

**Somerset West
and Taunton**

**Environmental Protection Act 1990:
Part IIA**

Contaminated Land Register

Somerset West and Taunton Council

Environmental Protection Act 1990: Part IIA Somerset West and Taunton Council Contaminated Land Register

The new regimes for the identification and remediation of contaminated land is laid out in Part IIA of the Environmental Protection Act 1990. Part IIA was inserted by the Environment Act 1995.

The primary regulatory role for the new regime rests with local authorities such as Somerset West and Taunton Council. As an enforcing authority the Council is required to inspect its area and determine whether any land is "contaminated land" as defined in the legislation. Local authorities have been given powers to ensure the remediation of any sites determined to be contaminated land.

The Council has a duty under section 78R(1) to maintain a Register which will include details of remediation notices served and other documents in relation to each area of contaminated land for which the authority is responsible.

The particular details to be included in the register are prescribed in regulation 15 of, and Schedule 3 to, the Contaminated Land (England) Regulation 2000. This will detail the location and extent of contaminated land in the Borough and can include:

- \$ remediation notices and appeals against such notices;
- \$ remediation statements and declarations;
- \$ appeals against charging notices;
- \$ notices relating to the designation of land as a special site;
- \$ guidance issued by the Environment Agency;
- \$ information where a site is formally identified as contaminated land but is dealt with under other legislation;
- \$ site details, and
- \$ details from the Environment Agency regarding the regulation of Special Sites.

The Council is under a duty to keep its Register available for free inspection by the public at all reasonable times (section 78R(8)(a)). In addition, it will be under a duty to provide facilities for members of the public to obtain copies of register entries, for which it can make a reasonable charge (section 78R(8)(b)).

Before including any information on its register the enforcing authority needs to consider whether the information should be excluded on the basis that:

- \$ its inclusion would be against the interest of national security; or
- \$ the information is commercially confidential.

For full details of the information required to be kept in the register, and the grounds for exclusion, the relevant legislation and guidance should be consulted.

**This Register contains the required details of action taken under Part IIA of the
Environmental Protection Act 1990 in relation to contaminated land.**

Index of sites that are included in the Register

Site Ref. No.	Address	Grid Reference	Date of first entry

Information contained in the Register

Remediation Notices

Site Ref. No.	Date	Address

Appeals against remediation notices

Site Ref. No.	Date	Address

Remediation declarations

Site Ref. No.	Date	Address

Remediation statements

Site Ref. No.	Date	Address

Appeals against charging notices

Site Ref. No.	Date	Address

Designation of special sites

Site Ref. No.	Date	Address

Notification of claimed remediation

Site Ref. No.	Date	Address

Convictions for offences under section 78M

Site Ref. No.	Date	Address

Guidance issued under section 78V(1)

Date	Issued by	Title

Other environmental controls

Site Ref. No.	Date	Address