CONTAMINATED LAND REGISTER

We are required to maintain a public register of sites determined as ‘Contaminated Land’ under Part 2A of the Environmental Protection Act 1990.

The public register does not include information on sites across the county with a past industrial use, a record of sites previously investigated and determined as not ‘Contaminated Land’ or sites that have been remediated through planning and development control.

Register location: Durham County Council, Pollution Control, Environmental Health and Consumer Protection, Annand House, John Street North, Meadowfield, DH7 8RS

Bessemer Park is the only site currently on the register.

<table>
<thead>
<tr>
<th>Site Name and Address</th>
<th>Date of Determination</th>
<th>Special Site Determination</th>
<th>Grid Reference</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bessemer Park, Sedgefield</td>
<td>13th July 2006</td>
<td>No</td>
<td>426370 534020</td>
<td>Remediated</td>
</tr>
</tbody>
</table>

Bessemer Park has been remediated and is considered suitable for use.

The following information relates to the regulatory action and remediation.

Bessemer Park covered two former areas of land:

Sedgefield District Council (CLD/001, as amended by CLD/001a)
Durham County Council (CLD/002, as amended by CLD/002a)

Therefore, there are two entries on the register.

The table below shows the information on the register. Where information is available, further detailed information is provided.

Summary Table:

<table>
<thead>
<tr>
<th>Information on Register</th>
<th>Number of Entries</th>
<th>Available Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remediation Notices</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Remediation Declarations/Statements</td>
<td>2</td>
<td>Page 2 &amp; Appendix 2 and 3</td>
</tr>
<tr>
<td>Appeals against Notices</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Designation of Special Sites</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Notification of Claimed Remediation</td>
<td>2</td>
<td>Page 2</td>
</tr>
<tr>
<td>Convictions of Offences</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Detailed information where entries are included:

1. Remediation Declarations/Statements

There are currently two entries:

Bessemer Park Sedgefield (Site Ref. CLD/001, as amended by CLD/001a)
Bessemer Park Sedgefield (Site Ref. CLD/002, as amended by CLD/002a)

2. Notification of Claimed Remediation

There are currently two entries:

Bessemer Park Sedgefield (Site Ref. CLD/001, as amended by CLD/001a)
Bessemer Park Sedgefield (Site Ref. CLD/002, as amended by CLD/002a)

The remediation has been verified, details of which can be found in the following reports held by Durham County Council:

- Sirius (November 2006) Completion statement for the capping works of land at Bessemer Park, Spennymoor, prepared for Sedgefield Borough Council (Report C1426B)

- FWS Consultants Ltd (February 2007) Additional Sampling of Shallow Made Ground, Bessemer Park, Spennymoor, prepared for Sedgefield Borough Council

- Durham County Council (September 2007) Bessemer Park School and Open Space site, Remediation Works, Validation Report, Environmental Management Section (Report No. 618/00056/V)

Post remediation Bessemer Park is considered suitable for use and is no longer considered as 'Contaminated Land'.

Appendices

Appendix 1: Full Site Location Plan
Appendix 2: CLD/001, as amended by CLD/001a - Notice of Determination, Site Plan, Remediation Statement
Appendix 3: CLD/002, as amended by CLD/002a - Notice of Determination, Site Plan, Remediation Statement
Appendix 1: Full Site Location Plan
Appendix 2: CLD/001, as amended by CLD/001a - Notice of Determination, Site Plan, Remediation Statement
ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED

SECTION 78 – PART IIA

RECORD OF THE DETERMINATION OF LAND AS BEING
CONTAMINATED

Under the provisions of section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council have identified that land at:

Bessemer Park Open Space, Bessemer Park, Spennymoor, County Durham

within the boundary marked in red on the attached (Plan 1) and referred to thereafter as “this land”, is “contaminated land” under the definition within section 78A(2) of the above Act in that:

Sedgefield Borough Council have identified contaminants, relevant pathways and receptors that exist in respect to the current use of this land and are satisfied that these pollution linkages represent a significant possibility of significant harm being caused to those receptors.

This determination is based on the following evidence; itself considered with due regard to the requirements of the Statutory Guidance contained within DETR circular 02/2000, Contaminated Land Report 11 and the Local Authority Guide to the Application of Part IIA.

1. The significant pollution linkages identified are as follows:

<table>
<thead>
<tr>
<th>Linkage 1</th>
<th>Contaminant: Lead found within the “Upper made ground” of the Open Space</th>
<th>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</th>
<th>Receptor: Users of the open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linkage 2</td>
<td>Contaminant: Benzo(a)pyrene found within the “Upper made ground” of the Open Space</td>
<td>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</td>
<td></td>
</tr>
</tbody>
</table>
Receptor: Users of the open space

<table>
<thead>
<tr>
<th>Linkage 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contaminant: Dibenzo(ah)anthracene found within the &quot;Upper made ground&quot; of the Open Space</td>
</tr>
<tr>
<td>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td>Receptor: Users of the open space</td>
</tr>
</tbody>
</table>

2. This determination is based on the following:

2.1 Bessemer Park was formally the site of an iron/steel works, a coke works and other associated activities. The site was cleared during the 1950s-60s, but little or no remediation of the site was carried out.

2.2 Investigations into the open space have shown that considerable levels of materials, left over from the original use of the site, are found within the made ground. WA Fairhurst assessed these levels on behalf of the landowner, Durham County Council, in 2004. Based on a theoretical, conservatively modeled, quantitative risk assessment it has been decided that the pollutant linkages listed above are significant and therefore to determine the site as Contaminated Land under section 78A(2) of the Environmental Protection Act, 1990, as amended. Whilst there is no evidence of harm occurring at present, there is a significant possibility that significant harm may occur at some stage in the future.

2.3 Further investigations were carried out on behalf of Sedgefield Borough Council into the potentially contaminated groundwater that was known to exist within the site. However, no significant pollution linkages were identified in this study.

3. Sedgefield Borough Council is satisfied that all relevant and available evidence supporting the determination is appropriate and representative of the site. In this case, third-party assessment of the WA Fairhurst by the Department of the Environment, Food and Rural Affairs has concluded that the WA Fairhurst report meets these criteria.

4. Summary

4.1 Sedgefield Borough Council has been provided with information that identifies, through the principals of risk assessment, that land within its administrative area meets the definition of contaminated land with section 78A(2) of the Environmental Protection Act, 1990, as amended.
4.2 The Risk Assessment report has been independently assessed and is considered an accurate representation of the uses of, and the risks presented by, the site.

4.3 Further information on the groundwater conditions of the site has been gathered and no pollution linkages are identified through this medium.

4.4 Sedgefield Borough Council is now in possession of sufficient information to characterise the site and no further pollution linkages are thought to exist on this land.

4.5 These linkages are derived from current techniques and procedures.

5. Date of determination:

13th July 2006

Signed: ____________________________

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: 27 July 2006
6 References:

6.1 Environmental Protection Act (1990), as amended.


Sedgefield
BOROUGH COUNCIL

ENVIROMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

AMENDMENT TO THE RECORD OF DETERMINATION OF
LAND AS BEING CONTAMINATED

Under the provisions of Section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council hereby make the following amendment to the following Notice:

Ref: CLD/001. (Copy Attached)

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following amendments to the Notice CLD/001 shall be applied with immediate effect:

1. In Paragraph 2, Page 1 of 5, Replace the words:
   'within the boundary marked red on the attached (Plan 1)'  
   With:
   'within the boundary marked red on the attached (Plan 1a)'

2. In Page 5 of 5, Substitute:
   Plan 1
   With:
   Plan 1a, attached to this notice

Signed: ______________________________

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: 08-10-2007
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

REMEDIATION STATEMENT

Site Ref: CLD/001, as amended by CLD/001a

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following details are supplied under Section 78H (7) of the above named legislation, subject to Section 78H (5) a Remediation Notice was not required for this site.

a. Works shall be carried out on site in line with the proposals supplied in the following documents:


b. The persons and / or organisation specified below are responsible for ensuring that works are carried out to a satisfactory standard:

   Environment Department
   Durham County Council
   County Hall
   Durham
   DH1 5UL

c. Works are scheduled to be completed by 31st July 2007.
Appendix 3: CLD/002, as amended by CLD/002a - Notice of Determination, Site Plan, Remediation Statement
Under the provisions of section 78 of the Environmental Protection Act 1990, associated statutory instruments, regulations and guidance, Sedgefield Borough Council have identified that land at:

**Bessemer Park Open Space, Bessemer Park, Spennymoor, County Durham**

within the boundary marked in red on the attached (Plan 1) and referred to thereafter as “this land”, is “Contaminated Land” under the definition within section 78A(2) of the above Act in that:

Sedgefield Borough Council have identified contaminants, relevant pathways and receptors that exist in respect to the current use of this land and are satisfied that these pollution linkages represent a significant possibility of significant harm being caused to those receptors.

This determination is based on the following evidence; itself considered with due regard to the requirements of the Statutory Guidance contained within DETR circular 02/2000, Contaminated Land Report 11 and the Local Authority Guide to the Application of Part IIA.

1. The significant pollution linkages identified are:

<table>
<thead>
<tr>
<th>Linkage 1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contaminant:</strong> Lead found within the “Upper made ground” of the Open Space</td>
</tr>
<tr>
<td><strong>Pathways:</strong> Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td><strong>Receptor:</strong> Users of the open space</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Linkage 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contaminant:</strong> Benzo(a)pyrene found within the “Upper made ground” of the Open Space</td>
</tr>
<tr>
<td><strong>Pathways:</strong> Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
</tbody>
</table>
Receptor: Users of the open space

Linkage 3

| Contaminant: Dibenzo(ah)anthracene found within the “Upper made ground” of the Open Space |
| Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation |
| Receptor: Users of the open space |

2. This determination is based on the following:

2.1 Bessemer Park was formally the site of an iron/steel works, a coke works and other associated activities. The site was cleared during the 1950s-60s, but little or no remediation of the site was carried out.

2.2 Investigations into the open space have shown that considerable levels of material left over from the original use of the site are found within the made ground of the site. F.W.S Consultants Ltd. assessed the nature, distribution and mobility of contaminants on the area of Bessemer Park owned by Sedgefield Borough Council. This investigation indicated that levels of contaminants within the topsoil and made ground, found on the site owned by Sedgefield Borough Council, were generally similar to those found on the adjacent area of land owned by Durham County Council and modelled in the W A Fairhurst Quantitative Risk Assessment Report.

Due to the contaminants of concern being present in similar concentrations for both the Sedgefield Borough Council and Durham County Council areas of land, the Quantitative Risk Assessment produced by W A Fairhurst was adopted as a Risk Assessment for the Local Authorities area of land. This has been confirmed as an appropriate practice by DEFRA. The W A Fairhurst report, based on a theoretical, conservatively modelled, quantitative risk assessment found that the contaminants listed above existed at concentrations that made the site contaminated land under section 78(2) of the Environmental Protection Act, 1990, as amended. Whilst there is no evidence of harm occurring at present, there is a significant possibility that significant harm may occur at some stage in the future.

2.3 Further investigations were carried out by FWS Consultants Ltd., on behalf of Sedgefield Borough Council, into the potentially contaminated groundwater that was known to exist within the site; no significant pollution linkages were identified in this study. A further Detailed Quantitative Risk Assessment was recommended in the study by FWS Consultants Ltd., into the potential contaminants in the groundwaters on the Sedgefield Borough Council area of Land. Sirius Geotechnical and Environmental Ltd. carried out the detailed Quantitative Risk
Assessment; this assessment concluded that the risks posed to groundwaters were negligible.

3. Sedgefield Borough Council are satisfied that all evidence supporting the determination is appropriate and representative of the site. In this case, third-party assessment of the WA Fairhurst by the Department of the Environment, Food and Rural Affairs has concluded that the WA Fairhurst report meets these criteria.

4. Summary

4.1 Sedgefield Borough Council has been provided with information that identifies, through the principals of risk assessment, that land within its administrative area meets the definition of contaminated land with section 78A(2) of the Environmental Protection Act, 1990, as amended.

4.2 The Risk Assessment report has been independently assessed and is considered an accurate representation of the uses of, and the risks presented by, the site.

4.3 Further information on the groundwater conditions of the site has been gathered and no pollution linkages are identified through this medium.

4.4 Sedgefield Borough Council is now in possession of sufficient information to characterise the site and no further pollution linkages are thought to exist on this land.

4.5 These linkages are derived from current techniques and procedures.

5. Date of determination:

13th July 2006

Signed: ____________________________

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: 27 July 2000
6. References:


SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

AMENDMENT TO THE RECORD OF DETERMINATION OF
LAND AS BEING CONTAMINATED

Under the provisions of Section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council hereby make the following amendment to the following Notice:

Ref: CLD/002. (Copy Attached)

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following amendments to the Notice CLD/002 shall be applied with immediate effect:

1. On Page 2 of 5, Remove:

   Linkage 3

Signed: 

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: 02-10-2003
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

REMEDIATION STATEMENT

Site Ref: CLD/002, as amended by CLD/002a
Bessemer Park Open Space, Bessemer Park, Spennymoor, County Durham

The following details are supplied under Section 78H (7) of the above named legislation, subject to Section 78H (5) a Remediation Notice was not required for this site.

a. Site works shall be carried out in line with the proposals supplied in the following documents:


b. The persons and/or organisation specified below are responsible for ensuring that works are carried out to a satisfactory standard:

Sedgefield Borough Council
Council Offices
Green Lane
Spennymoor
County Durham
DL16 6JQ

c. Works are scheduled to be completed by 31st July 2007.
CONTAMINATED LAND REGISTER

We are required to maintain a public register of sites determined as ‘Contaminated Land’ under Part 2A of the Environmental Protection Act 1990.

The public register does not include information on sites across the county with a past industrial use, a record of sites previously investigated and determined as not ‘Contaminated Land’ or sites that have been remediated through planning and development control.

Register location: Durham County Council, Pollution Control, Environmental Health and Consumer Protection, Annand House, John Street North, Meadowfield, DH7 8RS

Bessemer Park is the only site currently on the register.

<table>
<thead>
<tr>
<th>Site Name and Address</th>
<th>Date of Determination</th>
<th>Special Site Determination</th>
<th>Grid Reference</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bessemer Park, Sedgefield</td>
<td>13th July 2006</td>
<td>No</td>
<td>426370 534020</td>
<td>Remediated</td>
</tr>
</tbody>
</table>

Bessemer Park has been remediated and is considered suitable for use.

The following information relates to the regulatory action and remediation.

Bessemer Park covered two former areas of land:

Sedgefield District Council (CLD/001, as amended by CLD/001a)
Durham County Council (CLD/002, as amended by CLD/002a)

Therefore, there are two entries on the register.

The table below shows the information on the register. Where information is available, further detailed information is provided.

Summary Table:

<table>
<thead>
<tr>
<th>Information on Register</th>
<th>Number of Entries</th>
<th>Available Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remediation Notices</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Remediation Declarations/Statements</td>
<td>2</td>
<td>Page 2 &amp; Appendix 2 and 3</td>
</tr>
<tr>
<td>Appeals against Notices</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Designation of Special Sites</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Notification of Claimed Remediation</td>
<td>2</td>
<td>Page 2</td>
</tr>
<tr>
<td>Convictions of Offences</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Detailed information where entries are included:

1. **Remediation Declarations/Statements**

There are currently two entries:

Bessemer Park Sedgefield (Site Ref. CLD/001, as amended by CLD/001a)
Bessemer Park Sedgefield (Site Ref. CLD/002, as amended by CLD/002a)

2. **Notification of Claimed Remediation**

There are currently two entries:

Bessemer Park Sedgefield (Site Ref. CLD/001, as amended by CLD/001a)
Bessemer Park Sedgefield (Site Ref. CLD/002, as amended by CLD/002a)

The remediation has been verified, details of which can be found in the following reports held by Durham County Council:

- Sirius (November 2006) Completion statement for the capping works of land at Bessemer Park, Spennymoor, prepared for Sedgefield Borough Council (Report C1426B)
- FWS Consultants Ltd (February 2007) Additional Sampling of Shallow Made Ground, Bessemer Park, Spennymoor, prepared for Sedgefield Borough Council
- Durham County Council (September 2007) Bessemer Park School and Open Space site, Remediation Works, Validation Report, Environmental Management Section (Report No. 618/00056/V)

Post remediation Bessemer Park is considered suitable for use and is no longer considered as ‘Contaminated Land’.

**Appendices**

Appendix 1: Full Site Location Plan
Appendix 2: CLD/001, as amended by CLD/001a - Notice of Determination, Site Plan, Remediation Statement
Appendix 3: CLD/002, as amended by CLD/002a - Notice of Determination, Site Plan, Remediation Statement
Appendix 2: CLD/001, as amended by CLD/001a - Notice of Determination, Site Plan, Remediation Statement
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

RECORD OF THE DETERMINATION OF LAND AS BEING CONTAMINATED

Under the provisions of section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council have identified that land at:

Bessemer Park Open Space, Bessemer Park, Spennymoor, County Durham

within the boundary marked in red on the attached (Plan 1) and referred to thereinafter as “this land”, is “contaminated land” under the definition within section 78A(2) of the above Act in that:

Sedgefield Borough Council have identified contaminants, relevant pathways and receptors that exist in respect to the current use of this land and are satisfied that these pollution linkages represent a significant possibility of significant harm being caused to those receptors.

This determination is based on the following evidence; itself considered with due regard to the requirements of the Statutory Guidance contained within DETR circular 02/2000, Contaminated Land Report 11 and the Local Authority Guide to the Application of Part IIA.

1. The significant pollution linkages identified are as follows:

<table>
<thead>
<tr>
<th>Linkage 1</th>
<th>Contaminant: <strong>Lead</strong> found within the “Upper made ground” of the Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pathways:</td>
<td>Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td>Receptor:</td>
<td>Users of the open space</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Linkage 2</th>
<th>Contaminant: <strong>Benzo(a)pyrene</strong> found within the “Upper made ground” of the Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pathways:</td>
<td>Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
</tbody>
</table>
Receptor: Users of the open space

<table>
<thead>
<tr>
<th>Linkage 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contaminant: Dibenzo(ah)anthracene</td>
</tr>
<tr>
<td>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td>Receptor: Users of the open space</td>
</tr>
</tbody>
</table>

2. This determination is based on the following:

2.1 Bessemer Park was formally the site of an iron/steel works, a coke works and other associated activities. The site was cleared during the 1950s-60s, but little or no remediation of the site was carried out.

2.2 Investigations into the open space have shown that considerable levels of materials, left over from the original use of the site, are found within the made ground. WA Fairhurst assessed these levels on behalf of the landowner, Durham County Council, in 2004. Based on a theoretical, conservatively modeled, quantitative risk assessment it has been decided that the pollutant linkages listed above are significant and therefore to determine the site as Contaminated Land under section 78A(2) of the Environmental Protection Act, 1990, as amended. Whilst there is no evidence of harm occurring at present, there is a significant possibility that significant harm may occur at some stage in the future.

2.3 Further investigations were carried out on behalf of Sedgefield Borough Council into the potentially contaminated groundwater that was known to exist within the site. However, no significant pollution linkages were identified in this study.

3. Sedgefield Borough Council is satisfied that all relevant and available evidence supporting the determination is appropriate and representative of the site. In this case, third-party assessment of the WA Fairhurst by the Department of the Environment, Food and Rural Affairs has concluded that the WA Fairhurst report meets these criteria.

4. Summary

4.1 Sedgefield Borough Council has been provided with information that identifies, through the principals of risk assessment, that land within its administrative area meets the definition of contaminated land with section 78A(2) of the Environmental Protection Act, 1990, as amended.
4.2 The Risk Assessment report has been independently assessed and is considered an accurate representation of the uses of, and the risks presented by, the site.

4.3 Further information on the groundwater conditions of the site has been gathered and no pollution linkages are identified through this medium.

4.4 Sedgefield Borough Council is now in possession of sufficient information to characterise the site and no further pollution linkages are thought to exist on this land.

4.5 These linkages are derived from current techniques and procedures.

5. Date of determination:

13\textsuperscript{th} July 2006

Signed: 

-----------------------------------------------------------------------------------------------------

Director of Neighbourhood Services  
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: 

-----------------------------------------------------------------------------------------------------
6 References:

6.1 Environmental Protection Act (1990), as amended.


Bessemer Park
Area of Land Determined as Contaminated Land

DCC Land

Ref: CLD/001
1:2,000

Sedgefield Borough Council
This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Sedgefield Borough Council. LA 100034273. 2006.
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

AMENDMENT TO THE RECORD OF DETERMINATION OF
LAND AS BEING CONTAMINATED

Under the provisions of Section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council hereby make the following amendment to the following Notice:

Ref: CLD/001. (Copy Attached)

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following amendments to the Notice CLD/001 shall be applied with immediate effect:

1. In Paragraph 2, Page 1 of 5, Replace the words:
   ‘within the boundary marked red on the attached (Plan 1)’
   With:
   ‘within the boundary marked red on the attached (Plan 1a)’

2. In Page 5 of 5, Substitute:
   Plan 1
   With:
   Plan 1a, attached to this notice

Signed: ____________________________________________

   Director of Neighbourhood Services
   Authorised in this position for and on behalf of Sedgefield Borough Council

Date: ____________________________________________
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

REMEDINATION STATEMENT

Site Ref: CLD/001, as amended by CLD/001a

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following details are supplied under Section 78H (7) of the above named legislation, subject to Section 78H (5) a Remediation Notice was not required for this site.

a. Works shall be carried out on site in line with the proposals supplied in the following documents:


b. The persons and / or organisation specified below are responsible for ensuring that works are carried out to a satisfactory standard:

Environment Department
Durham County Council
County Hall
Durham
DH1 5UL

c. Works are scheduled to be completed by 31st July 2007.
Appendix 3: CLD/002, as amended by CLD/002a - Notice of Determination, Site Plan, Remediation Statement
SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

RECORD OF THE DETERMINATION OF LAND AS BEING CONTAMINATED

Under the provisions of section 78 of the Environmental Protection Act 1990, associated statutory instruments, regulations and guidance, Sedgefield Borough Council have identified that land at:

Bessemer Park Open Space, Bessemer Park, Spennymoor, County Durham

within the boundary marked in red on the attached (Plan 1) and referred to thereafter as “this land”, is “Contaminated Land” under the definition within section 78A(2) of the above Act in that:

Sedgefield Borough Council have identified contaminants, relevant pathways and receptors that exist in respect to the current use of this land and are satisfied that these pollution linkages represent a significant possibility of significant harm being caused to those receptors.

This determination is based on the following evidence; itself considered with due regard to the requirements of the Statutory Guidance contained within DETR circular 02/2000, Contaminated Land Report 11 and the Local Authority Guide to the Application of Part IIA.

1. The significant pollution linkages identified are:

<table>
<thead>
<tr>
<th>Linkage 1</th>
<th>Contaminant: Lead found within the “Upper made ground” of the Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td></td>
<td>Receptor: Users of the open space</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Linkage 2</th>
<th>Contaminant: Benzo(a)pyrene found within the “Upper made ground” of the Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pathways: Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
</tbody>
</table>
Ref: CLD/002

<table>
<thead>
<tr>
<th>Receptor:</th>
<th>Users of the open space</th>
</tr>
</thead>
</table>

**Linkage 3**

<table>
<thead>
<tr>
<th>Contaminant:</th>
<th>Dibenzo(ah)anthracene found within the “Upper made ground” of the Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pathways:</td>
<td>Intake to body via dermal contact, soil ingestion and dust inhalation</td>
</tr>
<tr>
<td>Receptor:</td>
<td>Users of the open space</td>
</tr>
</tbody>
</table>

2. This determination is based on the following:

2.1 Bessemer Park was formally the site of an iron/steel works, a coke works and other associated activities. The site was cleared during the 1950s-60s, but little or no remediation of the site was carried out.

2.2 Investigations into the open space have shown that considerable levels of material left over from the original use of the site are found within the made ground of the site. F.W.S Consultants Ltd. assessed the nature, distribution and mobility of contaminants on the area of Bessemer Park owned by Sedgefield Borough Council. This investigation indicated that levels of contaminants within the topsoil and made ground, found on the site owned by Sedgefield Borough Council, were generally similar to those found on the adjacent area of land owned by Durham County Council and modelled in the W A Fairhurst Quantitative Risk Assessment Report.

Due to the contaminants of concern being present in similar concentrations for both the Sedgefield Borough Council and Durham County Council areas of land, the Quantitative Risk Assessment produced by W A Fairhurst was adopted as a Risk Assessment for the Local Authorities area of land. This has been confirmed as an appropriate practice by DEFRA. The W A Fairhurst report, based on a theoretical, conservatively modelled, quantitative risk assessment found that the contaminants listed above existed at concentrations that made the site contaminated land under section 78(2) of the Environmental Protection Act, 1990, as amended. Whilst there is no evidence of harm occurring at present, there is a significant possibility that significant harm may occur at some stage in the future.

2.3 Further investigations were carried out by FWS Consultants Ltd., on behalf of Sedgefield Borough Council, into the potentially contaminated groundwater that was known to exist within the site; no significant pollution linkages were identified in this study. A further Detailed Quantitative Risk Assessment was recommended in the study by FWS Consultants Ltd., into the potential contaminants in the groundwaters on the Sedgefield Borough Council area of Land. Sirius Geotechnical and Environmental Ltd. carried out the detailed Quantitative Risk
Assessment; this assessment concluded that the risks posed to
groundwaters were negligible.

3. Sedgefield Borough Council are satisfied that all evidence supporting
the determination is appropriate and representative of the site. In this
case, third-party assessment of the WA Fairhurst by the Department of
the Environment, Food and Rural Affairs has concluded that the WA
Fairhurst report meets these criteria.

4. **Summary**

4.1 Sedgefield Borough Council has been provided with information that
identifies, through the principals of risk assessment, that land within its
administrative area meets the definition of contaminated land with
section 78A(2) of the Environmental Protection Act, 1990, as
amended.

4.2 The Risk Assessment report has been independently assessed and is
considered an accurate representation of the uses of, and the risks
presented by, the site.

4.3 Further information on the groundwater conditions of the site has been
gathered and no pollution linkages are identified through this medium.

4.4 Sedgefield Borough Council is now in possession of sufficient
information to characterise the site and no further pollution linkages
are thought to exist on this land.

4.5 These linkages are derived from current techniques and procedures.

5. **Date of determination:**

13th July 2006

Signed: ______________________________________

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: ______________________________________
6. References:


SEDGEFIELD BOROUGH COUNCIL

ENVIRONMENTAL PROTECTION ACT (1990) AS AMENDED
SECTION 78 – PART IIA

AMENDMENT TO THE RECORD OF DETERMINATION OF
LAND AS BEING CONTAMINATED

Under the provisions of Section 78 (Part IIA) of the Environmental Protection Act 1990, as amended, associated statutory instruments, regulations and guidance, Sedgefield Borough Council hereby make the following amendment to the following Notice:

Ref: CLD/002. (Copy Attached)

Bessemer Park Open Space, Bessemer Park,
Spennymoor, County Durham

The following amendments to the Notice CLD/002 shall be applied with immediate effect:

1. On Page 2 of 5, Remove:
   All information contained within Linkage 3

Signed: _________________________________________

Director of Neighbourhood Services
Authorised in this position for and on behalf of Sedgefield Borough Council

Date: __________________________________________
The following details are supplied under Section 78H (7) of the above named legislation, subject to Section 78H (5) a Remediation Notice was not required for this site.

a. Site works shall be carried out in line with the proposals supplied in the following documents:


b. The persons and / or organisation specified below are responsible for ensuring that works are carried out to a satisfactory standard:

Sedgefield Borough Council
Council Offices
Green Lane
Spennymoor
County Durham
DL16 6JQ

c. Works are scheduled to be completed by 31st July 2007.