

Services to Union Members

Residential Property

Environmental Matters

Since April 2000, Local Authorities have been reviewing and inspecting potentially contaminated land in order to draw up a list of sites that pose an unacceptable threat to human health or to the environment.

Once the Authority has identified contamination it must:

1. Establish the responsibility for decontaminating and making the site safe - a process called 'remediation'. They must also establish who is responsible for the cost of the work.
2. Decide on the remediation required and ensure that it is carried out.
3. Record information about it on a public Register.

Remediation could include removing the contaminated land or isolating it with a protective barrier.

How does this affect you?

Where contamination is found, the responsibility for remediation and the costs involved depend on a number of factors, but there is a risk that the owner of the land may be held responsible. Even if the polluter can be found the owner would no doubt be involved in considerable time, worry and expense and there would still be no guarantee the polluter could or would be made to pay.

Although there is no way of guaranteeing that the land and property you are buying is not contaminated, there are steps we can take to reduce the risk.

Questions have been added to the standard local authority search which we will conduct that will reveal entries in the Contaminated Land Register. However even if a search result does not reveal any entries at the moment, it is possible that entries could be added in the future. An entry on the Register is also likely to make selling or mortgaging a property very difficult.

You can also reduce the risk of buying a property built on contaminated land by an Environmental Search, which we can carry out on your behalf. We will include the cost of such a search in the estimate of our charges.

Environmental Search

This report covers an area of up to 500 metres around a point within the property and includes a map centred on the property with a summary giving information on:

- Registered land fill sites
- Registered waste transfer disposal and treatment sites
- Licensed sites involving radio active substances
- Sites authorised to store hazardous substances
- Potentially contaminative industrial sites identified from current published surveys and certain historic Ordnance Survey maps

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- Overhead transmission lines and pylons
 - The risk of flooding by the sea or a major river (by post code sector)
 - The risk of subsidence (other than through mining) (by post code sector)
 - Comments on findings together with suggested actions
 - Search details with specific locations and details on individual sites
 - Names, addresses and telephone numbers of useful contacts from whom more information may be obtained.

The search is carried out by an independent company using computerised records such as old Ordnance Survey plans. It does not give details of actual contamination and it cannot guarantee that the land is not contaminated, but it should give some solid information to help you judge the risks before you buy.

The company will search several databases for environmental information but, if your property has been contaminated by or is at risk of contamination from an unrecorded source, the search will not reveal it. You should always do your own detective work, look round the area and let us and your Surveyor know if there is anything which concerns you.

If the report reveals a serious possibility of contamination you will need to consider what further investigations should be made. These may include instructing a specialist Surveyor to conduct an on site investigation.

Except by special arrangement, the house Surveyor or Valuer you instruct (please see our *Guide to Property Surveys* information sheet) will not address contamination. Mortgage lenders do not, at present, require the valuers they instruct to report on contamination.
