

case studies

Case Study 2



Old gas tanks leak mercury and cancer causing chemicals into gardens in Littleport, Cambridgeshire



Don't grow your own

Angry residents in Old School Close in Littleport, near Ely, Cambridgeshire, are facing possible blight as they cannot sell or re-mortgage their homes after it was discovered in 2003 that the land beneath them was contaminated.

More than 20 houses were built adjacent to the site of an old gasworks in 1991. Homeowners have been advised not to eat home-grown fruit or vegetables or let their children play in the garden as the soil contains potentially dangerous levels of mercury and other cancer causing chemicals.

The homeowners had been warned by East Cambridgeshire District Council that they could be liable for part of the clean-up operation costs because Regal Bourne, the housing developer which built the homes in Old School Close, is no longer in business.

Some years before now, a solicitor acting for a potential buyer, enquired at the council about whether the site could be affected by any possible contamination but there was a lack of clarity about the position in relation to planning consent for the development and possible existing impacts of contamination on a nearby water course.

Today, residents say the contamination is causing financial problems as they cannot sell their houses and they deny any liability to pay the clean up charges, as the position may have been known for some time.

A clean-up operation could take up to a year, cost thousands of pounds and is likely to cause significant disruption to the residents' day to day lives. The situation remains unresolved, while the council undertakes an independent review and this could be typical of potentially thousands of such cases that may emerge in the future.

The limits of the local authority search

The story underlines the need for you and your client to get the clearest picture of past land use and possible contamination. Standard local authority searches may not pick up these issues, especially for developments that were completed years ago. More comprehensive Environmental Protection legislation was introduced in 2000, which now requires councils to inspect potentially contaminated land, on which they must report and make available, but this process has only really just begun nationwide.

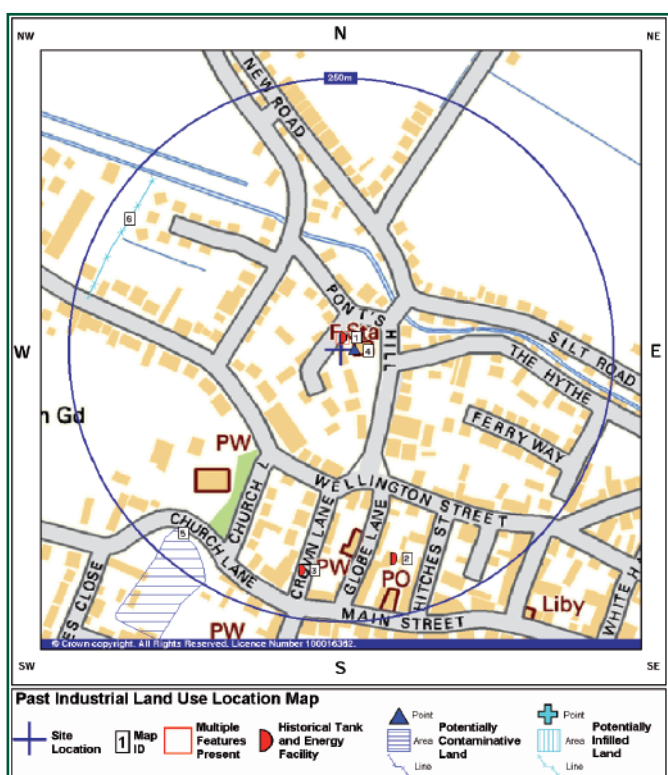
A full risk assessment

Landmark environmental reports include comprehensive historic land use information, including what sort of industry was active over the last 150 years. The report clearly identified the presence of the gasworks adjacent to Old School Close throughout the 20th century and the presence of tanks and unknown filled ground that could have contaminant seepage.

Every Landmark environmental residential report comes with a professional risk assessment which, in this case, highlighted that the site cannot be declared as free from contamination, requiring further investigation and caution for your client before proceeding.

Ensure that you order a Landmark environmental report to get the clearest picture on possible risks and protection against Part IIA of the Environmental Protection Act 1990 before you complete for your client.

For more information about Landmark Environmental reports call 0870 606 1700 or email info@landmark.co.uk



< The map on the left is an extract from a Landmark Environmental Report clearly showing the presence of potentially contaminative land from old gas tanks.