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| <b>NOTICE OF MOTION</b> | <b>Date of Council Meeting:</b> 15 January 2025                         |
|                         | <b>Mover:</b> Councillor Tinsley  |
|                         | <b>Seconder:</b> Councillor Stables                                     |
|                         | <b>Title of Motion:</b><br>Proactive action at the Maltby Colliery site |

**Background:**

The former Maltby Colliery site, a location with a long history of coal mining, is currently undergoing a reclamation scheme. This site has sparked significant health and safety concerns among local residents, including risks of land contamination and public injury within the area.

Compost-like output (CLO), a processed waste product derived from organic waste materials, is commonly used in land reclamation projects due to its ability to improve soil quality and support plant growth.

However, while CLO offers benefits in enhancing soil structure and fertility, it also poses potential risks to both public health and the environment. The composition of CLO is often not fully transparent, raising concerns that it may contain toxic elements such as heavy metals, persistent organic pollutants (POPs), and other hazardous substances. Over time, these harmful substances could leach into surrounding soil, water systems, and air, threatening local ecosystems, public health, and the long-term safety of the land.

CLO has been identified at the Maltby site, containing visible contaminants such as glass and plastic. Additionally, water leaching into the soil has been reported. Both issues have previously been raised with the Environment Agency (EA), which is responsible for permitting and enforcement at the site. However, the EA has yet to conduct an investigation.

In addition to concerns surrounding CLO, the site's coal mining history adds further complications. Coal mining operations often leave behind a legacy of pollution, including heavy metals, hydrocarbons, and other contaminants. These pollutants, which may have remained in the soil for decades, continue to pose risks to both the environment and human health. In 2014, the Council resolved to carry out Planning enforcement action on the owner of the site for the importation of MRF fines, stating that "The importation of material to the site represents inappropriate development in the Green Belt". So similar action could be considered by the council regarding the importation of CLO.

The Maltby Colliery site is openly accessible by foot and frequently visited by individuals on off-road bikes and quads. A large lagoon on the site also shows signs of bank instability, raising concerns about public safety.

Recent testing on adjacent land designated for the Highfield Park housing development has confirmed the presence of land contaminants, raising serious questions about the safety of this area for residential use. While remediation of this land for housing is the responsibility of the developer as a planning condition, a proposed allotment site within the same area has not been included in soil testing. Growing food in potentially contaminated soil presents a direct public health risk to residents and highlights the broader dangers if no action is taken.

As these concerns continue to mount, local residents are calling for greater transparency, comprehensive testing, and stronger regulatory oversight of the reclamation process and the materials used in land restoration.

### **The Council Notes:**

1. CLO (Compost-like Output) is classed as a waste product with no set standard to regulate it. CLO is not permitted to be used on Agricultural land.
2. The testing carried out by the developer at the adjacent Highfield Park housing site has highlighted contamination in the soil, indicative of what may exist across the wider area.
3. Testing of the soil at the part of the adjacent Highfield Park housing site intended for use as allotments has not as yet been carried out.
4. The importation of MRF fines from Hatfield Colliery to the Maltby Restoration site back in 2016 resulted in Planning Enforcement action by RMBC to prohibit further deposits. "The importation of material to the site represents inappropriate development in the Green Belt"
5. The Council holds powers under the Environmental 1990 Act Part 2 to create a strategy on Contaminated land and the investigation of contaminated land.

### **This Council resolves to:**

1. Review/update the Council's Land Contamination Strategy:
  - Conduct a comprehensive review of the Council's current land contamination strategy, to ensure that it is up to date with the latest environmental legislation and guidance.
  - Ensure that the strategy incorporates best practices for managing legacy contamination and preventing future pollution risks to residential, agricultural, and recreational areas.
  - Engage with external environmental experts to ensure that the strategy is up-to-date and aligns with the latest regulatory and environmental standards.

2. Call upon the Environment Agency to:

- Carry out investigative testing on the Maltby Colliery site to ascertain what contamination is present and what actions should be taken to reduce the risks, including to human health.
- Request that the Environment Agency carry out a legislative review on CLO, with a view to further regulation of this waste material.

3. RMBC's Planning / Community Protection

- Review the use of CLO at the Maltby Colliery site and determine if the importation of that material could contravene current and any future planning permissions at the site.
- To review public access and security measures to the Maltby Colliery site under restoration. Review the stability of the lagoon banking, referring local concerns about the dangers posed to the public to the HSE if appropriate.
- Review the current plan for allotments on Highfield Park, taking appropriate actions to investigate and remediate the land via Planning or via responsibilities under the Environmental protection 1990 act part 2a.