

This report is public	
Contaminated Land Strategy 2026	
Committee	General Licensing Committee
Date of Committee	29 September 2026
Portfolio Holder presenting the report	Portfolio Holder for Customer and Community Services – Cllr Nicola Borkman (Signed off by Cllr McLean on Cllr Borkman's behalf)
Date Portfolio Holder agreed report	17 September 2026
Report of	Tim Hughes – Head of Regulatory Services and Community Safety

Purpose of report

The Contaminated Land Strategy has been reviewed and updated. As per the council's constitution the General Licensing Committee is responsible for approving and adopting policies on contaminated land.

1. Recommendations

The General Licensing Committee resolves:

- 1.1 To approve the reviewed and updated Contaminated Land Strategy at Appendix 1.

2. Executive Summary

- 2.1 This report is to seek approval for a reviewed and updated Contaminated Land Strategy that was first published in 2001 and last updated in 2007. It has been updated to include the most up-to-date guidance and legislation that was issued in April 2012.

Implications & Impact Assessments

Implications	Commentary
Finance	There are no financial implications arising from this report. Kelly Wheeler, Finance Business Partner, 18 August 2026
Legal	The report sets out the legislative requirements which the Council must comply with. Having an effective and up-to date policy in place will help us to comply with those requirements. Denzil – John Turbervill, Head of Legal Services 24 August 2026

Risk Management	The current published strategy is out of date, agreeing the proposal mitigates the risk of the council not meeting its statutory duty to periodically review this document. Celia Prado-Teeling, Performance & Insight Team Leader 18 August 2026			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		X		N/A
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Climate & Environmental Impact	X			Land contamination will continue being addressed through development control with the developers being responsible for any required risk mitigation works and associated costs. This will improve the environment in Cherwell.
ICT & Digital Impact		X		N/A
Data Impact		X		N/A
Procurement & subsidy		X		N/A
Council Priorities	N/A			
Human Resources	N/A Claire Cox - Assistant Director of Human Resources 24 August 2026			
Property	N/A Mona Walsh - Assistant Director Property 24 August 2026			
Consultation & Engagement	The original report was consulted on with the list of consultees below – as there are no substantial changes to the strategy we have not returned to consult with them again, however we have consulted with West Oxfordshire District Council and tried to mirror their own strategy as much as possible in preparation for LGR. They had no comments to make on the strategy.			

	Original Consultees: Oxfordshire County Council English Heritage Natural England Environment Agency Food Standards Agency Health & Safety Executive
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Supporting Information

3. Background

- 3.1 There is a substantial legacy of contaminated land in the United Kingdom, due to its long industrial heritage and historically poorly managed waste disposal practices. In Cherwell there is a wide range of potential sources such as quarrying, industrial factories, disused railways and former military sites.
- 3.2 Although there are now various regimes in place to prevent new contamination occurring, the historic contamination which remains in the environment retains the potential to adversely affect people's health, damage quality of our waters, ecological systems and property. Where land is identified as unsuitable for its current use based on actual harm or significant risk from contamination, the local authority has a responsibility to intervene and ensure that those risks are properly reduced to an acceptable level.
- 3.3 A new contaminated land regime was introduced in April 2000 under Part 2A of the Environmental Protection Act 1990 which gave district councils an additional regulatory role.

The new regime required authorities to: -

- inspect their areas to identify contaminated land;
 - determine whether any particular site was contaminated land;
 - act as enforcing authority for all contaminated land which was not designated as a "special site" which would be the responsibility of the Environment Agency.
- 3.4 Therefore in 2001 a contaminated land strategy was prepared for submission to the Department of the Environment, Transport and the Regions. This was done when significant external funding was available from DEFRA.
 - 3.5 Cherwell's last published its contaminated land strategy in 2007. The Council has a duty to refresh this strategy "from time to time" as necessary, and this report outlines the updated approach.

3.6 Summary of Roles and Responsibilities

Pollution Type	Agency Responsible	More Information
Contaminated Land and Soils	Cherwell District Council*	Contaminated Land Strategy 2026 (this document)
Water Pollution	Environment Agency	https://engageenvironmentagency.uk/engagementhq.com/enforcement
Drinking Water	Drinking Water Inspectorate (DWI)	https://www.dwi.gov.uk/
Tap Water	Water Companies (Thames and Anglian)	Following DWI Guidance
Private Water Supplies	Cherwell District Council	Following DWI Guidance – more info here: https://www.cherwell.gov.uk/info/7/environment/426/water-quality

*CDC oversees the reports provided by developers and contractors rather than carrying out testing themselves.

4. Details

- 4.1 This strategy sets out how Cherwell District Council (the Council) intends to discharge its legal obligations to identify and enforce contaminated land. It replaces the Council's previous Contaminated Land Inspection Strategy published in 2007 and sets out how set out in writing how the Council implements its obligations under Part 2A of the Environmental Protection Act 1990 alongside the Statutory Guidance issued in April 2012 which is The Government's main policy statement on contaminated land.
- 4.2 Part 2A should only be used to secure remediation of contaminated land where no appropriate alternative solution exists. There are several regulatory functions that provide local authorities with powers to deal with land contamination including planning, building control and The Environmental Damage (Prevention and Remediation) Regulations 2009 (as amended in 2015 and 2017). In Cherwell remediation is primarily achieved through the planning process where development takes place.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.
- 5.2 Option 1: Not reviewing the strategy – Legislation requires the council to update its strategy and processes as necessary to fulfil its legal duty. Given the length of time since the last refresh, and changes in guidance since 2012, not doing this would risk the council being in breach of the act.
- 5.3 Option 2: To employ and external consultant to draft and entirely new Contaminated Land Strategy – this cost isn't required as the legislation hasn't changed and the updated Contaminated Land Strategy as attached at Appendix 1 meets the

requirements laid down in Part 2A of the Environmental Protection Act 1990, and the council has the internal expertise to safely manage these issues.

6 Conclusion and Reasons for Recommendations

- 6.1 The Contaminated Land Strategy has been reviewed and updated in line with Part 2A of the Environmental Protection Act 1990 and associated guidance. It is recommended that the strategy is approved to be published on the council's website.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Reviewed and Updated Contaminated Land Strategy 2026.
Background Papers	None
Reference Papers	CDC Contaminated Land Webpage including Link to 2007 Strategy - https://www.cherwell.gov.uk/info/7/environment/464/contaminated-land National Contaminated Land Statutory Guidance - https://www.gov.uk/government/publications/contaminated-land-statutory-guidance
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Executive Director Approval (unless Executive Director or Statutory Officer report)	Executive Director for Neighbourhood Services 24 August 2026