

**NORTH LANARKSHIRE COUNCIL
STRATEGY FOR THE
INSPECTION OF CONTAMINATED LAND 2025 – 2030**



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Chapter 1: Introduction

A new statutory regime came into force in July 2000 when the Environmental Act 1995 modified the Environmental Protection Act 1990 with regards to the regulatory powers available to Local Authorities for dealing with contaminated land. These provisions are commonly referred to as Part IIA. To supplement and enforce these provisions, Scottish Ministers also introduced the Contaminated Land (Scotland) Regulations 2005 and the Radioactive Contaminated Land (Scotland) Regulations 2007.

The duties imposed on Local Authorities are:

To inspect their areas from time to time to identify any contaminated land
To determine whether a particular site meets the statutory definition of contaminated land
To establish responsibilities for remediation of the land
To ensure that appropriate remediation takes place: <ul style="list-style-type: none">• Through agreement with those responsible, or• By serving a remediation notice on the appropriate person(s)• In certain cases, carrying out these works themselves• In certain cases, through the use of other powers
To keep a public register detailing those sites designated as contaminated land and actions taken thereby.

In August 2001, North Lanarkshire Council published a strategic document outlining the authority's approach to using these powers entitled, "The Inspection Strategy for the Identification of Contaminated Land" and supplemented this with various updates with the last update being in 2019. This document provides the latest review of the information, updated strategy and outlines the way in which North Lanarkshire Council intends to use the powers under Part IIA to progress its inspection strategy. North Lanarkshire Council intends to continue to inspect its area using a strategic approach, which will:

Be rational, ordered and efficient
Be proportionate to the seriousness of the actual or potential risk
Seek to ensure that the most pressing and serious problems are located first
Ensure that resources are concentrated on investigating areas where the authority is most likely to find contaminated land; and
Ensure that the authority efficiently identifies requirements for the detailed inspection of particular areas of land

Land contamination can be a potential constraint on development. This strategy recognises the pivotal role played by the planning and development cycle in regenerating previous industrial sites, particularly where, as is the case for North Lanarkshire, the desire is to improve the long term economic and social development of the area. The urbanised nature of much of North Lanarkshire with many sites identified as potentially contaminated in the

initial stages of the regime have been subject to redevelopment and subsequent work under Planning Advice Note 33 (Plan 33). As such this strategy seeks, whenever possible, to work within this broad policy framework. The strategy aims to be part of a larger regeneration toolkit available to North Lanarkshire and where possible combines the aims to deliver sites that are suitable for use and for further development, encouraging long-term economic and social benefit to the local population and communities.

To improve understanding of Part IIA, the Pollution Control Team have worked hard to establish effective communications with various services including but not limited to Planning, Building Standards, Education, Estate Development, Housing Development, City Deal and Greenspace. Regular communication with colleagues from these service areas takes place to ensure common goals around the Programme of Work are aligned. This in turn raises the standard and scope of the supporting information submitted with planning applications where land is contaminated and will require site investigations and remediation. Robust peer review of applications has achieved increased standards of remediation associated with land development and consistency around our approach to this work has helped reduce the amount of potentially contaminated land sites in North Lanarkshire since the introduction of the regime.

North Lanarkshire remains committed to seeking voluntary remediation as the preferred approach and thereby avoiding the need to serve formal notices under Part IIA. This approach is considered the most effective approach in the majority of situations for providing land “suitable for use” that can be used to the long-term benefit of the residents and businesses within North Lanarkshire.

The authority also recognises the potential risk to the water environment posed by contaminated land and development work on such land. North Lanarkshire remains committed to working with the Scottish Environment Protection Agency (SEPA) on policy and regulatory practice as part of their responsibilities arising from the implementation of the Water Framework Directive (WFD). At the time of writing this strategy we envisage that there will be some legislative and regulatory change concerning the water environment and the council will monitor any changes to ensure it takes account of these.

It is North Lanarkshire Council’s intention that the reviewed Inspection Strategy for the Identification of Contaminated Land will continue to form the basis for implementation of the Part IIA legislative requirements. The Strategy will provide not only the arrangements and procedures for inspection of land within North Lanarkshire but also a justification for, and a transparency in the decisions on how the land will be inspected. It is considered that any reprioritisation would take into consideration the responsibilities that would be required under the WFD to consider any potential risk to the water environment - in particular, where the water body status is at risk of deterioration.

Chapter 2: Strategic Priorities

The Contaminated Land Strategy is an important element in the overall strategic direction of the Council and integrates fully with the Council’s key strategic documents.

2.1 North Lanarkshire Council Policy

The Contaminated Land Strategy will be an essential part in delivering key elements of The Plan for North Lanarkshire and the Programme of Work which will regenerate land and provide facilities for communities over the coming years to ensure that North Lanarkshire is the place to live, learn, work invest and visit.

The priorities of the Plan to deliver the shared ambition of inclusive growth and prosperity, mean that our work will be focused to:

1. Improve economic opportunities and outcomes
2. Support all children and young people to realise their full potential
3. Improve the health and wellbeing of our communities
4. Enhance participation, capacity, and empowerment across our communities
5. Improve North Lanarkshire's resource base

2.2 The Plan for North Lanarkshire

The Plan for North Lanarkshire sets the direction for the Council and partners. Its purpose is to communicate the shared priorities and provide a focus for activities and resources.

The Plan for North Lanarkshire is a high-level strategic document that outlines a long-term vision for North Lanarkshire - a vision where North Lanarkshire is the place to *Live, Learn, Work, Invest, and Visit*.

[The Plan for North Lanarkshire | North Lanarkshire Council](#)

2.3 Local Development Plan

Planning colleagues are preparing the next Local Development Plan – North Lanarkshire Local Development Plan 2 (NLLDP2).

The LDP is an important document that sets out the policies and proposals for land use and development in North Lanarkshire. It will set out the future for development, for example, where new housing, business, and infrastructure will be located. The timeline for its preparation is set out in the Development Plan Scheme and Participation Statement, with the adoption of NLLDP2 expected in 2027.

Further details in relation to the current local development plan and the development of the new plan along with local place plans can be found at [Development plans | North Lanarkshire Council](#)

2.4 Regeneration

North Lanarkshire Council's refreshed Economic Regeneration Delivery Plan (ERDP) was published in 2023 and can be found here: [Economic Regeneration Delivery Plan | North Lanarkshire Council](#)

The North Lanarkshire ERDP sets out a high-level framework for improving economic opportunities and outcomes for all. The 2023-28 ERDP aims to do this by directing capital investment towards four key goals:

- developing housing that promotes improved quality of life and creates a better place to live.
- reshaping our town centres to ensure that these provide modern and attractive centres that meet the needs of our communities.
- improving our business and industrial infrastructure, creating opportunities for investment and for companies to start-up and relocate here; and
- continuing to improve our connectivity and develop new opportunities by transforming our road, rail and digital infrastructure.

The ERDP encompasses new housing development, infrastructure development, town centre regeneration and business growth, and will build on the wide range of emerging economic and physical regeneration activity that is already underway in North Lanarkshire. This will include:

- Creating viable and sustainable town centres, increasing delivery of new housing supply across tenures, particularly within town centres and on brownfield sites, to meet the housing needs within NL;
- Improving our business and industrial infrastructure, creating opportunities for investment which include continuing to support enabling investment to bring vacant and derelict land and brownfield sites into commercial use within NL;
- Improving economic outcomes for local people, and in particular those who are disadvantaged; and
- the Plan for Growth identifies the main priorities for growing the North Lanarkshire economy over the next five years and how this will be achieved.

This strategy complements and reinforces the approach outlined in the ERDP Plan for North Lanarkshire and within the contaminated land strategy there is a focus on what Pollution Control can do to assist in the development of the local economy by helping bring the most appropriate sites back into suitable use.

2.5 Environment Pathway

[Environment Pathway | North Lanarkshire Council](#)

The purpose of the Environment Pathway for the Council, which was implemented following a review and assessment of the Environment Strategy, is to align and connect separate but related strategies, policies and plans to ensure a one Council approach to the environment that ensures we continue with a route to inclusive growth by bringing these policies together. Significant resources are deployed in the management, maintenance and construction of our environment and it is essential that these are deployed to deliver the best possible outcomes

for North Lanarkshire's communities. It is essential that the Council recognises the importance that the environment plays in the day-to-day life of people who reside, work in and visit North Lanarkshire.

This includes everything from the air we breathe to how we travel throughout the area, and how we maximise the use of our green and open spaces. The importance of this has recently been recognised in the Council's declaration of a Climate Emergency and the setting of a challenging net-zero target for 2030 with the importance of high quality, local environments being highlighted during the recent pandemic. The Contaminated Land Strategy forms a key part of this overall Environment Pathway document and is aligned with the strategic priorities which aim for the Council to deliver on environmental improvements for communities.

2.6 The Scottish Vacant and Derelict Land Survey (SVDLS) and the Vacant and Derelict Land Fund (VDLF)

The SVDLS is a survey undertaken to establish the extent and state of vacant and derelict land in Scotland. The survey has been operating since 1988 and is managed by the Scottish Government Communities Analytical Services. Most Councils submit data annually at the end of the financial year. The data collected provides an invaluable source of information relating to vacant and derelict sites and assists in reinforcing and justifying national policy established to bring about the re-use and regeneration of these land resources. The site register for 2023 indicates that there are 462 sites with a total area of 1,292 Hectares within NL classified as vacant and derelict. A copy of the most up to date Vacant and Derelict Land Register can be found here:

[Scottish Vacant and Derelict Land Survey - site register - gov.scot \(www.gov.scot\)](https://www.gov.scot/policies/regeneration/capital-investment/)

The VDLF is an element of the local government budget settlement as agreed by the Scottish Government. It focuses on projects that promote innovation in both temporary and longer-term greening techniques for vacant and derelict land sites. The fund is open to all 32 Scottish local authorities individually, or whether they exercise their functions through urban regeneration companies (URCs) or other special purpose vehicles (SPVs). Only 5 local authorities currently obtain funding, and North Lanarkshire is one of them. The NL share of funding for 2024/25 was £1.231million, reflecting the extent of vacant and derelict land in the authority linked with associated levels of deprivation. Currently, 69% of the population in North Lanarkshire live within 500m of a derelict site. The other four authorities that receive funding are Glasgow, South Lanarkshire, North Ayrshire and Fife.

[Scottish Vacant and Derelict Land Survey 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/policies/regeneration/capital-investment/)

<https://www.gov.scot/policies/regeneration/capital-investment/>

The key objectives of the VDLF are to:

1. Tackle Long Term Vacant and Derelict Land (VDL)
2. Stimulate economic growth and job creation
3. Develop a diverse sustainable environment with a focus on temporary and permanent greening
4. Support communities to flourish and tackle inequalities

Bringing abandoned and unloved urban places back into productive use can help to tackle climate change, improve health and wellbeing, create more resilient communities and rebuild the NL economy in a way that helps everyone achieve their full potential. In 2018, the Scottish Land Commission and SEPA jointly established a national taskforce to help realise this opportunity. The Vacant and Derelict Land Taskforce brought together senior representatives from around 30 businesses, public bodies and third sector organisations who have spent two years working to transform the existing approach to bringing vacant and derelict land back into productive use. The Taskforce has made a series of recommendations to the Scottish Government to transform Scotland's approach to tackling the legacy of derelict land and ensure that it is no longer acceptable to allow land to fall into long term disrepair and they can be found here:

[Vacant and Derelict Land Taskforce - Housing & Development - Our work - Scottish Land Commission](#)

Working with SEPA and the Green Action Trust, the Scottish Land Commission have published a map of long-term, derelict urban sites (DUSTEs), which includes ownership details for each site. Landowners, including local authorities, are being asked to make a public commitment to taking proactive steps to address the vacant and derelict sites identified.

[Transforming Vacant and Derelict Land - Housing & Development - Our work - Scottish Land Commission](#)

The above linked report highlights the various funding landscapes and updates the current thinking around progressing with the reuse of existing VDL sites and preventing future sites from becoming VDLs. North Lanarkshire is attempting to source funding from a variety of different streams and will take cognisance of the recommendations outlined in the report.

[Vacant and Derelict Land Reuse: Progress Report 2024 \(landcommission.gov.scot\)](#)

Chapter 3: Regulatory Context Applicable to North Lanarkshire

The contaminated land provisions of Part IIA of the Environmental Protection Act 1990 came into force in Scotland on 14 July 2000. The Scottish Ministers made the Environment Act 1995 (Commencement No.17 and Saving Provision)(Scotland) Order 2000 (SSI.2000/180) bringing into force Part IIA of the Environmental Protection Act 1990. Part IIA was inserted into the 1990 Act by Section 57 of the Environment Act 1995.

The Scottish Ministers, in exercise of the powers conferred upon them by sections 78C (8) to(10), 78E (6), 78G (5) and (6), 78L (4) and (5) and 78R (1), (2) and (8) of the Environmental Protection Act 1990 and of all other powers enabling them made the Contaminated Land (Scotland) Regulations 2000 (S.I.2000/178), and SERAD Circular 1/2000 Statutory Guidance on Contaminated Land. Subsequently, and as a result of the Contaminated Land (Scotland) Regulations 2005 (SSI 2005/658) (the Scottish Regulations) made by the Scottish Ministers under powers conferred by section 20 of, and schedule 2 to, the Water Environment and Water Services (Scotland) Act 2003. Circular SERAD 1/2000 has been replaced by the

statutory guidance as set out in Annex 3 to the Environmental Protection Act 1990: Part IIA Contaminated Land Statutory Guidance: Edition 2, May 2006.

Radioactive Contaminated Land (Scotland) Regulations 2007 (as amended) were brought into force for the investigation, identification, characterisation and regulation of radioactive contaminated land for which SEPA would take the lead role.

The Regulatory Reform (Scotland) Act 2014 amends the Environmental Protection Act 1990, giving SEPA the choice to end the designation of a special site that no longer meets the requirements of being so designated. In these circumstances, the local authority resumes the responsibility as the lead regulator. The development of this strategy review is in response to the requirements of Part IIA, which requires local authorities to keep up to date their formally adopted and published Contaminated Land strategy document outlining their approach to their duties.

3.1 Role of Local Authority

Under the provisions, duties have been assigned to both Local Authorities and SEPA. The primary regulatory role for the Contaminated Land Regime rests with the Local Authority. The role is designed to reflect the Authority's existing functions under the statutory nuisance regime, and also complement their responsibility as planning authorities.

The main role of the Local Authorities under this regime is to complete a 'Contaminated Land Inspection Strategy' and:

- To cause their areas to be inspected from time to time to identify any contaminated land
- To determine whether a particular site meets the statutory definition of contaminated land
- Establish responsibilities for remediation of the land
- Ensure that appropriate remediation takes place through agreement with those responsible preferably through planning development, or if not possible
- By serving a remediation notice, or
- In certain cases, the authority decides to carry out the work, or
- In rare circumstances, through our powers
- Keep a public register detailing any regulatory action taken under the CL regime

3.2 Definition of Contaminated Land under Part IIA

Section 78A(2) of the Environmental Protection Act 1990 gives the statutory definition of contaminated land for the purposes of Part IIA as:

"Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that-

- a) significant harm is being caused or there is a significant possibility of such harm is being caused; or
- b) significant pollution of the water environment is being caused or there is a significant possibility of such pollution being caused”.

The definition is intended to reflect the anticipated role of Part IIA, thus enabling the identification and remediation of land on which contamination is causing unacceptable risk to human health or the wider environment. The definition does not necessarily include all land where contamination is present, even though the contamination may be relevant in the context of other legislation.

Section 78A(5) requires the regulatory authority to act in accordance with guidance contained within Scottish Executive Circular 1/2000 in determining significance and likelihood, now replaced by the Contaminated Land (Scotland) Regulations 2005 (SSI 2005/658) (the 2005 Regulations).

3.3 Pollution Linkage

Before any Local Authority can make a judgment that any land appears to be contaminated land, the Authority must first identify a pollution linkage which is now well established. This means that each of the following has to be identified:

- A contaminant
- A pathway
- A relevant receptor

A contaminant is defined as:

“a substance which is in, on or under the land and which has the potential to cause harm or to cause pollution to the water environment”.

A receptor is defined as:

(a) “a living organism, a group of living organisms, an ecological system or a piece of property which

1. Is in a category listed in Table A, in Chapter A of the Scottish Government, Environmental Protection Act 1990, Part IIA Contaminated Land Statutory Guidance: Edition 2 May 2006 Paper SE/2006/44 as a type of receptor, and
2. Is being, or could be, harmed by a contaminant, or

(b) “the water environment is being, or could be, polluted by a contaminant”.

A pathway is defined as:

One or more routes or means by, or through, which a receptor

- (a) “is being exposed to, or affected by, a contaminant, or
- (b) could be so exposed or affected”.

This approach recognises that harm to health and the environment arises not from the mere presence of contaminating substances in land, but from their movement along a pathway to where they can cause harm to a receptor. Unless all three elements of a pollutant linkage are identified in respect to any piece of land, that land should not be identified as contaminated

land. It is also possible that there may be more than one pollution linkage on any given piece of land.

3.4 Significant Pollution Linkage

In order to define an area of land as being contaminated under the legislation, a Local Authority must further satisfy itself that such a pollutant linkage exists in respect of the piece of land, and that pollutant linkage:

- is resulting in significant harm being caused to the receptor in the pollution linkage
- presents a significant possibility of significant harm being caused to that receptor
- is resulting in significant pollution of the water environment or there is a significant possibility of such pollution being caused; and/or
- is likely to result in such pollution.

Descriptions of significant harm and conditions for there being a significant possibility of significant harm are listed in Tables A and B respectively of the Scottish Government Environmental Protection Act 1990: Part IIA Contaminated Land Statutory Guidance: Edition 2 May 2006 Paper SE/2006/44. Consideration must also be given to the timescale within which the harm might occur (e.g. if the current use of the land is due to change) and the vulnerability of the receptors.

3.5 Suitable for Use

The Regulations are aimed at identification and dealing with significant contamination in Scotland, and only specify a 'suitable for current use' approach. The suitable for current use approach recognises that the risks presented by contamination will vary dependent upon the use of the land and other wider natural and built factors. The suitable for use approach consists of three elements:

- Ensuring land is suitable for its current use;
- Ensuring land is made suitable for any new use, as planning permission is given for that new use; and
- Limiting requirements for remediation to the work necessary to prevent unacceptable risks to human health and/or the environment in relation to the current use or future use of the land for which planning permission is being sought.

Chapter 4: Characteristics of the North Lanarkshire Area

4.1 Geographical Location

North Lanarkshire lies within the basin of the River Clyde and its tributaries, most notably the Kelvin, North Calder Water and South Calder Water. There are areas of high ground along the Central Scotland plateau in the east of the area and in the Kilsyth Hills to the north. Economically and socially, the area is strongly linked with the city of Glasgow and other communities of the Clyde Valley and City Deal region.

Situated in the heartland of Central Scotland, major transport routes play a critical role in the North Lanarkshire economy. Radiating from Glasgow the A80/M80 is the main strategic link to Falkirk, Stirling and the north of Scotland, the A8/M8 is the primary link with Edinburgh and the east of Scotland and the M74 along the southern boundary of North Lanarkshire is Scotland's major link to the south. The major rail passenger and freight rail routes from Glasgow to Edinburgh and the main Scotland/England routes all run through the area.

4.2 Size

North Lanarkshire covers 47,222 hectares, just over a quarter of which is urban, with development land covering 3,439 hectares and agricultural land covering 18,066 hectares. The National Records of Scotland estimated the population of North Lanarkshire in June 2022 to be 340,930, the 4th highest population out of the 32 local authority areas in Scotland. The area provides 48% of all the industrial land developed in Glasgow and the Clyde Valley City Region. Vacant and derelict land continues to account for over 10% of the urban area.

4.3 Current Land Use Characteristics

Current land use in North Lanarkshire Council reflects the growing trend in much of the west coast of Scotland where significant regeneration is taking place. As traditional heavy industry has declined, much of the vacant and derelict land left behind has been used to provide residential, commercial and light industrial development sites. Heavy industry remains although largely contained within established industrial sites scattered throughout the authority. The Scottish Vacant and Derelict Land Survey of 2023 shows that North Lanarkshire Council is no longer the Authority with the largest percentage (by area) of Derelict and Urban Vacant land in Scotland, the figures dropping from 1,429 Ha in 2010 to 1,292 Ha in 2023. [Scottish Vacant and Derelict Land Survey 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions-and-statements/scottish-vacant-and-derelict-land-survey-2023/)

4.4 Historical Information on Contamination

North Lanarkshire has a wide and varied industrial legacy due to the abundance of raw materials such as coal and iron ore. The area was heavily industrialised by processes such as mining and quarrying, gas works, steel works and associated chemical works along with rail infrastructure. This has left large areas of potential historical chemical contamination that require attention. Equally, the rural parts of the district remained largely tied to agriculture, intermixed with quarrying for raw material such as sand and stone to supply local industry.

In order to provide the necessary transport infrastructure that enable large scale industrial development, extensive evidence of old railway lines, stations and storage facilities intersect many parts of the urbanised areas of North Lanarkshire. While many of these lines have acted as the basis of the current rail provision, some parts of the authority evidence old mineral railway connections, which present a particular challenge when dealing with possible contaminated sites.

Many of the towns within the authority also have evidence of old gas works within the town centres. These tended to appear upon connection to the rail network and subsequently

closed as the energy networks improved. However, because of their central position in towns, many of these sites have actually been redeveloped and in some cases have been for a considerable period. Similar to parts of the old railway network, town gas sites present a particular challenge when dealing with the possibility of contaminated land.

4.5 Updated information on contamination

North Lanarkshire Council launched its original inspection strategy in 2001. At that time, 5,146 Ha of land (around 11% of the area) was identified as having the potential to be contaminated land based on former use, pathways and receptors.

Of the 3,650 Ha that have been formally surveyed; 794 Ha went through the reprioritisation process between 2003 and 2004, 805 Ha between 2004 and 2005, 912 Ha between 2005 and 2006 and between 2006 and 2018, 5,537 Ha have been reprioritised and archived through both Part IIA and the Planning Regime. The latest update from 2019 to 2024 has seen 258 Ha remediated via planning this is from 48 sites that have been archived and 11 sites which have had their boundary reduced and redrawn as not all of the site was remediated.

The number of walkovers has declined in recent years due to a change in focus towards intrusive investigation on the higher risk sites with gaps in information but attempting to align with the Council's ambition strategies and budgetary constraints. The process of survey, reprioritisation and voluntary remediation continues. Since 2008, some of the sites previously identified have been either partly or completely remediated as a consequence of the development process, regulated through the Town and Country Planning legislation and associated guidance, rather than Part IIA procedures. Given the drive to regenerate within North Lanarkshire, this process is at the centre of our strategy to remediate sites.

In order to assist development and avoid the potential for blight associated with Part IIA procedures, North Lanarkshire Council has produced a contaminated land guide to development which provides information on how to consider the contaminated land issue when submitting planning applications or building warrant submissions.

This advice can be found at [Development on contaminated land - what you need to know | North Lanarkshire Council](#) and is available to download. The purpose of this guidance is to ensure that we have a consistent approach regarding contaminated land and it is designed to help developers understand some of the challenges with land contamination and ground gas conditions in North Lanarkshire.

4.6 Key Water Resources / Protection Issues

Scotland has one of the best quality water environments in Europe and this deserved reputation contributes to the country's economic and social well-being. Alongside improving the condition of water bodies and protected areas that are not in a good or excellent condition, we need to maintain the quality of those that are. Preventing deterioration of the water environment, including drinking water sources, is a key purpose of this plan. It is a

significant and constantly evolving challenge as pressures shift and change, and as more water bodies are restored to a good condition over the period 2015 to 2027. As an authority we are required under the current legislative regime to work in partnership with SEPA to help protect Key Water Resources for the future.

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) and the amendments apply regulatory controls over activities which could possibly affect the water environment.

The River Basin Management Plan for the Scottish River Basin District: 2015 – 2027 builds on the first river basin management plan for the Scotland river basin district, published in 2009. It sets revised objectives for the 12-year period from 2015 to the end of 2027 and a strengthened programme of measures for achieving them.

SEPA has carried out formal River Classification of the main surface water features in North Lanarkshire Council. The classification scheme relates to the chemical, biological, aesthetic and nutrient content of surface waters and grades them from Good Condition through Moderate and Poor to Bad. Currently in North Lanarkshire, there are 6 rivers in good condition, 15 in moderate condition, 19 in poor condition and 1 in a bad condition. A summary list of all river conditions within North Lanarkshire can be found at <https://informatics.sepa.org.uk/WaterClassificationHub/>

The North Lanarkshire area does not include any aquifers designated as major sources of drinking water but the general condition of many of our ground waters are classed as poor due to legacy pollution from heavy industry. Improvement work is required as development takes place to improve the water environments in North Lanarkshire which the authority will aim to support in partnership with other public bodies and stakeholders as defined by SEPA's current priorities more in relation to that can be found at [water-groundwater.pdf](#).

Chapter 5: Overall Aims, Objectives and Priorities

A key aim of North Lanarkshire Council has been to adopt a methodology, which will assess the possibility of significant harm where it could cause a human health effect, an ecological effect, an animal or crop effect, a building effect, or where a water environment may be affected.

5.1 Aims of the Inspection Strategy:

- Under the Environmental Protection Act 1990, the council has a responsibility to inspect the area from time to time in order to identify contaminated land
- To continue to enhance, improve and update the methodology used to identify potentially contaminated sites in a strategic manner as required by the legislation
- To continue to prioritise the inspection of sites in an impartial manner based on (so far as reasonably practicable), robust, publicly available data sources
- To continue to provide an auditable path to prioritisation
- To continue to inspect sites in a cost-effective manner, identifying, where reasonable, all previous work prior to undertaking any further investigation

- To maintain a database of all relevant data pertaining to potentially contaminated sites
- To continue to work with relevant internal and external stakeholders to improve the understanding of Part IIA of the Environmental Protection Act 1990 and how it interacts with the services they provide
- To secure the remediation of contaminated land as defined under Part IIA of the Environmental Protection Act 1990.

5.2 Objectives of the NL Contaminated Land Strategy

- To inspect our area from time to time to identify contaminated land
- To determine whether a particular site meets the definitions of contaminated land as defined under Part IIA
- To establish responsibility and liability for remediation of contaminated land
- To ensure that appropriate remediation of contaminated land takes place
- To keep a public register detailing regulatory action as defined under Part IIA
- To assist in the delivery of the Plan for North Lanarkshire by improving the health and care of our communities and encouraging economic growth and development
- To recognise and incorporate recent legislative changes
- To update the CL strategy by providing greater detail of the approach being taken by North Lanarkshire when investigating potentially contaminated land sites based on past experiences
- To inform neighbouring authorities, partner organisations, statutory and non-statutory consultees of North Lanarkshire Council the aims and objectives of the strategy.

The main objective originally set in 2001 related to the identification of locations within North Lanarkshire Council with the highest potential to be contaminated as defined under Part IIA. This has been achieved and prioritisation of certain potential sites has been undertaken however, work is ongoing to refine the assessment.

As a result of the reprioritisation process, North Lanarkshire Council is building a list of locations where intrusive work may be required to obtain further information around the contaminants and risk of these sites. The locations will be based on the potential seriousness of risk with priority on human health and possible future use of the site.

Remediation through planning development is the main driver now to remove sites from the potentially contaminated list and in 2024 a significant project commenced to ensure that all sites which had been remediated through development planning conditions since 2020 was undertaken to update our Geo Environs Contaminated Land Management System (MS). This process risked these sites according to their new improved updated status. This work has now been implemented and the Geo Environs MS has been populated with past and current data giving a more accurate position of the potentially contaminated land sites in North Lanarkshire.

Further to the above, the strategy will also prioritise sites which require to be developed to ensure that the council delivers its regeneration programme of works in relation to house

building, town centre regeneration, cemeteries expansion, allotment provision linked to the 'grow your own food' programme and contribute to the phases of development for Ravenscraig in line with the revised Masterplan.

5.3 Priorities

The Council's priorities when dealing with contaminated land are to:

Protect	Human health
	The water environment
	Designated ecosystems
Prevent	Damage to property
	Further contamination of land
Encourage	Voluntary remediation
	Re-use of brownfield sites
Stimulate	Economic growth

On rare occasions there are certain situations that North Lanarkshire Council would propose to enhance the normal timescale for inspection and assessment:

Critical or emergency situations requiring accelerated action under Part IIA

Where these situations arise, similar standards of investigation, assessment and monitoring will be undertaken as a priority. This has occurred twice in recent years, once following an alleged human health complaint in the Motherwell area, and soil contamination in the gardens of two private households, which resulted in the Council's first Part IIA designation.

Sites important for the implementation of major projects conforming to Council ambition strategies and involving Council owned property

Where sites are identified for development through appropriate Council strategies and plans and are also considered as potentially contaminated land sites under the North Lanarkshire Council Contaminated Land Strategy, early prioritisation and subsequent inspection/assessment works may be undertaken to progress these sites. Examples include works associated with delivery of the revised Ravenscraig Masterplan and delivery of the Council's ambitious house building programme.

Sites with past NL Authority involvement

Sites where North Lanarkshire Council (and predecessors) may be the 'appropriate person' may be subject to early inspection/ assessment. An example of this is the former tar works at Stane Gardens, Shotts that required immediate investigation and action following the identification of high levels of contamination. This resulted in a significant remediation and regeneration programme in partnership with SEPA. The outcome from this project not only addressed the contaminated land issue but also resulted in the restoration of the South

Calder River and the creation of a country park facility within the heart of the local community. The water environment has been significantly improved with this project along with land remediation.

Cross Boundary Sites

Where suspected contaminative sites are identified within the Inspection Strategy and are partly contained within another unitary authority boundary, arrangements will be made with the appropriate authority to discuss the appropriate way to progress these sites. Where another unitary authority approaches North Lanarkshire Council regarding a site or suspected site which partly intrudes into their boundaries, similar levels of discussion will be initiated to discuss the most appropriate way forward taking into account our current strategy.

Chapter 6: Procedures

The process of implementing Part IIA results in the generation of large amounts of data. This information will be used for a variety of purposes including prioritising sites, reporting to SEPA and communicating risk to professional consultants and the general public. The data resource will also form the basis of an historical land use archive, which will be used for many years to come. It is hence important that a robust and flexible data management system is employed for managing all of this data.

The information management system must be:

- Secure
- Capable of logging all information provided with respect to individual areas of land
- Able to tag information type (e.g. commercially confidential, subject to national security constraints, possible blight etc.)
- Capable of being audited to ensure that any information held is both accurately recorded and up to date.

North Lanarkshire will be able to give all relevant stakeholders such as SEPA, members of the public etc. access to the data in electronic format such as a spreadsheet or in the form of a GIS layer or as appropriate. The public registers will be in electronic form.

North Lanarkshire Council has adopted the Geo Environs Contaminated Land Management System produced by STM Environmental which is linked to our GIS system. There has been a GIS layer of potentially contaminated land sites produced which is shared internally with appropriate colleagues in Planning and Building Standards.

6.1 Geo Environs Site Prioritisation Module

The Geo Environs (a collection of data management software applications widely used by environmental professionals in the UK and abroad) Site Prioritisation Module is the ideal solution for managing the prioritisation of potential Part IIA sites. The system consists of an SQL Microsoft access database (i.e. Microsoft SQL Server) and a seamless integration to GIS, ArcGIS in this case, facilities that allow for easy management, visualization and

reporting of any potentially contaminated land data. The system provides us with a two-stage prioritisation system:

Stage 1	Makes use of desk-top based information (i.e. GIS layers) to allow you to rapidly prioritise the sites for inspection
Stage 2	Allows better characterization of high-risk sites for further investigation

The system allows us to quickly and easily produce individual risk ranking reports for each individual receptor category (i.e. human health, groundwater, surface water, ecology, property). The authority has the added flexibility of being able to produce risk ranking reports based on the total combined receptor scores the reports allows us to group the sites into risk categories (i.e. High, Medium, Low) depending on the risk score allocated to them. Due to the prioritisation scores being calculated within the database, the generation of the risk ranking reports is instantaneous.

The system includes extensive facilities to add user defined fields to the database so that we can add any type of information the user considers relevant to a site record. Going forward, the inspection process will continue to be progressed by the use of Arc Pro View GIS and Geo Environs. Geo Environs will also continue to be routinely updated with any new relevant information received mainly from planning and development consultations. This has proven to be a very important way of maintaining current, reliable and meaningful datasets to progress the inspection strategy.

The methodology employed by the Geo Environs system assesses significant harm where it is causing any or all of the following effects – on Human Health, on the Ecological System, on Animals or Crops, on Buildings and where the water environment may be polluted. The database uses up to date publicly available datasets from reliable organisations to identify sources, pathways and receptors thus prioritising the locations categories through a series of risk ranking scores that scales potential risk according to the severity of source, efficiency of pathway and sensitivity of receptor. Full details of the methodology employed to achieve prioritisation can be obtained from the Pollution Control team at North Lanarkshire Council, Protective Services, 2nd Floor Civic Centre, Windmillhill Street, Motherwell, ML1 1AB. This methodology is summarised below:

1	Undertaking a Phase I investigation of prioritised contaminated land sites involving desk studies, site walkover, collection of physical data (if appropriate) and development of a Conceptual Site Model. The completion of this phase will involve a risk-based assessment being undertaken to establish if it is likely that a contaminant is actually present, and a receptor is actually or likely to be present and linked to the contaminant.
2	Undertaking a Phase II investigation, which is likely to involve staged ground investigation works and further refinement of the risk assessment and conceptual site model in a cost-effective manner. These works require to be designed and planned around the Conceptual Site Model established by the risk assessment in

	Phase 1. Upon completion of these ground investigations, risk assessment and evaluation on the evidence provided will identify what, if any, actions are necessary
3	Liaison with SEPA where there is pollution or likely pollution of the water environment or if the pollution of the water environment will result in deterioration of the water body status, if the site is likely to be determined a Special Site or is suspected of being radioactively contaminated

Chapter 7: Remediation

If, following an investigation, the Council identifies land as contaminated it must then consider the nature and extent of remediation that is deemed necessary to be carried out.

1	<p>North Lanarkshire Council remains committed to working with all stakeholders during the investigation process to achieve remediation of land that is potentially contaminated.</p> <p>The council will always seek voluntary remediation as a preferred course of action when dealing with sites that fall within the scope of Part IIA.</p>
2	Due to the urbanised pattern of historical contaminative uses, a number of potentially contaminated sites previously identified by the prioritisation methodology have undergone remediation as part of the planning framework, where either the applicant has ensured that the sites is decontaminated prior to development, or the developer complies with decontamination requirements as part of development.
3	Due to the heightened awareness of the contaminated land regime and the implications of Planning Advice Note 33 (PAN33) on development, it is anticipated that an increasing number of sites identified by the methodology employed will be remediated in this manner.
4	<p>Land, which is not statutorily contaminated because of its current use, may become so if either a pathway or new receptors are introduced as a consequence of development. North Lanarkshire Council must ensure that any development proposed on historically contaminated sites is 'suitable for use' on completion.</p> <p>To achieve this, close liaison between Planning Service, Building Standards and the Pollution Control Section is essential.</p>
5	Pollution Control will seek to work closely with relevant colleagues within the Council to investigate and assess land proposed for future development to ensure that there is full transparency when engaging with proposed developers.

North Lanarkshire Council has a Policy on the Recovery of Costs Associated with the Remediation of Contaminated Land. Where North Lanarkshire Council exercises its powers of remediation under Part IIA of the Environmental Protection Act 1990, it will seek to recover

all costs to which it is entitled. The Council will follow the “polluter pays” principle, by virtue of which the costs of remediating pollution are to be borne by the polluter. The Council will aim to ensure that the overall result is as just, fair and equitable as possible to all those who have to meet the costs of remediation, including local and national taxpayers whilst taking into account Best Value principles.

Chapter 8: Information Management

All information relating to studies and investigations undertaken by North Lanarkshire Council in relation to this strategy will be held in the Geo Environs Contaminated Land Management System. This database is stored on a dedicated server, has password security and access is restricted to members of the Pollution Control Section.

The Geo Environs Contaminated Land Management System is a bespoke database, which forms a key element of the strategy and can store site inspection records, textual reports and photographs and all other site-specific data. This information is backed up on a daily basis.

Chapter 9: Public Registers

North Lanarkshire Council is obliged to maintain a public register containing details prescribed in Schedule 4 of the Contaminated Land (Scotland) Regulations 2005. This register will be available for inspection at the offices of the Pollution Control team. North Lanarkshire Council currently has two sites listed on its Contaminated Land Register, both of which are in the Coatbridge area, and they have now been successfully remediated. Legislative reform may in the future allow for these sites to be removed from this register but at present there is no mechanism for this to happen.

Chapter 10: Complaints and Requests for Information

Complaints from members of the public, businesses and voluntary organisations will be logged and responded to in accordance with normal Council procedures. The Pollution Control team works within ISO 9001 Quality procedures and has a specified timescale for responding to any complaint. Requests for information under the Freedom of Information (Scotland) Act 2002 are addressed directly by a specified Freedom of Information officer, who coordinates and collates responses. Environmental Information requests can also be made to the Council for specific site information however, there is a charge for this information and more information in relation to this can be found at [Environmental health fees and charges | North Lanarkshire Council](#)

Emerging contaminated land issues will be investigated and where required the matter will be highlighted to colleagues in other service areas but in particular to Corporate Communications to ensure that a consistent message is agreed with necessary information to be disseminated.

Chapter 11: Liaison and Communication

11.1 Liaison with Consultees

North Lanarkshire Council recognises that effective interaction with SEPA is the first essential step in securing successful implementation of Part IIA responsibilities. Communication will occur as follows:

- Consultation with SEPA when reviewing the Contaminated Land Strategy
- Obtaining relevant datasets from SEPA (as required)
- Liaising with SEPA in relation to special sites and sites potentially contaminated by radioactivity
- Providing SEPA with the necessary information for inclusion in the state of contaminated land report
- Liaison with SEPA if pollution of the water environment is occurring or likely to occur or if the pollution of the water environment will result in deterioration of the water body status

If North Lanarkshire Council identifies a potential Special Site, a written request will be made to SEPA for any supporting information. Information received will be reviewed, collated and added to the Geo Environs Contaminated Land Management System before further investigations are considered and a scope agreed. Liaison with SEPA will continue throughout this process and appropriate interaction will take place on a site-by-site basis. SEPA will be consulted immediately, in writing, prior to any designation of a Special Site. All requests to SEPA will be made using the appropriate COSLA forms, as necessary.

Table 1 below provides a list of the key statutory and non-statutory consultees relevant to Part IIA.

Table 1. List of Consultees

Consultees	Consultees
City of Glasgow Council	Other Council Services
Community Councils	Scottish Enterprise
East Dunbartonshire Council	Scottish Government
Falkirk Council	Scottish Natural Heritage
Food Standards Scotland	SEPA
NHS Greater Glasgow and Clyde	South Lanarkshire Council
Health and Safety Executive	Stirling Council
Historic Scotland	The Coal Authority
NHS Lanarkshire	West Lothian Council

Chapter 12: Review Mechanisms

Every 5 years, the Strategy for the Inspection of Contaminated Land and the subsequent outcome of the Geo Environs Contaminated Land Management System and the prioritisation process will be reviewed. The Geo Environs Contaminated Land Management System provides flexibility to add, update and augment data sets as they change or become superseded. North Lanarkshire Council intends to run this model annually moving forward to present the authority with an understanding of the improved position and this will be reported as part of the Protective Service annual performance report. It is necessary to permit the authority to inspect their area from time to time.

Similar drivers for review include:

1	Significant changes in land use
2	Significant legislative changes
3	Information from the public
4	Information from external bodies e.g. SEPA, HSE, Scottish Land Commission
5	Unplanned events – major pollution incidents
6	Following receipt of remediation and validation information

Chapter 13: Timescales and Progress to Date

13.1 Progress Update

Currently there are 7,090 sites of potentially contaminated land within North Lanarkshire making up 7,207Ha of land. This is a further reduction and illustrates the previous strategies have been successful. The table below illustrates the progress made so far as part of the programme of works concentrated on the highest priority sites.

Table 2. Year on Year Progress

Year	Walkovers Completed	Intrusive Investigations	Archived Land (Hectares)	Part IIA Designations
2010	250	11	5,537 Ha	0
2011	70	7		0
2012	0	5		0
2013	200	3		0
2014	218	6		0
2015	74	1		0
2016	0	6		2
2017	0	3		0
2018	0	5		0
2019	0	1		941 Ha
2020	0	3	0	
2021	0	3	0	
2022	0	3	0	
2023	0	0	0	
2024	0	1	0	

Work will now continue to assess the remaining sites with the intention of further reducing the overall number of contaminated sites and bringing them into productive use and in turn contribute to the overall aim to ensure that North Lanarkshire is the place to live, learn, work, invest and visit in line with the Plan and Programme of Work.

13.2 Future Tasks & Timescales

North Lanarkshire Council will formally review their Contaminated Land Strategy every 5 years provided there have been no significant changes that may instigate a review before that date. This will include checking to identify any potential gaps or procedural changes that require to be made to the document to keep it relevant to current practice.

All previous activities listed in last strategy have been completed or are ongoing because the task is continuous and requires to be updated annually. Table 3 below outlines objectives and actions that the authority and Protective Services require to consider for the next 5-year period.

Table 3. Detailed Objectives, Actions & Proposed Timescales

Objectives & Actions	Target	Outcome
Prepare, consult and publish the reviewed Contaminated Land Strategy	2030	Updated Strategy
Continue to liaise with other Council services relating to the inspection and investigation of land suspected of falling within Part IIA including Cemeteries, New Build Housing, Hub Projects, City Deal, Ravenscraig and Greenspace Community Allotments.	Annually	Specific Projects detailed in Service Plan Annually
Detailed review, update and run of the Geo Environs Contaminated Land Management System to produced annual report of sites and hectares that remain potentially contaminated.	Annually	Report data in Protective Services performance report annually
Carry out an options appraisal for the replacement of Geo Environs as this is an Access Database Management System that is nearing the end of its life and will likely require to be replaced within the next three years as it may become unsupported.	End of 2028	Complete Options appraisal for new MIS for CL
Continue programme of intrusive site investigations, looking at possible data gaps in our ongoing progress report model.	Annually	Specific Projects in Service Plan
Continue to provide GIS layer of potentially contaminated land sites within NL to colleagues internally and be open to discussions on providing this spatial data to government agencies and public partners as models develop	Continuous	Protective Services CL GIS Layer to be provided corporately
Continue to develop the mine gas risk tool which has been designed for internal use within NL to assist colleagues with making informed decisions in relation to sites with future intended uses considered.	Annual development and maintenance	Specific development or updates to be detailed in Service Plan
The authority should look to work with partners to influence improvements where possible in water quality of rivers and groundwater.	As opportunities present	Improvements , if possible, to river water quality
Consider any legislative changes which may occur and ensure that the authority takes cognisance of such change and incorporates these into the statutory work as required.	As required	Legal compliance

