

Chapter 6. General Liaison and Communication Strategy

The formation of the Contaminated Land Strategy and the effective operation of the inspection of the Island will require effective communication with a number of organisations, landowners, tenants and the public. This chapter outlines how the Council intends to communicate with stakeholders and the public.

6.1 Consultation on the Strategy

A number of statutory bodies were asked for advice during the drafting of this Strategy document. Some provided information and all were invited to comment on the draft strategy. Information they hold and expertise they possess may be sought in order to prioritise the inspection of the Island, and to assist in individual site investigations. The first draft of this strategy was sent to key officers within the Council and comments received and incorporated where appropriate.

Table 10.

Statutory Organisations consulted on the draft Contaminated Land Strategy (and areas on which their advice will be sought later):
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| <ul style="list-style-type: none">• English Heritage (Listed buildings and Ancient Monuments)• English Nature (Designated Ecosystems)• Environment Agency (Water & industrial processes)• DEFRA (formerly MAFF) (Agricultural land)• Food Standards Agency (Land where food is grown)• South East England Development Agency (Funding) |
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The details of a contact within each of the organisations listed above are given in appendix 1.

The final draft of the Contaminated Land Strategy was made available to all Members of the Isle of Wight Council before the strategy was presented to the Executive for formal adoption, in October 2001. The draft strategy was also posted on the Council's website for any interested parties to comment on. Copies were also made available at Council Offices and Libraries on the Island. The participation of the public and other interested parties was encouraged by articles in the local press and their comments were taken into account when modifying the draft strategy.

The final Strategy document has been made available for viewing at County Hall, Libraries and on the Council's website. Copies are available to take away on request from County Hall and will also be sent on request.

6.2 Consultation with the public regarding a contaminated site

The landowners, tenants and appropriate person(s) directly affected by contaminated sites will be contacted in accordance with the procedure outlined in Section 5.4 for sites that are investigated under Part IIA. This section deals with how the Council will communicate with the public when a site is investigated and determined as being contaminated land.

If a major site investigation is to be undertaken the local Councillors will be informed by letter. Residents in adjacent properties will be informed by newsletter. The Council hopes that this early communication will aid trust and demonstrate openness.

If a major remediation project is to be undertaken as a result of Part IIA regulatory activity, all the directly involved stakeholders will already have been contacted. In addition to these people, local residents, local Councillors and the Executive Spokesperson for Public, Environment Protection and Waste will also be consulted. It is hoped the consultation will allay concerns. Whilst this must be done with sensitivity to avoid alarm, consultation will be undertaken with the following principles in mind:

- The need for two-way communication
- Transparency to create trust in the regulatory role
- Openness to enhance the legitimacy of the overall process to the stakeholder
- The consultation process must not delay urgent remedial works

The consultation process is likely to take the form of a public notice in the Isle of Wight County Press. Local Councillors will also be notified in every case by letter. Where it is thought necessary, these measures will be supplemented by public notices on lamp posts and the distribution of a newsletter to occupied buildings in the immediate vicinity of the site. The newsletter will explain the regulatory context in which the work is being undertaken, the significant pollutant linkage which has caused the Council to declare the site “contaminated land”, and describe the remedial works which are proposed. The residents can comment on the proposed remediation to officers and/or a Councillor. It is hoped that by keeping residents informed of what is going on, they will benefit from increased confidence in what the Council is doing, which is likely to be in the best interests of the community’s health. Suggestions made by residents to minimise any inconvenience to residents whilst the remediation is carried out, will be considered.

6.3 Liaison with Statutory Bodies

The Environment Agency must compile an annual report on the quantity and type of contaminated land in England and Wales. It must also report on various aspects of the details of these sites and the level of regulatory activity regarding contaminated land by itself and Local Authorities. In order that the Isle of Wight Council provides the EA with this information in an efficient manner, the EA has compiled three standard forms to be completed by the

Council. The first must be completed when the Council declares a site as being contaminated land; the second must be completed when remediation is undertaken, and the third is an annual summary of regulatory activity by the Council.

Other than liaison with the EA concerning the completion of their annual report, the Agency's expertise will be sought before declaring any of the following sites as being contaminated land:

- Any site which has:
 - Waste acid tar lagoons
 - Oil refining
 - Explosives
 - Nuclear processes
 - Waste management licence
 - Integrated Pollution Control (Part 1) licence
- Certain sites that would be determined as being contaminated land on the basis of pollution of controlled waters (see appendix 3 for the full definition).
- Any site which belongs to the MoD

The Environment Agency becomes the regulatory authority for any of the above sites that the Council determines as being contaminated land. Such sites are known as "special sites". The first of the forms mentioned above also asks the Council whether it considers a site to be a "special site". The Council will consult with the EA at an early stage regarding who should undertake the investigation of a site that is likely to be special site. If the Council considers a site to be a special site, but the EA disagrees, the EA has 21 days to appeal against the decision to the Secretary of State.

Similarly, the appropriate statutory/ interested body (see table 10. in section 6.1) will be asked for their advice as to the seriousness of the risk posed, or for further information regarding the nature of the receptor concerned. Regard will be had to their advice. This will be done at the desk-top study stage of the investigation into specific sites. A representative of an appropriate statutory body will be invited to a site visit, if it is felt by either party to be of benefit. Before any intrusive investigation or remediation is carried out, the Archaeology Centre will be contacted to establish whether there are any archeological remains of interest to them on the site, which may be harmed by the remediation proposed. This should ensure a sustainable remediation plan is agreed with the appropriate person(s). An Archaeological Assessment may be necessary prior to any remedial works.

6.4 Risk Communication

The basis on which land is declared contaminated is that it poses a risk of harm to humans, designated ecological systems, property or controlled waters. Risk assessment is not easily explained to the non-specialist. It is therefore important to handle risk communication with care. Clarity and transparency are important. If the risks are fully explained at an early stage, and queries are taken seriously and answered to the public's satisfaction,

concern will be avoided. In answering queries about contaminated land, it is important to understand the individual's perspective.

Some members of the public may be disappointed and frustrated by the limitations of the new Contaminated Land Regulations. The powers given to Local Authorities under the Contaminated Land Regime may not enable the clean up of sites, which may be known amongst local people to be contaminated. This is because a pollutant linkage is necessary to meet the statutory definition. This might prove difficult for some people to accept, especially those asked to pay for remediation on less well-known sites. Landowners asked to undertake costly remediation because the polluter cannot be determined are also likely to feel aggrieved.

For major remediation projects, local residents will be informed in advance of the commencement of the project, as mentioned above. It is hoped that this will give them greater confidence in the risk assessment and remediation strategy. Not only is this for the benefit of the local community, but it may provide us with information about the site that could only be gained by people who have lived there for many years. It is important that concerns are listened to and reacted to. The Council intends the communication to be two-way.