

**ITEM No ...3.....**

**REPORT TO: COMMUNITY SAFETY & PUBLIC PROTECTION COMMITTEE – 24 APRIL 2023**  
**REPORT ON: CONTAMINATED LAND STRATEGY - SITE INVESTIGATION CONTRACTS**  
**REPORT BY: EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES**  
**REPORT NO: 107-2023**

**1.0 PURPOSE OF REPORT**

1.1 To seek Committee's approval of the proposed on-going site investigation work associated with the council's statutory contaminated land responsibilities and also update Committee on the projects undertaken in 2022/23.

**2.0 RECOMMENDATIONS**

2.1 It is recommended that Committee notes the contents of this report in respect of the site investigations undertaken during 2022/23, and authorises the Head of Design and Property to instruct the required site investigation and remedial works up to the value of £70,000 in financial year 2023/24, as outlined in section 4.3 of this report.

**3.0 FINANCIAL IMPLICATIONS**

3.1 The Executive Director of Corporate Services advises that the above expenditure can be met in 2023/24 from allowances for Contaminated Land within the Design a Modern Council section of the Capital Plan 2023-28.

**4.0 MAIN TEXT**

4.1 The Environmental Protection Act 1990 places a statutory duty upon local authorities to inspect land within its area for the purposes of identifying and remediating contaminated land. Dundee City Council carries out this work under the terms of its agreed Contaminated Land Strategy.

4.2 Since the adoption of the above strategy, substantial progress has been made with the prioritisation of sites for inspection, the preparation of Phase 1 (desk-based) study reports and Phase 2 (physical or intrusive) site investigations. The table contained in Appendix 1 of this report details the projects that were undertaken in 2022/23. In 2023/24, it is proposed to continue with the strategy of focusing investigations on sites that have the most potential to have contamination, such as former industrial sites, sites that have held petroleum licences and infilled land, with consideration given to the sensitivity of the current use, such as residential or food growing, and sites identified by SEPA and the Scottish Land Commission as causing concern due to the impact on local communities due to being persistently derelict.

4.3 In line with the Council's procurement procedures, site investigation works will be procured by mini competition on Public Contract Scotland and tender returns will be assessed on a 80% cost and 20% quality weighting from the selected contractors in keeping with advice from Scotland Excel. Where specialist consultancy services are required, this will be procured via Public Contract Scotland, assessed on a mixture of cost and quality weighting as is appropriate to the nature of the work. Subject to the recommendation at 2.1 being approved by Committee, the total value of all works packages will be managed by the Design and Property division and contained within the £70,000 sum. No further Committee approval would be required for each of the individual works packages. The new Framework is currently being established with support from Scotland Excel, and is expected to be ready in June or July 2023.

- 4.4 It is proposed that Neighbourhood Services continue to identify appropriate sites for investigation or remediation as indicated in section 4.2. The Service will continue to work with the Head of Design and Property to prepare tenders for each work package and to ensure adherence to the requirements of the Construction (Design and Management) Regulations 2015. This will avoid delays in carrying out these works and will ensure best value is achieved from the available budget. An allowance of £8,000 has been made for professional fees associated with the above, giving a total estimated expenditure, including professional fees, of £70,000.

## **5.0 POLICY IMPLICATIONS**

- 5.1 This report has been subject to an Integrated Impact Assessment to identify impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. No impacts on these issues, positive or negative, were identified. An appropriate senior manager has checked and agreed with this assessment. A copy of the Integrated Impact Assessment is included as an Appendix to this report.

## **6.0 CONSULTATIONS**

- 6.1 The Council Leadership Team were consulted in the preparation of this report and agree with its contents.

## **7.0 BACKGROUND PAPERS**

- 7.1 None.

Elaine Zwirlein  
**Executive Director of Neighbourhood Services**

Tom Stirling  
**Head of Community Safety and Protection**

28 March 2023

## Appendix 1-Site Investigations in 2022/23

Site investigation work was restricted due to the unavailability of a working Framework and procurement considerations.

Location	Type of Site Investigations	Status
	<b>Completed Projects</b>	
Clepington Road depot	Assessment of soils across the site due to previous use as railway goods yard, with focus on soils and ground water in the vicinity of contemporary underground fuel tanks and waste oil tank. Verification of removal of three tanks and associated soils which had been impacted by fuel leaks. Further assessment of historical oily contamination was required.	Expected to be complete. Full information should be received by date of committee report.  Further consideration of remaining fuel infrastructure will be required as part of any redevelopment works.
	<b>Works On-going</b>	
Former Gallowhill, Craigie and Baxter Quarries – Area A3 & A4	Review of data, possibly some further sampling required.	Ongoing
Kilspindie Road, Dunsinane Industrial Estate	Monitored natural attenuation of groundwater following primary contamination removal of source of chlorinated solvents.	On-going monitoring programme in place as agreed with SEPA to demonstrate success of remediation and downward trend. New approach to groundwater risk assessment is pending publication by the Scottish Government. Our approach will be reviewed once published.
Marchbanks council depot	Use of oil absorbent socks to remove diesel oil from existing monitoring wells	Ongoing
Mid-Craigie Trading Estate	Further soil and groundwater sampling to establish probable source of diesel and extent of pollution, to proceed on publication of the new Framework.	Ongoing

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# Integrated Impact Assessment

Committee Report Number: 107-2023

Document Title: CONTAMINATED LAND STRATEGY - SITE INVESTIGATION CONTRACTS

Document Type: Other

Description:

Report seeking approval for proposed on-going site investigation work associated with the council's statutory contaminated land responsibilities and also update Committee on the projects undertaken in 2022/23.

Intended Outcome:

That Committee notes the contents of the report in respect of the site investigations undertaken during 2022/23, and authorises the Head of Design and Property to instruct the required site investigation and remedial works up to the value of £70,000 in financial year 2023/24.

Period Covered: 24/04/2023 to 31/03/2024

Monitoring:

Review meetings with Design and Property.

Lead Author:

Jamie Landwehr, Environment / Public Health Manager, Neighbourhood Services

[jamie.landwehr@dundee.gov.uk](mailto:jamie.landwehr@dundee.gov.uk) , 01382 436280,

5 City Square

Director Responsible:

Elaine Zwirlein, Executive Director Neighbourhood Services, Neighbourhood Services

[elaine.zwirlein@dundee.gov.uk](mailto:elaine.zwirlein@dundee.gov.uk), 01382 434538

5 City Square, Dundee DD1 3BA

## **Equality, Diversity and Human Rights**

### **Impacts & Implications**

Age: No Impact

Disability: No Impact

Gender Reassignment: No Impact

Marriage & Civil Partnership: No Impact

Pregnancy & Maternity: No Impact

Race / Ethnicity: No Impact

Religion or Belief: No Impact

Sex: No Impact

Sexual Orientation: No Impact

Are any Human Rights not covered by the Equalities questions above impacted by this report?

No

## **Fairness & Poverty**

### **Geographic Impacts & Implications**

Strathmartine: No Impact

Lochee: No Impact

Coldside: No Impact

Maryfield: No Impact

North East: No Impact

East End: No Impact

The Ferry: No Impact

West End: No Impact

### **Household Group Impacts and Implications**

Looked After Children & Care Leavers: No Impact

Carers: No Impact

Lone Parent Families: No Impact

## **Household Group Impacts and Implications**

Single Female Households with Children: No Impact

Greater number of children and/or young children: No Impact

Pensioners - single / couple: No Impact

Unskilled workers or unemployed: No Impact

Serious & enduring mental health problems: No Impact

Homeless: No Impact

Drug and/or alcohol problems: No Impact

Offenders & Ex-offenders: No Impact

## **Socio Economic Disadvantage Impacts & Implications**

Employment Status: No Impact

Education & Skills: No Impact

Income: No Impact

Caring Responsibilities (including Childcare): No Impact

Affordability and accessibility of services: No Impact

Fuel Poverty: No Impact

Cost of Living / Poverty Premium: No Impact

Connectivity / Internet Access: No Impact

Income / Benefit Advice / Income Maximisation No Impact

Employment Opportunities: No Impact

Education: No Impact

Health: No Impact

Life Expectancy: No Impact

Mental Health: No Impact

Overweight / Obesity: No Impact

Child Health: No Impact

Neighbourhood Satisfaction: No Impact

Transport: No Impact

## **Environment**

### **Climate Change Impacts**

Mitigating Greenhouse Gases: No Impact

Adapting to the effects of climate change: No Impact

### **Resource Use Impacts**

Energy efficiency & consumption: No Impact

Prevention, reduction, re-use, recovery or recycling of waste: No Impact

Sustainable Procurement: No Impact

### **Transport Impacts**

Accessible transport provision: No Impact

Sustainable modes of transport: No Impact

### **Natural Environment Impacts**

Air, land & water quality: No Impact

Biodiversity: No Impact

Open & green spaces: No Impact

### **Built Environment Impacts**

Built Heritage: No Impact

Housing: No Impact

Is the proposal subject to a Strategic Environmental Assessment (SEA)?

No further action is required as it does not qualify as a Plan, Programme or Strategy as defined by the Environment Assessment (Scotland) Act 2005.



## **Corporate Risk**

### **Corporate Risk Impacts**

Political Reputational Risk: No Impact

Economic/Financial Sustainability / Security & Equipment: No Impact

Social Impact / Safety of Staff & Clients: No Impact

Technological / Business or Service Interruption: No Impact

Environmental: No Impact

Legal / Statutory Obligations: No Impact

Organisational / Staffing & Competence: No Impact

Corporate Risk Implications & Mitigation:

The risk implications associated with the subject matter of this report are "business as normal" risks and any increase to the level of risk to the Council is minimal. This is due either to the risk being inherently low or as a result of the risk being transferred in full or in part to another party on a fair and equitable basis. The subject matter is routine and has happened many times before without significant impact.