



Office for
Environmental
Protection

OEP College of Experts

Urban Soils and Land Contamination Workshop

Slides and summary

Workshop context

Context of soil at a national level

- c.70% of England and c.75% of Northern Ireland is classified as agricultural
- Urban soils cover a much smaller area, but population exposure is much larger

	Urban area (%)	Population (million)	Population (%)
England	11%	56.3	82.9%
Northern Ireland	5%	1.16	61.2%

- Benefits: health & wellbeing, additional space for nature, food security and climate adaptation
- Disbenefits: exposure to contamination and chemicals

Context of EIP work to date

- OEP has focused on agricultural soils and nature friendly farming
- EIP progress report 2023/24 comments that:
 - Soil health is a significant gap in governments framework
 - Government should not only focus on agriculture and peat
 - There is an association between brownfield land and deprivation
 - Brownfield land provides opportunity to support delivery of governments growth and nature priorities
 - Brownfield land offers opportunity to remediate chemical contamination



Urban soils

Summary of discussions... Defining urban soils



- Definition presented was not ideal and the OEP should **settle on their own**
- Should encompass **industrial and residential influences** as a general distinguishing factor with agricultural soils
- It was felt the use of 'urban' had **connotations that were perceived to be potentially misleading**, but **others felt that retaining the urban aspect was important for clarity** and for drawing politicians to brownfields
- It was felt that the **utility, history and heterogeneity** of the soils in question was most important and should be recognised
- The approach of **distinguishing between agricultural and urban soils was queried** when soils could (or should) be approached as a theme or domain

Summary of discussions... What are the functions provided by urban soils?



- Soil should be seen as an **ecosystem and habitat**
- **Health & wellbeing benefits** may be of greatest importance in urban areas
- Majority of functions identified were **ecosystem services that offer multi-benefits to human health, wellbeing and the urban and wider environments**
- Summary of those identified:
 - Health & wellbeing, water, air quality, chemicals, biodiversity, physical support, climate mitigation & adaptation, cultural heritage

Summary of discussions...What are the main pressures and impacts on urban soils?



- Similarity between pressures on urban soils and other habitats
- **Urban specific pressures:** compaction, sealing, legacy pollutants, application of chemicals, air deposition and water pollution, and waste dumping/storage
- **Excavated materials being treated as waste rather than a resource** - delegates felt there was a counterintuitive / perverse situation that makes landfilling soil easy whilst sustainable reuse is challenging
- Perception that **urban soils are seen to be uninteresting, undervalued, or treated 'only' as an asset for infrastructure** – the prevailing political, social and economic narratives of not valuing soil were seen as significant

Summary of discussions...Where can the OEP have most influence on urban soils?



- Systems mapping: examine the importance of, and potential additional contribution to nature recovery and wider EIP targets and commitments
- Gap analysis: existing legislation / regulation or what could be required
- Examine the ‘artificial [policy] dichotomy between urban and rural soils’ and the ease with which soils can be disposed to landfill
- Soil survey: A systematic survey of soils outside of agriculture
- Social value: Study the links to social health and wellbeing and the risk of ‘extinction of experience’ due to sectors of the population having no access
- Communication: Bring together groups to think about these issues in a conference, further workshops or calls for evidence

The contaminated land regime

Contaminated land regime

- April 2025 marks the 25th anniversary of Part IIA of EPA 1990
- Somewhat dated figures suggest:
 - 100,000 sites affected by contamination
 - 300,000 hectares thought to be impacted by industrial use
- The last review of progress was undertaken in 2016

We suspect that recent implementation of Part IIA is slow, resulting in reliance on contaminated land and brownfield sites being remediated through the planning process

Many high-risk sites therefore remain unremediated, impacting communities, the environment and limiting growth and redevelopment

2685 potentially contaminated sites were identified in Coventry by 2004

12 council-owned highest risk sites were inspected to 2009

No further progress has been made



Summary of discussions...Has Part IIA fulfilled its intended remit?



- The **assertion that Part IIA implementation is slow is only partially correct** - formal determinations being used as the measure of success was seen to be limited
- Part IIA is mainly successful as a regulatory tool that **encourages proactive remediation of land contamination** whilst regulators retain enforcement powers if needed (National Grid example cited).
- **Concern about the capability and capacity of regulators** (and in some aspects consultancies) might be limiting the application of Part IIA and other regulatory tools, including environmental permitting

Summary of discussions...What lessons can be learned in Eng. and for application in NI



- **Capability and capacity of regulators** - lack of financial resources and expertise and subsequent risk aversion to legal action and potential challenge
- Whether the approach to risk assessment has developed sufficiently and whether it should now **consider issues such as social acceptability**
- **Lack of a national database of land contamination risks** has resulted in sites being viewed in (local authority area) isolation and resulted in a lack of national systems thinking and action
- **Wider issue of brownfield land becoming ‘financially orphaned’**, where land contamination exists below the Part IIA level, but above which remediation through the planning system is financially viable

Summary of discussions...Where can the OEP have most influence on land contamination?



- **Intersection between planning and regeneration policies** in releasing brownfield land for redevelopment
- Treatment of **excavated material as waste**
- **Capability and capacity of regulators** in delivering land contamination duties
- Study the potential **impacts of climate change** on the nature of contamination
- **Wider study of Part IIA implementation** in England, Wales and Scotland (in the context of Northern Ireland)