

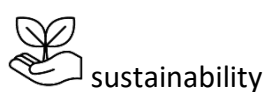
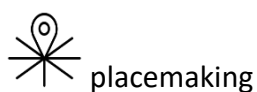


PROTECTIVE SERVICES
Contaminated Land
Inspection Strategy
– 2025 to 2030 –

Fife Council Contaminated Land Inspection Strategy 2025 to 2030

The format of this strategy is prescribed by government guidance*. However, the achievements of Fife Council **Land & Air Quality Team** are influenced by developments in scientific understanding, environmental regulation and corporate & community ambition. By applying our resources in an effective manner, we now contribute our efforts to a **wider portfolio of projects** than ever before.

New themes include...



These are examples of additional drivers that help *'bring damaged land back into beneficial use'* ... the last seven words being a direct quote from the Scottish Government's Statutory Guidance†.

As our strategy has matured, we no longer need to go looking for problem sites. Using objective prioritisation methods, we believe we have inspected most high- and medium-priority properties. We can now focus our attention on regeneration projects which directly benefit our communities.

Where our risk assessments recommend further investigation, we act by having samples taken and analysed. We **upskilled** to investigate sites ourselves using our award-winning shared-services agreement to access equipment and expertise that lies beyond the scope of most local authorities.

Where we uncover *'harm or ... the possibility of harm'* (another quote), we seek funding from the government or council committee to voluntarily remedy the situation. In Fife – despite tightening finances – we continue to champion the protection of **human health** and **the wider environment**.

We won our second national industry award in 2022 for helping to unlock derelict land, and we featured in the Scottish Government's keynote speech at Brownfield Regeneration Network 2024.



* Scottish Executive, 2001, "Contaminated Land Inspection Strategies: Advice for Scottish Local Authorities"

† Scottish Executive, 2006, "EPA 1990 Part IIA Contaminated Land Statutory Guidance Edition 2 Paper SE/2006/44"

1. About Fife

Occupying a promontory on the East Coast of Scotland, Fife has existed as an historical entity since at least the twelfth century. Now Scotland's third-largest local authority, the region has a legacy of industrial exploitation that requires a proactive team to safeguard public health in perpetuity.

– Geology and hydrology

The geology of Fife might not have changed much since the date of our last strategy, but environmental priorities have. Abandoned coal mines, once considered a liability, now stand to play their part in the energy transition: Fife has two of the largest mine-water district-heating opportunities in Scotland. Understanding the hydrogeology of the coal measures is going to be key to success.

– Population and land use

More than 370,000 people live in Fife, making us Scotland's third most populous local authority. The sites of traditional land-intensive industries continue to be redeveloped for housing, highlighting the importance of the Land & Air Quality Team's advice to both the **planning department** and **building standards**: effective regulation is the best way to counteract future contaminated land.

– Protected areas

Although only considered to be at risk if they actually coincide with potentially contaminated land, Fife's many statutorily protected areas are an important antidote to its industrial heritage. And, ironically, many sites designated with SSSI status are former industrial sites, where a unique set of ground conditions might provide a niche for unusual flora and fauna: nature has a way of winning.

– Industrial heritage

Mapped out at the beginning of the new millennium, Fife's list of potentially contaminated sites has been made public so that environmental consultants can check for themselves which, if any, of the many industries operated within their area of interest. This spatial geodatabase is available on our website, and it also includes sites that were once the subject of a waste management licence.

2. Aims and priorities

Our strategy continues to evolve to meet the demands of environmental sustainability.

– Corporate goals

Fife Council declared a Climate Emergency in September 2019. This team can act to reduce carbon emissions in two ways: by designing sustainability into our own work, and by applying common sense to the regulation of development activities. Both of these actions help to raise awareness of the council's proclaimed goals for • **better health and wellbeing**, and • **cleaner and greener places**.

Alignment with council strategies is important to the team. This includes considering the aims of the Recovery and Renewal update to the [Plan for Fife 2017-2027](#) as well as working to support the goals of Fife Council's [Economic Strategy 2023-2030](#). Working with **Economic Regeneration, Building Services, Facilities Management, Development Management, Property Services** and **Transportation Services** is, of course, something we have been doing routinely for many years.

– Team objectives

Although the inspection of potentially contaminated sites is central to our work, within the overarching structure of the council, the team's function also continues to support the ambitions of our new Place Directorate, with place-based investment to help revitalise and re-purpose Fife's key town and city centres whilst exploring opportunities around energy transition and renewables.

– Inspection priorities

Demands for investigative and remedial work take many guises, so the team has become adept at **understanding the requirements** and **designing the solutions**. A large proportion of investigative work is completed in-house, deferring only to consultants where specialist knowledge is needed. When undertaking large remedial projects, complex interactions between risks and issues must be managed effectively, so we took it upon ourselves to obtain qualifications in project management.

3. Timescales

An informal expectation that local authorities should have inspected all high- and medium-priority sites within 25 years of the act coming into force in 2000 has been met by the team at Fife Council.

Now we can put our experience to positive use on good-news projects, whilst continuing to keep up momentum on our inspection strategy and providing timely advice to the planning department.

The team remains an active partner in the Leven Programme. We contribute to **placemaking** with practical support in the promotion of **new greenspace** and **active travel** in the Levenmouth area.



Our own participation in this programme has led not only to **six-figure inward investment** from the Scottish Government's Vacant & Derelict Land fund, but also to commencement of the team's **twentieth voluntary remedial project** using capital obtained by application to Council Committee.

In this way, Fife's Land & Air Quality Team can demonstrate it is directing its resources towards "*the most pressing and serious problems first*" (which is another quote from statutory guidance).

4. Arrangements and Procedures

The statutory guidance is supported by technical reports, the science behind which is constantly evolving. The most recent significant change was the introduction by DEFRA in June 2019 of the Land Condition Risk Management (**LCRM**) guidance replacing CLR 11. Fife Council is one of a small number providing practical support to the Scottish Government on adoption of this new guidance.

In the implementation of this Inspection Strategy, the following procedures will be followed:

- i. Whilst we do not actively prioritise **council-owned land** over private land, there is a strong case for spending capital money on public spaces, and remedial work can proceed without the need for negotiation with private landowners. This way, the Council will be seen to be keeping its own affairs in order before expecting others to do the same.
- ii. Working in an Environmental Health department, we see the benefit of interventions that protect human health; however, pollution of **the water environment** also has the potential to affect people's wellbeing, as well as that of their livestock and pets. Water environment problems can be expensive to investigate, so a balance is sometimes necessary.
- iii. In fact, contaminated land can affect residents and site users, surface- and ground-water (collectively known as the Water Environment in Scotland), ecological receptors (considered to be statutorily protected areas on-site) and property. These five **statutory receptors** have been at the core of our inspection strategy priorities from the beginning.
- iv. Sources of information on **existing contaminants** include scanned maps from the Landmark Information Group (Ordnance Survey) and town plans from National Library (John Wood and Bartholomew) plus records kept by the former District Councils (waste management licenses) and Trading Standards (derelict underground storage tanks).
- v. Our key **external consultation** sources are Scottish Environment Protection Agency for the water environment, and NatureScot and Historic Environment Scotland in relation to natural and built heritage designations. We routinely consult other external organisations including British Geological Survey, the Coal Authority and the HSE.
- vi. Fife Council's Land & Air Quality Team pursues a policy of seeking voluntary remedial action in preference to formal determination. Identifying the original polluter can be expensive, time consuming and unproductive, and **private homeowners** might not be able to afford the cost of clean-up. We would publish any entries in our official Contaminated Land Register.
- vii. When **managing requests**, we respond to enquiries from three sources:
 - o consultations from the planning department and building standards in relation to new development proposals
 - o enquiries from individuals, consultants or agents acting on their behalf, in relation to properties for sale, and
 - o requests that do not fall into any particular category, but require expert advice from a member of the team.
- viii. Our priorities in relation to **inspection planning** have been described above, but in summary, targets for quantity have largely been replaced with an ambition for quality, delivering lasting interventions on sites that are considered a high priority.
- ix. **Detailed inspections** follow recognised procedures based on established risk management principles, as re-affirmed in the new LCRM guidance. The phased approach begins with a desk study to determine what future actions may be required, such as designing investigative work and recommending suitable remedial action followed by verification reporting.

- x. Our inspection strategy includes **review procedures**, because the regulatory landscape is constantly evolving. A new strategy is published every three to five years, thus ensuring the team's work remains focussed on contemporary priorities.
- xi. Spatial data is the *only* type of **information management** suitable for land-based activities. Our spatial geo-database includes fully interrogatable GIS layers of three types:
 - o information that is freely available in the public domain such as historical maps,
 - o data that are held or stored by the Council under licence such as geology, and
 - o records digitised from former District Council archives including waste management licences and the register of derelict underground storage tanks.
 Proprietary site prioritisation and case management software is used to ensure we deal with land in a '*rational, ordered and efficient manner*' (a final quote from the statutory guidance).

5. Added value

There are many grey areas in the regulation of the land management industry. Where possible, Fife Council's Land & Air Quality Team aspires to promote consistency of regulation across these sectors:



Whilst SEPA is the primary regulator for the radioactive substances register, this team holds waste management records and outlines of former military land to inform our risk assessments. We also host a permanent **environmental radiation monitoring** station.



Radon is considered under a different regulatory regime from landfill or mine gases but many of the principles are the same. Fife Council's Land & Air Quality Team works hard to raise **awareness of radon gas**, believed to be the cause of one-in-ten lung cancers.



We defer to specialist searches where unexploded ordnance might be a risk. However, we do request advice from Fife Council Archaeology Service that helps us to understand the likelihood of **encountering explosive materials** during our own site investigations.



Mine-water is specifically excluded from the regulations, but we have previously had to deal with ochre-related problems in the interest of public safety. Now we're working with colleagues in Climate Change & Zero Waste on the **harnessing of mine-water heat**.



Following an incident in Scotland where people were hospitalised after inhaling mine gas in their homes, we contributed to the Building Standards Division's research into the prevalence of the problem and **how best to prevent recurrence** anywhere in future.



In Scotland we still send over a million tonnes of clean soil to landfill each year. Soil is an irreplaceable resource and an essential component of carbon accounting. When we design our remedial work, we strive to employ **sustainable solutions** wherever possible.

For more information about our contaminated land inspection work, including previous strategies, and for advice on redeveloping land affected by contamination, visit fife.gov.uk/contaminatedland.

Fife Council's Protective Services is now part of the **Place Directorate**.