



LEE VALLEY REGIONAL PARK AUTHORITY
EXECUTIVE COMMITTEE
28 APRIL 2016 AT 11:00

Agenda Item No:

7

Report No:

E/442/16

CONTAMINATED LAND UPDATE

Presented by the Director of Corporate Services

EXECUTIVE SUMMARY

Over the last 6 years Members have noted and approved a number of papers taking the Authority through the formation of a Contaminated Land Policy Statement and Strategy and a wide range of studies on sites in Authority ownership. It was agreed to establish a Contaminated Land Working Group to guide the progression of work and to report back to Executive Committee.

The Executive Committee meeting of 23 January 2014 (paper E/331/14) approved the future approach, proposed by the Contaminated Land Working Group, that sites which present low or moderate to low risk do not need to be subject to further study and only to seek to review such sites should their usage pattern be about to change, if an issue occurs which raises concern, or if development either on the site or a nearby site is proposed.

The Contaminated Land Working Group commissioned supplemental studies at 3 sites (Stanstead Innings, East Hale Allotments and Spitalbrook) where initially the risk was identified to be moderate or high due to the need for further clarification on those sites and the results of these studies are outlined in this report.

User guides – summary of risk ratings and recommendations for all the originally identified sites across the Regional Park have been produced and are attached at Appendix A to this report.

RECOMMENDATIONS

- Members Note:
- (1) the actions taken to date;
 - (2) the user guides – summary of risk ratings and recommendations attached at Appendix A to this report; and
 - (3) the outcome of the further supplemental land surveys on three sites as summarised in paragraphs 12 to 14 of this report.

- (4) the allocation of £13K to fund the consultancy work which is necessary at Holyfield Marsh as outlined in paragraphs 23 to 26 of this report.

BACKGROUND

- 1 The Lee Valley contains a legacy created by a variety of land uses some of which have resulted in extensive areas of land contamination. These land uses have ranged from industrial processes, such as those associated with the munitions industries, to a wide range of land fill. The nature of the Valley and the recognition that the Regional Park had to address this issue was taken into account in the Lee Valley Regional Park Act 1966 that formally established both the Regional Park and the Authority.
- 2 Members are aware that the Authority owns significant areas of land which have been deemed contaminated by virtue of the fact that they have historically received infill or were used for industrial processes that have contaminated the land to varying degrees. There may also be other sites which have not as yet been investigated but could well fall into this category. This was highlighted as part of the Authority's Risk Register and work was undertaken to initially formulate a Contaminated Land Policy Statement which would lead to a Contaminated Land Draft Strategy.
- 3 In the context of land contamination, there are three essential elements to any risk:
 - Contaminant – a substance that is in, on, or under the land and has the potential to cause significant harm to a relevant receptor or to cause significant pollution of controlled waters;
 - Receptor – something that can be adversely affected by a contaminant such as people, an ecological system, property or a water body;
 - Pathway – route or means by which a receptor can be exposed to or affected by a contaminant.
- 4 At the Executive Committee meeting held in November 2009 Members agreed to a study of known contaminated land in the Authority's ownership (Paper E/23/09). Consultants were appointed to undertake this work and their reports have subsequently been considered by the Contaminated Land Working Group, Executive Committee and Authority.
- 5 At the Authority Meeting held on 20 October 2011 (paper A/4130/11) Members approved the adoption of a draft Contaminated Land Policy Statement, noted the progress being made in the production of a Contaminated Land Draft Strategy for the Authority and approved the establishment of a Task and Finish Group (Contaminated Land Working Group) to examine the findings and recommendations of Phase 1 studies and consider a draft strategy and action plan.
- 6 At the Authority meeting held on 25 October 2012 (paper A/4152/12) Members approved the adoption of a Contaminated Land Strategy Framework.
- 7 The Executive Committee meeting of 23 January 2014 (paper E/331/14) approved the Contaminated Land Working Group's proposal (paper CON/03/13) that the Contaminated Land Strategy document be revised to reflect a more

pragmatic approach for sites where the risk is concluded to be low or moderate to low, to only seek to review sites should their usage pattern be about to change, if an issue occurs which raised concern, or if development either on the site or a nearby site is proposed.

- 8 An updated Contaminated Land Strategy was adopted in April 2015 (paper A/4208/15).
- 9 Alongside work on the Contaminated Land Policy Statement and the Contaminated Land Strategy and in order to inform it and improve the Authority's knowledge base of sites within the Lee Valley Regional Park which are contaminated, Authority Members approved a review by consultants of a number of sites where the Authority had previously commissioned or had inherited contaminated land reports. These reports were historic and needed a complete review as legislation had changed and the way contamination is looked at evolves. The results were reported back to the Contaminated Land Working Group to consider and have also been reported to Executive Committee (paper E/331/14).
- 10 The Contaminated Land Working Group (paper Con/03/13) requested further studies at 3 sites (Stanstead Innings, East Hale Allotments and Spitalbrook) where the risk was initially concluded to be moderate or high due to the need for further clarification on those sites and the results of this are detailed below.

FURTHER STUDIES AT STANSTEAD INNINGS, EAST HALE ALLOTMENTS AND SPITALBROOK

- 11 Consultants carried out supplementary contaminated land surveys including soil sampling taken from hand dug investigation pits and reported back on each site. An extract from their findings is set out below:
- 12 **Stanstead Innings**
"As a result of the further analysis, and the increased dataset size, we are able to down-grade the level of risk associated with the presence of asbestos fibres within Made Ground soils to 'low'. Consequently, the site is considered to be broadly suitable for continued use as public open space".
- 13 **East Hale Allotments**
"Based on the results of generic quantitative risk assessment and the statistical assessment, potential risks to current allotment site users have been assessed as low. The site is considered to be suitable for its current use and relevant foreseeable future use as allotment gardens. No further works at the site are recommended".
- 14 **Spitalbrook**
"Based on the results of generic quantitative risk assessment and the statistical assessment, potential risks to future users based on public open space have been assessed as low. The site is considered to be suitable for proposed use as public open space. No further works at the site are recommended."
- 15 Following these further studies all the sites which were originally identified as possibly being affected by land contamination (paper E/154/11) are considered to present a low or moderate to low risk and therefore will be treated in accordance with the updated Contaminated Land Strategy.

- 16 It is anticipated that other sites will be brought forward according to priorities including current and proposed land use as well as risks to human health and controlled water such as the new site highlighted in this report.

USER GUIDES – SUMMARY OF RISK RATINGS AND RECOMMENDATIONS

- 17 Consultants have developed User Guides for the 15 sites originally identified as possibly being affected by land contamination, attached at Appendix A to this report, to provide colleagues and external contractors with concise, clear and easily understandable overview of conditions on each of the sites.
- 18 The recommendations in the User Guides are being implemented and officers continue to accumulate knowledge of ground conditions which will be added to the database for future dissemination to those who actively/physically undertake operations on the relevant areas of land.

EAST BANK OF NAZEING NORTH LAGOON

- 19 The east bank of the Nazeing North Lagoon was closed to fishermen due to its proximity to St. Paul's Field, which, as Members will be aware, is a contaminated site which is closed to the public.
- 20 It is now better understood that the contamination in St. Paul's Field is concentrated more into the centre section. In addition the site itself has become overgrown and is a quiet and undisturbed habitat for wildlife.
- 21 The Contaminated Land Working Group has recently agreed to utilise part of the remaining budget (circa £6K), allocated by the Executive Committee for further contaminated land works, to re-open the east bank of Nazeing North Lagoon for fishing use by those with written permission (paper CON/04/16).
- 22 The return of fishermen to east bank would not disturb the contamination on the site, but some works need to be undertaken to re-establish the pathway, tidy-up the bank and the fishing swims to bring back into use. Additional signage will be erected warning of the contaminated land area and ensuring that fishermen are properly advised to keep to the path. Instruction will also be set out in the rules relating to fishing this bank and monitored by the Authority's Fisheries team. The area would not be open to the general public and therefore used only by a small number of fishermen.

HOLYFIELD MARSH

- 23 The site at Holyfield Marsh was purchased from St. Albans Sand and Gravel company and has been quarried and subsequently filled, not unlike many areas of land within the Regional Park. The site is north of Fishers Green and there is a licence of the angling rights to Fishers Green Consortium. Due to the recent high levels of rain and recent flooding the river bank has failed and river erosion has removed a large section of bank and has exposed what is thought to be landfill. There is concern that the water can now flow into the landfill and wash out contaminants that are buried within the soil and cause downstream pollutions. This area is shown on a plan attached at Appendix B to this report.
- 24 This matter has not been the subject of discussion with the Contaminated Land Working Group but due to the nature of this matter and the relative urgency to ensure the land fill does not continue to destabilise the structure of the bank

and wash pollutants downstream there is a need to undertake stabilising works. Prior to this and as in the majority of contaminated land matters we would need to engage specialist consultants to undertake borehole sampling on the site and excavate some hand dug pits for soil testing and then a short period of monitoring. The consultants will also test the water and then advise on the best approach to the work that needs to be undertaken to secure the bank. Officers have obtained quotes for the consultancy work to investigate the sub-structure of the field and carry out water testing which is in the region of £13,000.

- 25 Subject to Member approval, funding for this work will come from the balance on the remaining land contamination budget (circa £7K) and £6K from reserves.
- 26 The work that then needs to be undertaken will be carried out in 2016/17 and will require a carry forward from the Land Contamination budget.

ENVIRONMENTAL IMPLICATIONS

- 27 The environmental implications arising directly from the recommendations in this report are included within the body of the report.

FINANCIAL IMPLICATIONS

- 28 Subject to Member approval and with the works required to re-open the east bank of Nazeing North Lagoon (£6K) and Holyfield Marsh (£13K), the budget for further contaminated land works allocated by Executive Committee will have been exhausted.
- 29 No permanent source of funding has been set aside for further contaminated land issues at this stage although the contaminated land working group would recommend that consideration is given to this to allow a fund to deal with urgent matters.
- 30 Potential costs of any further environmental assessment have not been established at this stage.

HUMAN RESOURCE IMPLICATIONS

- 31 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 32 When the Authority adopted the Contaminated Land Strategy it became a policy document and the Authority has, under the Lee Valley Regional Park Act 1966, a duty to manage and preserve its land holdings such that the strategy is implemented.

RISK MANAGEMENT IMPLICATIONS

- 33 There is no risk free way of dealing with contaminated land issues and the Authority could still be open to challenge in the future. However the Authority's Contaminated Land Strategy and Policy Statement provide a process under which the Authority can manage the risk to human health or to controlled

waters in the Park.

- 34 The Contaminated Land Working Group will continue and can be called if there are any contaminated land issues arising.

EQUALITY IMPLICATIONS

- 35 There are no equality implications arising directly from the recommendations in this report.

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PREVIOUS COMMITTEE REPORTS

Contaminated Land Working Group Authority	CON/04/16 A/4208/15	Contaminated Land Update	25 February 2016
Executive Committee	E/399/15	Contaminated Land Strategy Update	30 April 2015
Executive Committee	E/331/14	Contaminated Land Strategy Update	26 March 2015
Contaminated Land Working Group Authority	CON/03/13 A/4154/12	Contaminated Land – Next Stages	22 January 2014
Executive Committee	E/234/12	Contaminated Land Update	9 December 2013
Executive Committee	E/234/12	Contaminated Land Strategy	25 Oct 2012
Contaminated Land Working Group Authority	CON/01/12 A/4130/11	Contaminated Land Strategy	20 Sept 2012
Executive Committee	E/154/11	Contaminated Land Draft Strategy	23 Feb 2012
Executive Committee	E/23/09	Contaminated Land Policy Statement	20 Oct 2011
		Contaminated Land Update	8 Sept 2011
		Funding for Land Study	19 Nov 2009

APPENDICES ATTACHED

Appendix A	User Guides – Summary of Risk Ratings and Recommendations
Appendix B	Holyfield Marsh plan

USER GUIDES – SUMMARY OF RISK RATINGS AND RECOMMENDATIONS

Site Name	Overall Assessment (Risk) (Based on Continued Use)	Summary of Recommendations (Based on Continued Use)
Britannia Lake	Low to moderate	<ul style="list-style-type: none"> • The current use may continue as common land with publically-accessible areas without the requirements for special measures or precautions. Should the site cover change in the future such that the underlying ground conditions are exposed at the surface, further advice and assessment should be undertaken to confirm potential risks. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited across the site area.
Glen Faba	Low to moderate	<ul style="list-style-type: none"> • The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. Should the site cover change in the future such that the underlying ground conditions are exposed at the surface, further advice and assessment should be undertaken to confirm potential risks. • It is recommended that a task-specific risk assessment is undertaken as part of a health and safety plan before any works to break the ground are undertaken (such as intrusive ground works / excavations). • It is advised that the lighting of fires be strictly prohibited across the site area.
Gwendoline	Low to moderate	<p>If the site is to remain unchanged (inaccessible to public) then recommendations are limited and include:</p> <ul style="list-style-type: none"> • It is advised that the casual storage / flytipping of wastes is strictly prohibited with immediate effect. All existing waste should be disposed of at an off-site location in accordance with waste management licensing legislation; • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited. <p>The following recommendations are based assuming future use as public open space.</p> <ul style="list-style-type: none"> • It is advised that the site remains inaccessible to members of the public until works to remedy the site suitable for a more sensitive end use are completed. • It is recommended that the on-site boreholes be decommissioned in order to prevent the pathway from surface made ground into the underlying aquifer. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited across the site area.
Knight's Pit	Low to moderate	<ul style="list-style-type: none"> • It is advised that the area of the burnt waste is fenced off to prevent members of the public and their pets from coming into

		<p>contact with the associated residual ashy materials. Ideally, the area of the bonfire should be covered to prevent the mobilisation of ashy wind-blown dust. An alternative solution is to completely remove these materials.</p> <ul style="list-style-type: none"> • The western section of the site is presently fenced off to prevent public access. Based on the uncertainties described above, it is recommended that this area remains fenced off until further assessment of this section of the site is carried out. • The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited across the site area.
Pickett's Lock	Low to moderate	<ul style="list-style-type: none"> • The current use may continue the requirement for special measures or precautions. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • Storage of any fuels and chemicals should be undertaken in accordance with the relevant pollution prevention guidelines.
Nazeing Marshes	Low to moderate	<ul style="list-style-type: none"> • It is recommended that the current management for the site is continued whereby the site is allowed to continue to become overgrown and access is not encouraged. On this basis, no special measures or precautions are considered necessary at this stage. • It is advised that the area of the burnt waste is fenced off to prevent members of the public and their pets from coming into contact with the associated residual ashy materials. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited across the site area.
RLCP Cheshunt	Low to moderate	<ul style="list-style-type: none"> • Providing the current surfacing remains unbroken, it is considered that the current publically-accessible areas of the site may continue, in the short-term, as public open space without the requirement for special measures or precautions. However, it is recommended that public are advised to stay on the designated footpaths. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. • It is advised that the lighting of fires be strictly prohibited across the site area
Hayes Hill Farm	Low	<ul style="list-style-type: none"> • No special measures or precautions are considered necessary at this stage. • It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan
Ramney Marshes	Low	<ul style="list-style-type: none"> • The site is suitable for its current use as common land (unmaintained grassland) with restricted public access without the requirements for special measures or precautions. • It is advised that the area of the burnt waste is removed in order to prevent any potential end users from coming into contact

		with these materials.	<ul style="list-style-type: none"> It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Broxbourne Airfield	Low	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that members of the public are encouraged to stay on/within the immediate vicinity of the designated tracks and footpaths in order to prevent health and safety-related injuries from occurring. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Spitalbrook	Low	<ul style="list-style-type: none"> The site is considered to be broadly suitable for continued use as public open space. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Stanstead Innings	Low	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Swan and Pike	Low	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Three Mills Green	Low	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> The current publically-accessible areas of the site may continue as public open space without the requirements for special measures or precautions. It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.
Tottenham Marshes and East Hale Allotments	Low	<ul style="list-style-type: none"> It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area. 	<ul style="list-style-type: none"> It is recommended that works to break the ground surfacing (such as intrusive ground works / excavations) are generally precluded unless a task-specific risk assessment is undertaken as part of a health and safety plan. It is advised that the lighting of fires be strictly prohibited across the site area.



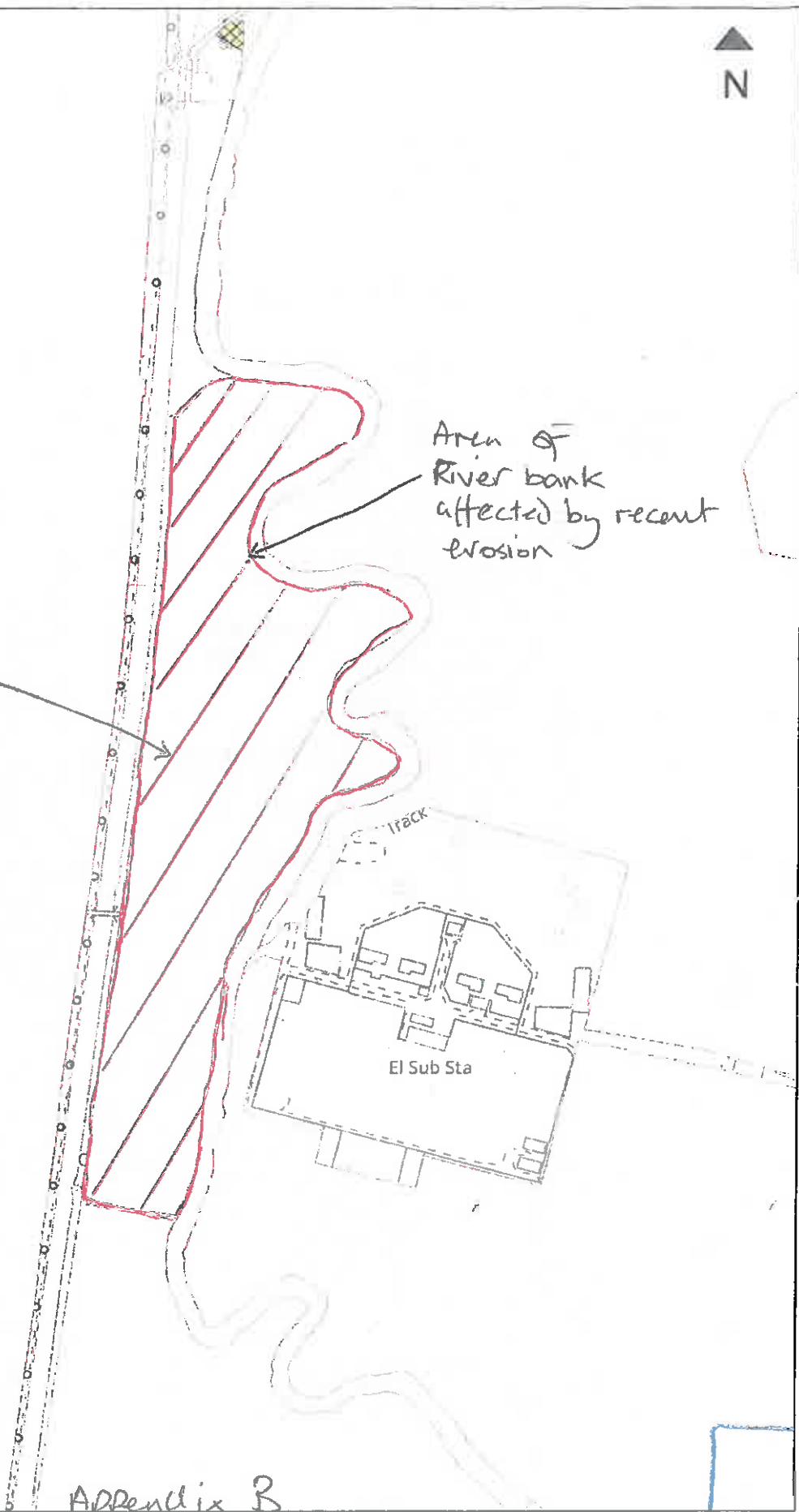
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Holyfield
marsh
area

Area of
River bank
affected by recent
erosion



Appendix B

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