

NOTE FOR THE RECORD

CLLR G ARCHIBALD'S RESPONSE TO THE PUBLIC PARTICIPATION ITEM ON NEW ROAD AT COUNCIL ON 05/03/1018 (MINUTE 1008/17/18)

At the March Council a member of the public gave a Public Participation presentation on New Road. Cllr Archibald asked to correct some inaccuracies he felt had been given by the member of the public but this was denied as it was not an item on the agenda.

Subsequently Cllr Archibald compiled an email with the information, which was copied to all Cllrs by the Treasurer as requested by Cllr Archibald.

At April Council, Cllr Archibald requested that this information be appended to the Minutes of the March Council meeting. Council felt this was not appropriate but agreed to a separate Note for the Record being produced and copied to Cllrs and put on the website.

The information sent by Cllr Archibald was as follows:

Works being undertaken under the 'interim' scheme at New Road, and how the contaminants be dealt with.

The interim works that commenced on 26 February 2018 involve removing the surface and sub base to a depth of 390mm from the proposed finished ground level.

When considering works to the land it is necessary to test for the presence of contaminants. The phase I and phase II geo-environmental site investigation report highlighted the presence of contaminants in the ground beneath the surface.

The Council is undertaking an interim scheme which will lay out paths and create grassed areas so that the common can be more safely accessed for its currently designated use for air and recreation, pending the outcome of a consultation to determine its eventual long-term use.

Whether the eventual long-term use of the land is as a green space or includes a car park (the latter requiring a de-registration of the Common Land), the existing surface and sub-base materials would need to be addressed.

For example, the sub-base for a car park would require excavation and formation of 300mm sub base and 90mm combined tarmac base and wearing course.

In other words, whichever scenario emerges as the preferred option following consultation – green space or car parking - the land and its contaminants would need addressing.

The contractors working on the site started by removing only the tarmac surface.

The planing machine was programmed to a specified depth to ensure that it removed only the tarmac and not the ground beneath.

As set out in the council's contamination report, the only concern in relation to the tarmac was whether or not there was any presence of tar within it.

This was tested on site and produced a negative result. Consequently, the tarmac could be removed as inert waste.

The contaminants in the sub base below the 390mm excavation will be capped by the import of clean material. This capping will remove any risk of linkage between the identified contaminant (as per the site investigation report), a pathway (risk of ingestion/direct contact) and receptor (human health). This is in accordance with the Contaminated Land Strategy.

The council is not undertaking testing on any other of its open air car parks as the risk comes from excavating ground which has known contaminants.

The council's Contaminated Land Strategy identifies that it is the responsibility of the landowner or the body undertaking works that the land is suitable for its use.

The council, as landowner, is aware of contaminants in the ground beneath the land. By undertaking the work the council is meeting its landowning responsibility by removing the risk of contaminants finding a pathway to a receptor. In its regulatory role, the council has not determined the land as contaminated land.

The council has secured the necessary permits from the Environment Agency, which includes consultation with Natural England, for carrying out the works and in proximity to the River Kent.

Details of the contamination tests on the common land and if any contamination was found.

An intrusive site investigation comprising of four cable percussive boreholes was undertaken to assess both the presence of any potential contaminants within the underlying soil and groundwater and to assess the geotechnical properties of the shallow superficial deposits.

The assessment for the protection of human health indicates localised impact with inorganic and organic determinands that could pose a risk through dermal contact and ingestion to future end users and grounds maintenance workers. Whilst this impact might suggest the requirement for further assessment and/ or remediation, given the physical unsuitability of the made ground as a growing medium, it is likely that a cover system will be required across the entire site in any event. None of the impact identified is considered to be significantly mobile within the environment and is not considered to be a significant risk to controlled waters.

Prior to works starting on site, a further detailed site investigation report will be commissioned to ensure that workers and end-users are protected during and following completion of the works and to ensure that the Environment Agency is satisfied as part of the permit to work approval system.

12/04/2018.