

Dear David

As per our conversation and the risk form foot and mouth virus please refer to pages 9 and 10 section D1 of the attached report. I am not able to comment any further than this report which is completed by a Science Advisory Council

Regards

Vicki

Vicki Dawson

Lead Specialist - Environment

Somerset Council

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Please note that my email address has now changed to vicki.dawson@somerset.gov.uk



From: David Kenyon <david.kenyon@somerset.gov.uk>

Sent: Monday, October 9, 2023 10:05 PM

To: Paul Huntington <paul.huntington@somerset.gov.uk>

Cc: Vicki Dawson <vicki.dawson@somerset.gov.uk>; Richard Allard <richard.allard@somerset.gov.uk>

Subject: FW: 22/03560/OUT Ep Response

Importance: High

Paul

I understand you have been away from work for a few weeks. Hopefully if you are reading this, you are back in the office hale and hearty and I wish you good health.

Saying that, I do apologise for raising this matter again but I cannot recall seeing any updated consultation response from you having regard to the ground investigation survey carried out by RSK. In particular, could you please clarify recommended conditions including clarification as to whether or not the contaminated land investigation condition that you originally recommended in your response dated 31st January 2023 is still required.

Thank you

Dave

From: David Kenyon <david.kenyon@somerset.gov.uk>

Sent: 31 August 2023 16:36

To: Paul Huntington <paul.huntington@somerset.gov.uk>

Subject: FW: 22/03560/OUT Ep Response

No. I received a 'holding' response from Michael on 31st January 2023 advising that he worked with DEFRA on the foot and mouth outbreak and would be well placed to consider the local residents

concerns. I then received a more detailed email response from him on 17th February 2023 stating (in italics below):

The strict control on disturbance of DEFRA sites for Foot and Mouth relates to the last outbreak whereby carcasses were buried. It is my understanding that from the last outbreak, no animals were buried that had a positive test result, only culled animals as part of a preventative spread policy and had a negative result were buried. DEFRA's own research shows that this risk of Foot and Mouth being present is after 20+ years is very low. Consultation should be sort before disturbance of sites from the last outbreak.

The risks from earlier outbreaks of the 1950s and 1960s still being present is negligible.

The contaminated land condition requested should take into account the potential for the site to be a burial site of animals from whatever Foot and Mouth outbreak and include the correct consultations with government depts such as DEFRA, and investigations, including the relevant and necessary sampling and soil description. The first part of the condition includes a desk study which should incorporate the consultation with DEFRA. Environmental Health will review any submissions of contaminated land reports when submitted as part of a planning condition discharge request as is normal. The contaminated land condition is a pre commencement condition. As long as the investigation is carried out in accordance with industry best practice and British Standards, there should be no risk to members of the public or investigation personnel.

Subsequently my email to Michael on 1st June advised that the applicant had instructed RSK to undertake further ground investigations following concerns raised from local residents. The survey objectives were to identify any land contamination and/or geotechnical constraints of the site; and to identify the need for any additional investigation or remediation works.

In summary, the survey found that:

- Ground Model: no significant visual or olfactory evidence of soil contamination was observed during the course of intrusive investigation; and
- Geo-environmental Assessment: the site investigation and GQRA confirmed the absence of elevated contaminant concentrations within the soil profile across the site. It also found that the site is not located within an area that requires radon protective measures. Notwithstanding this, the report recommends that vigilance should be maintained during development for any undiscovered adverse ground conditions. A watching brief should be implemented during any development works at the site, with a strategy to address any unforeseen ground conditions that may affect the identifies sensitive receptors.

Reference had also been made to a residents' concerns with regard to the grid positioning used and the site investigation report included an investigation strategy and methodology section containing objectives, selection of investigation methods and the adopted investigation strategy (targeted and non-targeted boreholes and trial pits). Appendix A (page 97) provides a detailed overview and justification of the process which should provide clarification sought by the resident. Michael's comments in response to the report were requested, having regard also to the concerns that had been expressed by third parties.

Notwithstanding Michael's comments and your comments of 13th June, residents have asserted that the submitted report is inadequate and that the Council should serve an FOI request on DEFRA seeking

information as to what has been buried under the site from the 1950's to the present day and also that the Council would be well advised to seek independent advice from a competent environmental consultant and/or lawyer, particularly if the Council's EHO is not qualified to provide competent advice on this particular subject matter. The Council's lawyers have advised that it is down to the Environmental Health team to decide whether they have the necessary expertise to comment on the F&M issue and, if they do not, they can seek external consultant advice accordingly.

My emails to you of 19th 21st (with EA response) and 23rd June refer and I would again request your updated consultation response (having regard to and referencing the objections raised by the residents).

Regards
Dave

David Kenyon

Development Management Specialist

[Somerset Council](#)

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Please note that my email address has now changed to david.kenyon@somerset.gov.uk



From: Paul Huntington <paul.huntington@southsomerset.gov.uk>

Sent: 31 August 2023 16:09

To: David Kenyon <david.kenyon@somerset.gov.uk>

Subject: FW: 22/03560/OUT Ep Response

Dave

Have you seen this?

Paul

From: Michael McNaughton <michael.mcnaughton@southsomerset.gov.uk>

Sent: Tuesday, January 31, 2023 4:22 PM

To: Paul Huntington <paul.huntington@southsomerset.gov.uk>

Subject: Re: 22/03560/OUT Ep Response

Hi Paul,

I have attached a copy of a government report that gives some info. What i know is:

- Most carcasses were burned before burial, they were in Northumberland anyway.
- The risk of Foot and mouth existing beyond six months in normal soil conditions is negligible and probably even less of it being passed on.
- Very small chance of spores being released of other contagions.
- DEFRA were keen on a non-disturbance of burial sites so they will need contacting to confirm if this site was actually used for burial.

- I have not seen a directory of burial sites and am sure one does not exist, so a normal search as through an Envirocheck Report may not bring up anything and so a desk study may miss this therefore:

I think the contaminated land condition is fine, i would however explain within the wording of the condition that this is a possible F&M burial site and one of the stakeholders to be contacted as part of the desk study for information is DEFRA. This communication should be appended in the report. Otherwise, the potential for them missing the fact that it could be a burial site are high.

If the site is not a burial ground and the desk study shows a low risk for all other contamination, the unexpected contamination part will cover our backs.

Hope this helps but happy to chat with you.

Kind regards

Mike

From: Paul Huntington <paul.huntington@southsomerset.gov.uk>
Sent: 31 January 2023 15:55
To: Michael McNaughton <Michael.McNaughton@SouthSomerset.Gov.Uk>
Subject: FW: 22/03560/OUT Ep Response

FYI, any guidance appreciated.

H

From: David Kenyon <david.kenyon@southsomerset.gov.uk>
Sent: 31 January 2023 11:39
To: Paul Huntington <Paul.Huntington@SouthSomerset.Gov.Uk>
Subject: FW: 22/03560/OUT Ep Response

Paul

Thank you for your email and attached response.

Whilst I note your comment about lack of experience regarding F&M issues, this is bound to be raised by the Committee so, to pre-empt that, should we not approach the responsible government department and seek their further guidance? I'm happy to do that if you are able to make enquiries as to who I should be consulting.

Thanks

Dave

From: Paul Huntington <paul.huntington@southsomerset.gov.uk>
Sent: 31 January 2023 10:28

To: David Kenyon <David.Kenyon@SouthSomerset.Gov.Uk>

Subject: 22/03560/OUT Ep Response

Hi David

Please find attached our consultation response.

Our records do not show any potentially contaminated land other than a polygon showing an historic sewer works in one of the fields. Our records do not claim to be complete, and it is possible that information from the 1960s was not recorded. In any respect I feel that a ConLand phase One survey is appropriate.

I am not aware of the DEFRA guidance, thresholds or triggers on F&M issues, this matter is beyond my experience and expertise.

Regards

Paul Huntington

Paul Huntington

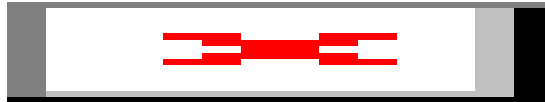
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