

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 6 JANUARY 2015

Title:

**CONTAMINATED LAND: POTENTIAL OPTIONS FOR FORMER LANDFILL SITE,
WEYDON LANE**

**[Portfolio Holder: Cllr Donal O'Neill]
[Wards Affected: Farnham Firgrove]**

Summary and purpose:

The Council has been exploring the scope and viability for undertaking works on the former Landfill site on Weydon Lane, Farnham to enable the site to be made available, for example, for formal recreational use. The report provides up-to-date information from specialist land management consultants, Card Geotechnics Ltd (CGL) on a number of options available for the site.

The aim of CGL's studies was twofold; firstly to better understand the current condition, and ongoing maintenance requirements of the site; and secondly to assess the site and to explore if there is an affordable approach to bring this major area of land into full use for the benefit of the local community.

Corporate Overview & Scrutiny Committee considered the report at its meeting on 25 November and its observations to the Executive are set out below.

How this report relates to the Council's Corporate Priorities:

This report relates to the Council's **Environment** priority; monitoring contaminated land is an important duty that the Council performs.

It also relates to the Council's **Leisure & Lives** priority, and the aim to "encourage residents to use the Borough's open spaces and countryside as an important recreational resource, and to work with local residents and park users to develop appropriate management plans".

Financial Implications:

The report requires a number of short-term actions; costs are included in the report. A wide range of future costs will result, depending on the decision on future use of the site. The short-term measures identified should be undertaken in 2015-16, and- pending a decision to proceed on this basis- appropriate bids will need to be made through the forthcoming budget-setting process.

The costs for the larger scale options are very significant, and the Council does not currently have a budget for these works. Whilst an initial assessment of potential external sources of funding has been undertaken (including Defra), no funding has yet been identified. Therefore in the absence of external funding, most of the options (beyond short-term remedial works) are currently unaffordable.

Legal Implications:

Waverley Borough Council owns the Weydon Lane Former Landfill Site and has a duty of care to users of the land.

The land was conveyed to Farnham Urban District Council in 1972. The terms of the conveyance deed included that the land should not be used for any purpose "*other than that of a recreation ground or public open space...*"

Introduction

1. The Weydon Lane Former Landfill Site is located to the south of the centre of Farnham and amounts to some 10 acres. The site is a former sand and gravel extraction site which was subsequently used for landfill before being conveyed to Farnham Urban District Council in 1972.
2. As a former landfill site, Weydon Lane is still actively gassing, and as a result, it continues to be monitored on a regular basis by the Council's Environmental Health (Environmental Protection) Team in order to better understand the gassing regime, and the condition of the clay cap- and to ensure the safety of site users and neighbours.
3. Since the 1980's, the site has been used informally for dog walking- and over recent years, Waverley has received a number requests from members of the public to explore options for the future use of the site, with a particular focus on creating a more formal open space and/ or sports ground on the site.
4. In order to better understand the ongoing maintenance requirements, and the implications of formalising use going forward, the site was subject to an assessment report in May 2012. Further studies have subsequently been carried out, and these have culminated in the production of three reports now appended to this report, as follows:
 - a. Options Feasibility Report- September 2014 (Annexe 1)
 - b. Management Plan Report- August 2014 (Annexe 2)
 - c. Abnormal costs report- September 2014 (Annexe 3)
5. The need to ensure that the risks identified in the May 2012 report are dealt with is confirmed by these latest studies.
6. There are a number of options available for the future use of the site and these were included in the scoping discussions of the report commissioned by the Council this year. The options are:
 - a. to do nothing
 - b. to reinstate the boundary fencing and prohibit public access
 - c. to formalise the current use of the former landfill site (maintain as 'scrub land for use as a dog walking area and an informal open space)
 - d. to create a formal park environment

- e. to develop the site as a sports facility, for example a sports pitch or sports pitch and pavilion including some formal park facilities

7. The reports provided by CGL look at the following:

- a. Is the site properly managed in respect of its current use (informal open space)?
- b. Will changes in the use of the site affect the risk-management plan?
- c. Are there maintenance or other requirements for the site in the short-, medium-and long-term regardless of development or changes of use?
- d. What would need to be done (and at what cost) to accommodate:
 - Use as formal public open space;
 - Use as a sports ground; and
 - Use as a sports ground with a pavilion

Short Term Management Plan

8. In summary, it concluded that in the short-term:

- a) The gas generating (methane and CO₂) characteristics of the site remain as determined by previous monitoring and therefore that gas monitoring should continue. This would include limited vegetation clearance to locate overgrown monitoring wells. These actions ensure the venting trench is regularly assessed and that any future risk to nearby homes is appropriately managed.
- b) The current capping layer of clay material is of varying depths, is undulating due to differential settlement (leading to ineffective drainage) and is cracking. The clay cap should be monitored and if necessary, augmented.
- c) The ventilation trench itself is now overgrown, but vegetation may not be affecting its performance. Ecological issues need to be determined but the trench should be managed in its current state unless monitoring shows it is being impeded.
- d) Groundwater monitoring is recommended, particularly if the clay cap is not augmented and surface water ponding gives rise to leachate generation within the landfill and the potential to affect controlled waters.

Options for future use of the site

- 9. As previously stated, the study commissioned by the Council also considered the feasibility of a range of future land use options for the site, from 'do nothing' to the creation of a sports ground with accompanying pavilion (as detailed in paragraph 6, above).
- 10. The report shows that with an unlimited budget, all options are possible. The report also identifies four sub-options for the creation of a sports pitch, attempting to balance initial capital costs against ongoing maintenance requirements.
- 11. Given the age of the landfill and the levels of historical maintenance, there is a need (whichever long-term option is decided upon) to undertake some works, as listed in Paragraph 8 above, during 2015-16, if the site is to be kept available to allow for continued use as informal public open space in the short term. Tasks falling to the Council would be:

- (i) Vegetation clearance to locate missing boreholes
- (ii) Mitigation measures identified by 12(i)-(v) below
- (iii) Capping inspection visits and, where necessary, clay cap augmentation

12. The items below would need to be carried out by specialist contractors, as good practice, in order to better understand the condition of the site:

- (i) six rounds of gas & groundwater monitoring over a 3 month period
- (ii) two rounds of groundwater sampling
- (iii) surface emission monitoring
- (iv) lead hotspot delineation and assessment
- (v) DSEAR (Dangerous Substances and Explosive Atmospheres Regulations 2002) assessment

13. The CGL report sets out estimated costs for abnormal groundworks, and provides their own fee proposals for carrying out the short-term works and the additional geotechnical and geoenvironmental consultancy services needed in the medium- to long-term.

14. Although the development considerations have been looked at in terms of abnormal ground-related requirements, i.e. the extra construction works required due to the nature of the former landfill use, actual development plans have not been confirmed and therefore it is not possible to provide full costs. However, in headline terms, the potential costs (and risk implications) of the available options are set out in the following overleaf.

	Option	Indicative up-front costs	Indicative ongoing revenue costs per annum	Issues/ Implications
		£	£	
a)	Do nothing	0	10-15k	Provides some funding for the necessary maintenance to the clay cap. However, does not formalise public access in a managed way.
b)	Prohibit public access by reinstating the boundary palisade fencing and. Carry out minimum safety/ monitoring work	75,000	10-15k	Would restrict use of this well used and popular public amenity.
c)	Formalise current use-maintain as 'scrub land for use as a dog walking area and an informal open space (assumes £50k for localised clay cap augmentation)	71,000	15-20k	Does not address potential long-term liability of large scale deterioration of clay cap/ change in gassing regime.
d)	Create a formal park environment (includes full clay cap augmentation, land drainage, additional assessments & surveys, etc)	2,750,000	15-20k *	Addresses long term liability, removing risks of future clay cap deterioration and consequent changes to the gassing regime. However, risks associated with tree planting potentially compromising the integrity of the cap. No available funding
e)	Develop as a sports facility, for example a sports pitch and pavilion (includes (d) above- plus grass pitch construction, pavilion foundations, sub-floor ventilation and pavilion construction	3,550,000-£3,720,000	15-20k *	Addresses long term liability, removing risks of future clay cap deterioration and consequent changes to the gassing regime No available funding

Note- options (d) and (e) would result in additional grounds maintenance costs- but the assumption has been made that these would be met by sports clubs/ community/ friends group through maintenance/ lease agreements.

Conclusion

15. It is approximately 30 years since the site was closed to landfill and capped. Monitoring of gas has been routinely undertaken. However, settlement and decomposition over time has led to a risk that the capping layer may no longer function as intended. The works identified for 2015-16 would overcome this issue in the short term.
16. The site has become used regularly by dog walkers and members of the public as an informal open space.
17. Formal recreational use would require careful management and would involve considerably higher costs – for example, the planting of trees on a clay cap could lead to the cap becoming ineffectual and a rise in public risk. Sports pitch use, at the present time, is the most expensive option. However, this also represents the most effective long-term solution, properly addressing any future risks or liabilities by properly remediating the site. Therefore, (if the necessary funding can be sourced), this option should be seriously considered before being dismissed as too expensive.

Corporate Overview & Scrutiny Committee Comments

18. Corporate O&S Committee was sympathetic to the aspirations of the local community to turn the area into a park, but the cost of carrying out the groundworks necessary to achieve this would be prohibitive without external funding being identified. Of the options presented in the report, the most practical appeared to be to formalise the current use of the area as an informal open space, with some localised augmentation of the clay cap and ongoing monitoring and maintenance.
19. Committee members also suggested that it may be worth exploring the possibility of developing part of the site for housing in order to raise funds to make the remainder a formal park; or, designating the site as Suitable Alternative Natural Greenspace (SANG) so that developers' contributions could be used to fund remedial works.
20. The Committee's comments and suggestions reflected the complexity of the problem and also the wish to see the site maintained for the benefit of the local community.
21. The Corporate O&S Committee agreed to endorse the short-term management plan for the site, and to recommend to the Executive that a Special Interest Group (SIG) be established to assist the Portfolio Holder in reviewing the options and exploring alternative uses for the site in the longer term. The advantage of a SIG was that it could include non-Council members, such as representatives of the Friends of Brambleton Park.

Recommendation

That the Executive agrees:

1. the short-term management plan for the site; and

2. that a Special Interest Group (SIG) be established to assist the Portfolio Holder in reviewing the options and exploring alternative uses for the site in the longer term.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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