

From Linda Bland, resident of Hauxton, and Rob Thomas, resident of Harston, to the Environmental Services Portfolio Holder:

"It appears that at the end of all this aggravation South Cambridgeshire District Council and the Environment Agency will sign the job off .

"If some years down the line, remembering that know one to date will give a 100 % guarantee that everything here is OK, if we were to experience another Corby like scenario will the responsibility not be fairly and squarely down to South Cambridgeshire District Council and the Environment Agency ?"

At Corby the Local Authority was not only the Planning Authority but was also the relevant landowner and had accepted legal responsibility for the decontamination and remediation works which it failed to carry out in a safe way. At Hauxton, South Cambridgeshire District Council is not the landowner and has no contractual /land ownership responsibilities/liabilities in relation to the decontamination and remediation works. The District Council's legal responsibilities are limited to its two roles as (i) Local Planning Authority in terms of it regulating the planning conditions, and (ii) in terms of its duty to inspect its area to detect any statutory nuisances and to take such steps as are reasonably practicable to investigate any complaint of a statutory nuisance.

The long-term responsibility will remain with the landowner carrying out the decontamination and remediation works. Once the remediation process is complete there will be a minimum of at least six months monitoring to ensure that the works have been successful. At the end of this period Atkins will submit a full report to the Council detailing the works undertaken and the results of all sampling and analysis undertaken to verify the achievement of the target levels. Approval of this Verification Report does not give 100% guarantee that everything is OK. That responsibility remains with the landowner and with the authors of the Report. If any initial Verification Report does not demonstrate the effectiveness of the remediation works, and the Council is not satisfied, it will not be approved and no residential development will be permitted until a Verification Report is produced which does demonstrate the necessary effectiveness.

Supplementary question, asked at the Council meeting:

"What kind of insurance policy does the Council have and does it provide for claims against individual councillors?"

The Environmental Services Portfolio Holder replied that, as previously stated, the Council was not the landowner and the responsibility remained with the landowner and the remediation works provider.