

ITEM No ...5.....

REPORT TO: COMMUNITY SAFETY & PUBLIC PROTECTION COMMITTEE – 22nd AUGUST 2022

REPORT ON: CONTAMINATED LAND STRATEGY - SITE INVESTIGATION CONTRACTS

REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

REPORT NO: 193-2022

1.0 PURPOSE OF REPORT

1.1 To seek Committee's approval of the proposed on-going site investigation work associated with the council's statutory contaminated land responsibilities and also update Committee on the projects undertaken in 2021/22.

2.0 RECOMMENDATIONS

2.1 It is recommended that Committee notes the contents of this report in respect of the site investigations undertaken during 2021/22, and authorises the Head of Design and Property to instruct the required site investigation and remedial works up to the value of £70,000 in financial year 2022/23, as outlined in section 4.3 of this report.

3.0 FINANCIAL IMPLICATIONS

3.1 The Executive Director of Corporate Services advises that the above expenditure can be met in 2022/23 from allowances for Contaminated Land within the Service Provision section of the General Services Capital Plan 2022-27.

4.0 MAIN TEXT

4.1 The Environmental Protection Act 1990 places a statutory duty upon local authorities to inspect land within its area for the purposes of identifying and remediating contaminated land. Dundee City Council carries out this work under the terms of its agreed Contaminated Land Strategy.

4.2 Since the adoption of the above strategy, substantial progress has been made with the prioritisation of sites for inspection, the preparation of Phase 1 (desk-based) study reports and Phase 2 (physical or intrusive) site investigations. The table contained in Appendix 1 of this report details the projects that were undertaken in 2021/22. In 2022/23, it is proposed to continue with the strategy of focusing investigations on sites that have the most potential to have contamination, such as former industrial sites, sites that have held petroleum licences and infilled land, with consideration given to the sensitivity of the current use, such as residential or food growing, and sites identified by SEPA and the Scottish Land Commission as causing concern due to the impact on local communities due to being persistently derelict.

4.3 The previous Framework under which site investigation works were commissioned has ended. A new Framework is currently being developed with the support of Scotland Excel. All work commissioned in pursuance of the Council's Contaminated Land Strategy will be procured in line with the Council's procurement procedures. Subject to the recommendation at 2.1 being approved by Committee, the total value of all works packages will be managed by the Design and Property division and contained within the £70,000 sum. Individual work packages will each be determined by the Head of Design and Property and no further Committee approval will be required in respect of each of these individual works packages.

4.4 It is proposed that Neighbourhood Services continue to identify appropriate sites for investigation or remediation as indicated in section 4.2. The Service will continue to work with the Head of Design and Property to prepare tenders for each work package and to ensure adherence to the requirements of the Construction (Design and Management) Regulations 2015. This will avoid delays in carrying out these works and will ensure best value is achieved from the available budget. An allowance of £10,500 has been made for professional fees

associated with the above, giving a total estimated expenditure, including professional fees, of £70,000.

5.0 POLICY IMPLICATIONS

5.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

6.0 CONSULTATIONS

6.1 The Council Leadership Team have been consulted on the preparation of this report and are in agreement with its contents.

7.0 BACKGROUND PAPERS

7.1 **None**

Elaine Zwirlein
Executive Director of Neighbourhood Services

Tom Stirling
Head of Community Safety and Protection

25th July 2022

Appendix 1-Site Investigations in 2021/22

It should be noted that investigations were limited due to COVID restrictions and it was not appropriate to carry out any site investigations in private gardens. Uncertainty regarding the costs of the assessment at the Clepington Road depot restricted other projects. Some of the funding for 2021/22 was carried over to spend on the ongoing Clepington Road and Kilspindie Road assessments.

Location	Type of Site Investigations	Status
Completed Projects		
Fintry Community Garden	Soil sampling.	Advice provided to landscaping team based on proposed use. Further assessment is possible should use of this area change.
Works On-going		
Former Gallowhill, Craigie and Baxter Quarries.	Specialist advice on interpretation and use of bioaccessibility testing within risk assessment sought.	Ongoing
Kilspindie Road, Dunsinane Industrial Estate	Monitored natural attenuation of groundwater following primary contamination removal of source of chlorinated solvents.	On-going monitoring programme in place as agreed with SEPA to demonstrate success of remediation and downward trend.
Marchbanks council depot	Use of oil absorbent socks to remove diesel oil from existing monitoring wells	Ongoing
Mid-Craigie Trading Estate	Further soil and groundwater sampling to establish probable source of diesel and extent of pollution.	Ongoing
Clepington Road depot	Assessment of soils across the site due previous use as railway goods yard, with focus on soils and ground water in the vicinity of contemporary underground fuel tanks and waste oil tank. Verification of removal of three tanks and associated soils which had been impacted by fuel leaks. Further consideration of remaining fuel infrastructure and extent of historical oily contamination is required.	Ongoing

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