy to contribute model case studies.
2. SAGTA is happy to participate in workshop exercises to compare and contrast approaches to site conditions in conjunction with teams drawn from the Environment Agency and local authorities.
3. SAGTA is also happy to provide comment on existing draft competency frameworks.

Summary of Workshop Presentations

Local Authorities viewpoint

Local authorities (L A's) are now involved in their new Part IIA. Within the new regime, LA's are setting their priorities, examples of which cover the need for their strategies being in place, taking due note of current timeframes and available budgets setting deadline dates, staff resource levels and administrative elements such as organisation of data handling protocols. The potential for blight on previous development is a particular issue that has motivated certain L.A.'s to put in place communication strategies.

The Environment Agency as landholder

As well as a regulatory role, the Agency has a responsibility as owner or as part of lease arrangements for 250 major sites, together with 5,000 operational sites involving 104 different land uses. The Agency retains concerns on the quality of its land as part of its continuous obligations within its EMS, its programme of 5 yearly evaluation of its assets and its continuous management covering the acquisition and selling of land. The implications of FRS 12 and Part IIA are also relevant factors. In response, the Agency is preparing strategies involving prioritisation of its sites. For the major sites, which comprise the major element of the land value, high level sieving processes involving analysis of land use, receptors and pathways are considered on a national basis. As a result a final priority listing of sites, for which further assistance may be required is being put into place. Operational sites are being considered on a regional basis and tenant surveys are also in hand.

Major local authority projects

The Gateshead Quays' project formed a wide ranging case study of development taking into account the area as a whole in which specific packages of development were being dovetailed together with evidence of a "ripple" effect on the overall development health of the area.

Training of local authority personnel

Current areas of training involve interaction with a number of English local authorities as well as work with COSLA in Scotland. From feedback so far gained only a small number of local authorities are employing consultants to compile strategies with rather more seeking advice on specific aspects as and when required. Also, the impression gained is that the reaction of local authorities to existing technical advice on compiling strategies has been positive. Perceived areas of difficulty for local authorities as a whole are seen as countering inconsistency in the handling of uncertainty together with gaining experience in dealing with submitted reports with the consequent danger of poor reports entering and running through the system. In addition, training in the application of the chemistry of land contamination is a further area identified as requiring attention.

Managing land portfolios.

Some landholders are now advanced in categorising their landholdings on a national basis and prioritising actions. In this respect key issues brought to light when interfacing with local authorities' inspection strategies are:

- demands for information are often outstripping the abilities of those asked to supply such data
- concerns of creating blight on surplus land portfolios as well as neighbouring land
- possible impacts on land sale negotiations
- demands for the remediation of sites are not necessarily seen as rational in the context of the portfolio as a whole. A danger exists of responding to those who shout loudest
- the danger of negative impact on reputations of responsible landholders is considered a relevant issue.

Hazard screening tools have been developed to prioritise sites. Opportunity therefore exists for the sharing of approaches with regulators to help develop a process which is not only consistent from either the problem holder or the regulators' viewpoints, but affords flexibility and is able to accommodate change.

In addition, important lessons learned from industry's experience are that:

- data collection and input which leads to properly structured databases is essential and
- validation and effective recording of information (to enable decisions to be reassessed should re-prioritisation be required) needs to be both properly and rigorously handled.

Scottish local authority experiences. .

Current work on training involves audit skills. Feedback on experience from local authorities is confirming that current national guidance on developing strategies has been found to be providing effective and user-friendly templates. Use of GIS is proving beneficial to facilitate practical application of data management. In terms of issues concerning local authorities as a whole, the requirements of registers and the potential for blight occurring as a result of notices been given has been a particular topic area.

To address the new regime certain Scottish local authorities have undergone organisation into single departments involving planning, ground engineering, environmental health and solicitors' departments and experience has indicated that a such a land remediation unit structure can work effectively.

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