

Chapter 6 – Review Mechanisms

The Strategy has outlined the general approach to be taken to inspect land in the Borough for contamination issues. This Chapter describe instances when inspections will occur outside this general inspection framework, circumstances where previous inspection decisions will be reviewed and measures to be taken to ensure the Strategy remains effective and up to date.

6.1 – Triggers for undertaking inspection

It is recognised that there may be occasions where inspections may have to be carried out outside the general inspection framework listed in Chapters 3 and 4.

These “triggers” for undertaking non-routine inspections will be:

- Unplanned events – e.g. if a pollution incident occurs – such as a spillage.
- Introduction of new receptors – e.g. if housing is to be built on a potentially contaminated site.
- Supporting voluntary remediation – e.g. a potentially liable party wishing to undertake clean up before their land has been inspected by the Council. (This already occurs.)
- Identification of localised health effects which appear to relate to a particular area of land.
- Responding to information from on-going monitoring.
- Responding to information from other statutory bodies, owners, occupiers, or other interested parties.
- As a result of planning applications or regeneration initiatives.

Whilst the above may trigger non-routine inspections, if this Strategy is to prove effective, they must not be allowed to significantly interfere with the milestones and targets laid down in the general inspection framework. It may necessitate the buying in of specialist services – such as Environmental consultants – to help in this work.

It should be noted that the Environment Agency would look to use the Water Resources Act 1991 when dealing with pollution incidents.

6.2 – Triggers for reviewing inspection decisions

In addition to the above there may be occasion where the findings of previous inspection decisions will have to be reviewed. This might be due to the following:

- Significant changes in legislation.
- Establishment of significant case law or other precedent.
- Revision of Guideline values for exposure assessment.
- Previous remediation schemes are now considered not robust enough.

These points could have major financial cost implications on previously remediated land and careful consideration by the Council will be required in reviewing areas of land in the Borough. It may require the buying in of both Environmental Consultants and Legal Representation.

In any case, all decisions will have to be made and recorded in a consistent manner that allows efficient review.

6.3 – Reviewing the Strategy

It is vital that any Strategy the Council produces has mechanisms in place to undertake fundamental reviews from time to time.

All comments and observations received during the consultation stage, will if applicable, be fed into the final Strategy. The Councils Steering Group and Working Party will also review the Strategy and set timescales for review.

It is anticipated that the first fundamental review will take place after May 2001 once consultations/comments have been received. The next review will be five months into the DeskTop Study to see how that is progressing. Further reviews will then continue on a six monthly basis when the Risk Assessments are being carried out. The Steering Group will co-ordinate this and inform all Chief Officers and elected Members of progress.

Any problems will be able to be sorted out at these reviews.

6.4 – Auditing

The Council has prepared this Strategy internally without using Environmental Consultants. However to ensure that issues have been addressed fully, the Strategy has been given to Robert Halford Environmental Health Consultant for independent evaluation/auditing and comment.