Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Contaminated Land Strategy
2026-2031

January 2026

CONTENTS

1. SUMMARY

This Strategy revises and updates Telford & Wrekin Council's (TWC) 2013 Contaminated Land Strategy. It contains information about the characteristics of the Borough and seeks to set out clearly the Council's approach to dealing with land contamination using Part 2A of the Environmental Protection Act 1990 over the next 5 years.

At present there are no declared sites within the Borough Telford and Wrekin under Part 2A of the Environmental Protection Act 1990.

The strategy also summarises the Council's wider approach to considering and regulating contaminated land through working with landowners, businesses and the Council's development management service area.

This Strategy will be reviewed in 2031 and, if necessary, sooner updates will be undertaken where there are emerging contaminants and legislative changes.

2. BACKGROUND

2.1 Introduction

The industrial revolution in England started in the 18th century here in Telford. Due to a lack of understanding of environmental issues, the new industries progressed and grew with what appears to be little regard for the environment; air, water and land pollution were barely considered in the drive to increase industrial output from new industries based on coal and iron.

Starting with the 1974 Control of Pollution Act, modern industry is much more stringently regulated and the potential for new pollution events is greatly reduced. The legacy from past industrial activity remains in the form of abandoned/derelict industrial sites, landfills and even sites that have already been redeveloped, but without cleanup of pre-existing contamination.

2.2 Legislation

2.2.1 Part 2A

The first legislation to specifically address contaminated land was contained in Section 57 of the Environment Act 1995. This inserted 'Part 2A' (contaminated land) into the Environmental Protection Act (EPA) 1990. Section 57 was brought into force by the Contaminated Land Regulations 2001.

Part 2A places a range of obligations onto local authorities, the overall aim of which is to proactively find and treat land contamination that poses a significant risk to public health and the environment. This gave regulators powers to inspect and determine land as contaminated land. Following the source-pathway-receptor pollutant linkage principle, it provides the first legislative definition of what constitutes contaminated land. It also provided the opportunity for the regulator to determine who was responsible for the pollution, and apportion liability, as well as a method of recovering costs for any works done.

Broadly speaking, the duties and responsibilities placed on Telford & Wrekin Council under Part 2A include:

- Preparing and implementing a strategy to identify land that may be contaminated land.
- Investigating land to confirm whether it is contaminated land.
- Identifying the parties who caused the contamination and attributing liability for its treatment.
- Identifying appropriate ways of treating the contamination.
- Ensuring that the contamination is treated to an appropriate standard.
- Maintaining records of actions that have been carried out.

To explain to local authorities how their duties under the Part 2A regime should be carried out, updated statutory guidance was published by the Department for Environment, Food and Rural Affairs (DEFRA) in 2012.

The guidance advises that the regime should be used appropriately where no alternative solution exists. For example, development or redevelopment can provide an opportunity to address issues of contamination or issues can be dealt with voluntarily by landowners. Other, different legislative regimes or regulations may also be more appropriate such as building control regulations, environmental permitting and the Environmental Damage (prevention and remediation) Regulations 2009 amongst others.

It also recognises the need for the local authority to strike a reasonable balance between:

(a) dealing with risks raised by contaminants in land to remove or reduce those risks; and

(b) the potential impacts of regulatory intervention including financial costs, health and environmental impacts of acting, property blight and burdens on affected people.

With the above in mind, local authorities are advised of the need to be precautionary about the risks raised by contamination without being disproportionate. The aim is to consider the various benefits and costs of acting with a view to ensuring the regime provides net benefits, taking account of local circumstances.

When implementing the inspection strategy, the initial stance will be that the land is not contaminated land until such time as there is sufficient information to demonstrate that it is.

The statutory guidance, together with more detail on its legislative context can be found at: https://www.gov.uk/government/publications/contaminated-land-statutory-guidance

Provision is made within the above guidance for ‘special sites’, these are sites where certain industrial activities or particular uses have been carried out or where there is a particularly serious risk to water supplies or groundwater. Once it’s decided that the site is a ‘special site’ it is regulated by the Environment Agency.

2.2.2 Definition of Contaminated Land

The definition of contaminated land is set out in Section 78A(2) of the EPA 1990, and states:

“Contaminated land” is 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 being caused; or

b) Significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.

And, in determining whether any land appears to be such land, a local authority shall act in accordance with guidance issued by the Secretary of State with respect to the manner in which that determination is to be made.

2.2.3 Significant Harm

As determined by the definition, the question of whether land is, or isn't, contaminated land relates to harm from substances in, on or under the land. What is significant harm is set down in the DEFRA Circular:

"The following health effects should always be considered to constitute significant harm to human health: death; life threatening diseases (e.g. cancers); other diseases likely to have serious impacts on health; serious injury[4]; birth defects; and impairment of reproductive functions." 4 is a footnote in the document that states:

"Physical injury in relation to significant harm would include injury caused by chemical and biochemical properties of substances, such as injury resulting from explosive or asphyxiating properties of gases. It would not extend to injury caused by only physical properties of substances, such as injury caused by falling onto sharp or hard objects made of relevant substances."

The Circular then goes onto list some more conditions that the local authority could consider to be significant harm:

"Physical injury; gastrointestinal disturbances; respiratory tract effects; cardio-vascular effects; central nervous system effects; skin ailments; effects on organs such as the liver or kidneys; or a wide range of other health impacts."

If the local authority does not consider the effect to be significant, it should then move on and consider the significant possibility of significant harm (SPOSH). This process is further explained below in section 2.2.6.

2.2.4 Significant Pollution of Controlled Waters

DEFRA (2012) state that the following types of pollution should be considered to constitute significant pollution of controlled waters:

a) Pollution equivalent to "environmental damage" to surface water or groundwater as defined by The Environmental Damage (Prevention and Remediation) Regulations 2009, but which cannot be dealt with under those Regulations.

b) Inputs resulting in deterioration of the quality of water abstracted, or intended to be used in the future, for human consumption such that additional treatment would be required to enable that use.

c) A breach of a statutory surface water Environment Quality Standard, either directly or via a groundwater pathway.

d) Input of a substance into groundwater resulting in a significant and sustained upward trend in concentration of contaminants (as defined in Article 2(3) of the Groundwater Daughter Directive (2006/118/EC)5).

2.2.5 Other Receptors

There is a wide range of other receptors mentioned in the DEFRA Circular that are applicable to Part 2A. These are:

a) Any ecological system, or living organism forming part of a system,

b) Property,

c) Property in the form of buildings.

These receptors are broken down further, so that only certain kinds of each receptor are valid. This breakdown is:

Ecology: a SSSI, a national nature reserve, a marine nature reserve, an area of special protection for birds, a “European Site”, any habitat accorded policy protection under paragraph 6 of PPS9 (i.e. SACs, SPAs and RAMSAR sites), and any nature reserve established under the National Parks and Access to Countryside Act 1949.

Property: crops, including timber, produce grown domestically, or on allotments, for consumption, livestock, other owned or domesticated animals, or wild animals which are the subject of shooting or fishing rights.

Property in the form of buildings: a building means any structure or erection, and any part of a building including any part below ground level but does not include plant or machinery comprised in a building, or buried services such as sewers, water pipes or electricity cables. It also includes Scheduled Ancient Monuments.

2.2.6 Significant Possibility of Significant Harm (SPOSH)

Understanding SPOSH is a two-step process; the first step is to determine the possibility of significant harm, before deciding whether that possibility of significant harm, is significant. To do this, the local authority needs to assess the risk posed by one or more relevant contaminant linkages (for more on pollutant linkages, please see below). To estimate this risk, the local authority must estimate the likelihood that significant harm might occur to an identified receptor, taking account the current land use, and the estimated impact if the significant harm did occur (the nature and seriousness of the harm, and the extent of the harm).

In estimating the likelihood that a specific form of significant harm might occur, the local authority should consider the estimated probability that the significant harm might occur, and the strength of evidence underlying that risk estimate. The local authority can also consider whether land use would change.

In determining whether the possibility of significant harm is significant, the local authority must determine whether it is significant enough to take regulatory action. To do this, DEFRA introduced four distinct categories;

- Category 1: is significant,
- Category 2: less significant than Category 1, but still significant,
- Category 3: less significant than Category 1, but not significant, and
- Category 4: Not significant

Table 1 provides a broad interpretation of the four categories in terms of Human Health and Controlled Waters.

Category	Human Health	Controlled Waters	Non-Technical Summary
1	A significant possibility of significant harm exists in any case where the local authority considers there is an unacceptably high probability, supported by robust science-based evidence that significant harm would occur if no action is taken to stop it.	There is a strong and compelling case for considering that a significant possibility of significant pollution of controlled waters exists.	Contaminated Land
2	There is a strong case for considering that the risks from the land are of sufficient concern, that the land poses a significant possibility of significant harm; on the basis of the available evidence, including expert opinion, there is a strong case for taking action under Part 2A on a precautionary basis.	The strength of evidence to put the land into Category 1 does not exist; but nonetheless, on the basis of the available scientific evidence and expert opinion, considers that the risks posed by the land are of sufficient concern that the land should be considered to pose a significant possibility of significant pollution of controlled waters on a precautionary basis.	Probably Contaminated Land
3	The strong case described above does not exist. Therefore, the legal test for significant possibility of significant harm is not met.	The risks are such that the tests set out above are not met. Therefore, regulatory intervention under Part 2A is not warranted.	Probably Not Contaminated Land
4	There is no risk, or the level of risk posed is low.		Not Contaminated Land

3. CHARACTERISTICS OF TELFORD AND WREKIN

3.1 Population

Between the last two censuses (held in 2011 and 2021), the population of Telford and Wrekin increased by 11.3%, from just over 166,600 in 2011 to around 185,500 in 2021.

The Telford and Wrekin population increased by a greater percentage than the overall population of the West Midlands (6.2%), and by a greater percentage than the overall population of England (up 6.6% since the 2011 Census).

3.2 Economy

The area of Telford and Wrekin was largely agricultural (and in places still is) until the dawn of the industrial revolution. Coal, iron and limestone led to the first concentration of heavy industry that grew rapidly until the beginning of its demise in the late 19th, early 20th centuries. This left behind it a legacy of barren wasteland. It was decided that, to deal with this, a major new town would be constructed. “Telford” joined together the former market towns and mining villages.

Purpose built employment areas (Hortonwood, Stafford Park and Halesfield) were developed to house industry that is still the mainstay of the region’s economy. These include manufacturing, polymers, advanced engineering, and construction, with retail and tourism also being important contributors. In the north of the Borough, agriculture is a prominent source of employment.

3.3 History

There are good examples of pre-Roman settlement in the Borough, Wall Camp and the hillfort on The Wrekin being fine examples. Viroconium is close to the Borough, and Watling Street traverses the Borough. Close to the road is the Roman settlement of Uxacona. Saxon settlement was sporadic through the area, though there are numerous Old English place names in the Borough such as Wellington, Chetwynd, Madeley, and Wrockwardine. By the 10th Century, three large estates had developed in the area; the royal estates at Wellington and Wrockwardine, and the religious estate of Lilleshall. Mount Gilbert (now The Wrekin) was a Royal Forest.

In the Borough of Telford & Wrekin, development was limited until the beginning of the industrial revolution (late 18th Century). However, by the time of the beginning of the 20th Century, heavy industry in Telford was on the decline, leaving behind it a derelict and barren wasteland covered in colliery spoil, slag heaps and dotted with many of mine shafts. From the development of various plans in the 1950’s, and the desire to provide overspill accommodation for Birmingham, Dawley was designated as a new town. Through the 1960’s and 70’s, and into the 80’s, this led to the development of Telford and Wrekin as whole.

There are several scheduled ancient monuments within the Borough, ranging from the Wall Camp in the north, Bronze Age fort at The Wrekin, as well as Roman and Industrial Revolution era sites.

3.4 Geology

Telford and Wrekin has a complicated geological history, and this is ably demonstrated by the rocks of the Borough. The oldest rocks are the Neoproterozoic lava's and tuff's of The Wrekin. To the south of this, the rocks gradually get younger, with small outcrops of Cambrian, Ordovician and Silurian age rocks. To the south and east of these, the rocks are generally Carboniferous in age, and to the north of this the rocks are generally Permian in age, with some small Triassic aged outliers. These are all overlain by a thin, to non-existent, boulder clay, a relic of the last ice-age. This in turn is covered by differing glaciolacustrine and alluvial deposits representing more recent geological time.

3.5 Hydrogeology

The large majority of Telford and Wrekin is underlain by Primary and Secondary aquifers. There are ten Inner Protection Zones within the Borough, most of them located within the rural north, although there is one underneath Newport. These Inner Zones (SPZ1) are surrounded by an Outer Protection Zone (SPZ2) and a Source Catchment Protection Zone (SPZ3). The area of these source protection zones is quite extensive, covering large parts of the north east of the Borough, as well as smaller parts to the west, and down towards Wellington and Arleston.

3.6 Geography

In terms of terrain, Telford and Wrekin is split up into two distinct geographical regions; a flat plain in the north of the Borough, and an elevated ridge trending south-west-north east (the highest point being The Wrekin) in the southern part of the Borough. Defining the southern edge of this ridge is the Ironbridge gorge. The general topography of the Borough is shown on the following plan.

The area is dissected by several rivers, including the Severn, Tern, and Roden.

Large areas of the Borough are covered by tree cover, and this is mostly concentrated in the south, with the north given over to agricultural land, all of which is Grade 2-4.

4. STRATEGY

4.1 Progress to Date

Telford & Wrekin Council has no sites within the Borough which are determined as Contaminated Land.

The council has previously determined one site as contaminated land under the Act. This was a former chemical works that was polluting a Secondary Aquifer, with the potential to pollute a Primary Aquifer. This site, upon determination, became the accepted responsibility of the Environment Agency. In 2025, the landowner and the Environment Agency were able to demonstrate why this land is no longer considered to meet the definition of contaminated land and through a legal revocation process has now been re classified on the council contaminated land register to demonstrate this.

The council has investigated several other sites. However, none of them met the definition to be determined as contaminated land.

The council continues to maintain and update its register of sites which have been prioritised and/or investigated under Part 2A.

4.2 Aims and Objectives

Part 2A (Section 78B) requires the council to inspect the areas with a view to identifying contaminated land. Relevant sections of the Act include:

- Every local authority shall cause its area to be inspected from time to time for the purpose:

  a. of identifying contaminated land; and

  b. of enabling the authority to decide whether any such land is land which is required to be designated as a special site.

- A local authority shall act in accordance with any guidance issued for the purpose by the Secretary of State.

In line with the Statutory Guidance and government policy, the aims of the council in respect to Part 2A are:

1. To identify and remove unacceptable risks to human health and the environment.
2. To ensure that contaminated land is made suitable for its current, or proposed, use.
3. To ensure that the burdens faced by individuals, companies and society are proportionate, manageable and compatible with the principles of sustainable development.

4.3 Priorities

As the strategic review and prioritisation of potentially contaminated sites within Telford and Wrekin is now broadly complete, the emphasis of the council's implementation of Part 2A has now shifted to managing contaminated land through the planning process.

The following priority action areas have been adopted to continue to deliver on the council's obligations in relation to Part 2A:

Priority Action Area 1: Ensure that the council carries out its statutory duties in relation to inspecting and securing remediation of contaminated land in Telford and Wrekin by collecting and evaluating intelligence on land conditions and through the development and implementation of effective and adequate procedures.

Priority Action Area 2: Identify and secure sustainable remediation of sites, including land in the ownership of the council, where an unacceptable level of risk is being caused to human health and the environment.

Priority Action Area 3: Encourage the voluntary remediation of contaminated land (for example through the planning system).

4.4 Consultees

When assessing planning applications and potentially contaminated sites, the council will consult the following organisations as appropriate:

Issue	**Organisation**
Potential impacts on Controlled Waters	Environment Agency
Potential impacts on features of historic significance	Historic England
Potential impacts on features of ecological significance	Natural England
Impact on or from land adjacent to Telford and Wrekin	Shropshire Council
	Staffordshire County Council
	South Staffordshire District Council

5. CONCLUSION

Telford and Wrekin has an extensive history of industrial activity within the Borough, having been at the forefront of the industrial revolution. While many industries have since ceased, the potential for land contamination remains.

In line with its obligations under Part 2A of the Environmental Protection Act 1990, the council has conducted a review of the land within its area to identify land that has the potential to meet the statutory definition of 'Contaminated Land'. The council has no sites determined as Contaminated Land.

Going forward, the redevelopment of previously developed land and the associated planning process is the primary mechanism in the Council's approach to dealing with contaminated land. It is through this process that many sites in the Borough and the UK as a whole have been assessed and remediated to ensure suitability for use. Remediation action, classed as voluntary is usually via the planning process or required via Environmental Permitting processes occurs where owners of land affected by contamination have carried out their own assessments without the need for Part 2A to be used directly.

It is likely that both voluntary remediation and the planning regime will remain important contributors to dealing with contamination in the Borough.

APPENDIX A – RISK ASSESSMENT METHODOLOGY

RISK ASSESSMENT METHODOLOGY

The Qualitative Risk Assessment presented in this report is based on the definitions outlined in CIRIA C552 (2001).

- highly likely: the event appears very likely in the short term and almost inevitable over the long term or there is evidence at the receptor of harm or pollution
- likely: it is probable that an event will occur, or circumstances are such that the event is not inevitable, but possible in the short term and likely over the long term
- low likelihood: circumstances are possible under which an event could occur, but it is not certain even in the long term that an event would occur, and it is less likely in the short term
- unlikely: circumstances are such that it is improbable the event would occur even in the long term.

The severity can be classified using a similar system also based on CIRIA C552. The terms and definitions relating to severity are:

- severe: short term (acute) risk to human health likely to result in ‘significant harm’ as defined by the Environment Protection Act 1990, Part IIA. Short-term risk of pollution of sensitive water resources. Catastrophic damage to buildings or property. Short-term risk to an ecosystem or organism forming part of that ecosystem (note definition of ecosystem in ‘Draft Circular on Contaminated Land’, DETR 2000).
- medium: chronic damage to human health (‘significant harm’ as defined in ‘Draft Circular on Contaminated Land’, DETR 2000), pollution of sensitive water resources, significant change in an ecosystem or organism forming part of that ecosystem.
- mild: pollution of non-sensitive water resources. Significant damage to crops, buildings, structures and services (‘significant harm’ as defined in ‘Draft Circular on Contaminated Land’, DETR 2000). Damage to sensitive buildings, structures or the environment
- minor: harm, not necessarily significant, but that could result in financial loss or expenditure to resolve. Non-permanent human health effects easily prevented by use of personal protective clothing. Easily repairable damage to buildings, structures and services.

  Once the probability of an event occurring and its consequences have been classified, a risk category can be assigned according to the table below.

		Consequences			
		Severe	**Medium**	**Mild**	**Minor**
Probability	**Highly likely**	Very high	High	Moderate	Moderate/low
	Likely	High	Moderate	Moderate/low	Low
	Low likelihood	Moderate	Moderate/low	Low	Very low
	Unlikely	Moderate/low	Low	Very low	Very low

Definitions of these risk categories are as follows together with an assessment of the further work that may be required:

- Very high: there is a high probability that severe harm could occur or there is evidence that severe harm is currently happening. This risk, if realised, could result in substantial liability; urgent investigation and remediation are likely to be required.
- High: harm is likely to occur. Realisation of the risk is likely to present a substantial liability. Urgent investigation is required. Remedial works may be necessary in the short term and are likely over the long term.
- Moderate: it is possible that harm could arise, but it is unlikely that the harm would be severe, and it is more likely that the harm would be relatively mild. Investigation is normally required to clarify the risk and determine the liability. Some remedial works may be required in the longer term.
- Low: it is possible that harm could occur, but it is likely that if realised this harm would at worst normally be mild.
- Very low: there is a low possibility that harm could occur and if realised the harm is unlikely to be severe.