

Chapter 7. Review Mechanisms

This section explains the various mechanisms that will be used to review the strategy and the targets for inspection which are set out in the strategy. As the contaminated land regime introduces a wide range of new duties for Local Authorities, a series of reviews are scheduled. These are to be supplemented by opportunities to revise the strategy as and when experience indicates it would be beneficial. Triggers for other reviews are also included here.

7.1 Reviewing the Strategy and Targets

The Strategy for inspecting and remediating contaminated land on the Isle of Wight will be kept under constant informal review. This is the first time that Local Authorities have had powers to ensure the clean up of Contaminated Land. This will inevitably lead to the modification of the strategy with the benefit of experience and new “good practice” that may also be developed or adopted from elsewhere.

The Environmental Health Department undertake annual reviews of progress towards meeting targets. This strategy, and progress towards meeting targets, will be formally reviewed 12 months after the Strategy is published i.e. November 2002. If this review results in significant changes to the strategy, further annual reviews may be necessary. The results of the review will be reported to the Director of Environment Services, the Executive Spokesperson for Public, Environment Protection and Waste and the Chairman of the Fire and Public Safety Select Committee.

The investigation/remediation targets contained in this strategy will be reviewed annually in line with the existing performance review mechanisms. The Council’s approach to the contaminated land regime will also be subject to a Best Value review in 2001 and every five years thereafter.

7.2 Triggers for undertaking inspection

Occasions will arise which will cause the Council to undertake inspections outside the normal timetabled framework (see table 11). Whilst it is important to react to the changing environment and state of knowledge in this way, it is hoped that such unplanned inspections will not unduly interfere with targets laid down for the general inspection of the Island. Scope for unplanned inspections should be built in to targets now and in future reviews of the strategy.

Table 11.

Triggers for undertaking unplanned inspections will include (but not be limited to):

- Unplanned events such as spillages, flooding, fires etc.
- Introduction of new pathways or receptors as a result of development or changing environmental conditions
- Support for voluntary remediation by developers or landowners in advance of inspection
- Identification of local health effects which may be caused by contaminated land
- Responding to information from statutory bodies, owners, occupiers, etc.
- To allay public concern
- In response to changes in land-use of surrounding land

7.3 Triggers for reviewing inspection decisions/ the strategy

In certain circumstances, decisions as to whether a site is determined as contaminated land will need to be reviewed. The risk assessment basis on which contaminated land is defined means that a site may be declared safe and not contaminated under one use, but becomes statutory contaminated land under another. The untested nature of the legislation means that decisions made regarding individual sites may need to be re-evaluated. Change may also lead to a review of the strategy.

Table 12.

Triggers for reviewing inspection decisions/ the strategy:

- Changed site conditions
- Significant changes in legislation
- Establishment of significant legal precedent
- Revision of guidance values for maximum concentrations of contaminants

It is also the case that the legislation requires local authorities to inspect their area “from time-to-time”. It is proposed that rather than re-inspect the whole Island after a fixed period, the sites that pose the greatest risk should be kept under review. Any changes of information or conditions as outlined above would lead to the re-inspection of a particular site. This should ensure that the risk of harm being caused by contaminated land on the Island is minimised. There are no plans at present to undertake a second inspection of the whole Island.

7.4 Quality Assurance

The Environmental Protection Section of the Environmental Health Department strives to provide a consistent quality service. In order to achieve this, detailed work instructions will be developed to deal with:

- Contaminated Land Inquiries and complaints
- Planning application consultations
- Communicating risks to residents and interested persons

All reactive work and site investigation work will be recorded in the Environmental Health Department's new database. Time monitoring will be set-up on this system to allow for accurate reporting on how officers' time is divided between general inspections, unplanned inspections, contaminated land enquiries and planning application consultations. It is hoped that this information will allow for more realistic reviews of targets and performance monitoring. Performance will be reviewed regularly to ensure written procedures are being followed. This is an adequate means of establishing that the strategy is being implemented as intended.

Wherever possible, the Council will use Q.A. accredited laboratories and will compile lists of environmental consultants and ground investigation companies which have the levels of expertise and experience to assure the quality of any sample analysis, ground investigations and remediation designs which the Council will purchase/tender.

The reliability of any data sources used to designate a site will be documented and reviewed before making a designation. The GIS datasets will all have "Metadata" (data about data) recorded which describes the source of information, the scale at which it was originally recorded, the age of the information and the level or error.

