

29th April 2010.

CYNGOR SIR POWYS COUNTY COUNCIL.

REPORT FOR BOARD PORTFOLIO HOLDER APPROVAL

Report to County Councillor Stephen Hayes, Portfolio Holder for Corporate Governance and Corporate Property.

REPORT AUTHOR: Acting Asset Manager, Local and Environmental Services

SUBJECT: Y Fan, Llanidloes – Fee proposal by Capita Symonds for a Phase IIA Contaminated Land Risk Assessment

REPORT FOR: Decision

1.0 Summary

The former Lead mines at Y Fan Llanidloes were reclaimed by the Council in the 1990's. Following departmental re-organisations over the years there has been no service area prepared to take on the active management of the site in recent years.

The Asset Management team in Local & Environmental Services has taken on temporary stewardship of the site with a view to developing a long term management plan for the site and securing a budget to implement a management plan and then to transfer the management to an appropriate service, or partner organisation.

The introduction by asset management of regular testing of the water discharges from the site into Afon Cerist have revealed high concentrations of metal contaminants into the river from the site. These concentrations exceed the Environment Agency guidelines.

If the end use of the site is to be as a local nature reserve and informal public access with historical interpretation of the history of the site, we have been advised that the risks to human health from material on the site (which is capped by a membrane and a minimum of 0.5 metre soil cover) needs to be assessed.

2.0 Proposal

Capita Symonds carried out Phase I Contaminated Land Risk Assessment in late 2009. This was a desk top study and the next stage, Phase II, would be a comprehensive and intrusive site investigation to assess the risk to humans and investigate the water quality problems.

Following consultation with the Council's Contaminated Land Officer, the Environment Agency and the original Consultants for the 1990's reclamation work (RML), concern was expressed that the original proposal by Capita Symonds for a Phase II investigation would be too damaging to the membrane encapsulating the lead mine waste on the site.

It was agreed by the parties that the Phase II investigation should be carried out in separate, distinct phases, with Phase IIA being a less intrusive investigation and its findings would guide the need for further investigations, which might need to be more intrusive, to complete the risk assessment.

Capita Symonds has now submitted a Fee proposal for the Phase IIA investigation in the sum of £29,112.88 plus VAT, but inclusive of the estimated cost of external ground investigation contractors fees.

The Phase IIA investigation will include:

Investigating the integrity of the membrane covering the site by hand dug pits,
A topographical survey of the site to include Afon Cerist ,
Collection and analysis of soil samples and controlled water samples,
Monitor ground water levels and flow measurements around and in Afon Cerist (on the advice of the Environment Agency to assess the contaminant mass flux load on Afon Cerist)
Investigate and clarify the drainage system on the site and to try to identify the potential source of the high sample readings for metal contaminants.

These investigations and samples will reported in an Interpretative Site Investigation Report.

3.0 Corporate Improvement Plan and Risk to the Council

As part of the Phase I assessment a comprehensive Ecological survey of the site has been undertaken which has identified it as an important habitat for certain species of flora and fauna. Further investigation and risk assessment should assist the enhancement of the natural environment to the site and establish a beneficial future use for it in terms of safe public access.

The risks to the Council are the high levels of contaminants entering Afon Cerist and the risk to the water life in the river, and the possible high cost of any remedial works needed to remove, or reduce the level of contamination. The engagement with the Environment Agency in the risk assessment process and ongoing investigation works is proving to be helpful and beneficial in managing the potential risks.

4.0 Options Considered / Available

There is no alternative but to investigate the potential for the site to continue to contaminate the river and pose a risk to human health. Do nothing, or maintain the status quo, is not an option.

5.0 Preferred Choice and Reasons

The preferred choice is to authorise Capita Symonds to proceed with the Phase IIA Risk Assessment site investigations on the basis of the fee proposal they have submitted. The reasons for this choice are:

- (a) There is no alternative but to continue to investigate the risk that this site might pose in the future.
- (b) Capita Symonds are the Council's Framework contractor/consultants for such investigations.

(c) The phased investigation of the site is favoured by the Environment Agency and Contaminated Land Officer.

(d) The investigation of the site and any future remedial works recommended is an approved capital project with an allocated budget.

6.0 Sustainability and Environmental Issues / Equalities / Crime and Disorder / Other Policies

None.

7.0 Comments of Local Member

The Local Member has not been consulted to date on the site investigations.

8.0 Other Consultations Undertaken

Environment Agency and Council's Contaminated Land Officer as detailed above

8.2 Chief Financial Officer

The Chief Finance Officer has not been consulted on this proposal, because a budget has already been approved.

Recommendation:	Reason for Recommendation:
1. To accept the Capita Symonds fee proposal for a Phase IIA Contaminated Land Risk Assessment site investigations at Y Fan in the sum of £29,112.88 and to proceed with the investigation works specified.	To address the issues highlighted in this report and to assess the risks to the Council on this site.

Relevant Policy :	None		
Within Policy:	Yes	Within Budget:	N/A

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Nigel Baldwin, Acting Asset Manager
Date By When Decision To Be Implemented:	May 2010

Contact Officer Name:	Tel:	Fax:	Email:
Nigel Baldwin	0870 1923874	01938 551233	nigel.baldwin@powys.gov.uk

Background Papers used to prepare Report:

- 1. Fee Proposal from Capita Symonds and previous correspondence with them.**

The Recommendation is approved.

Signed

**Councillor Stephen Hayes, Portfolio Holder for Corporate
Governance and Corporate Property**

Dated

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