NOTICE THAT DECISION THAT LAND IS REQUIRED TO BE DESIGNATED AS A SPECIAL SITE HAS TAKEN EFFECT

ENVIRONMENTAL PROTECTION ACT 1990

SECTION 78C(6)

TO: The Company Secretary, BayerCropScience Ltd, HAUXTON, CB2 5HU

1. In relation to the land situated in its areas and described in the Schedule to this Notice ("the Land") South Cambridgeshire District Council ("the Local Authority") decided, under Section 78C(1)(b) of the Environmental Protection Act 1990 ("the 1990 Act") that the land described in the Schedule is contaminated land which is required to be designated as a special site.

2. Notice of that decision was given to the appropriate Agency on 1st July 2003.

3. In accordance with Section 78C(6) that decision took effect on 2nd July 2003.

4. This notice that the decision has taken effect is given to you pursuant to Section 78C(6) as a relevant person as defined in section 78C(2), namely as

   a) the owner of the land,

   b) the person who appears to the Local Authority to be in occupation of the whole of the land,

   c) the person who appears to the Local Authority to be an appropriate person.

5. Tom Smith of the Environment Agency, Bromholme Lane, Brampton, Huntingdon, PE28 4NE has been notified in his role as representative of an appropriate Agency.

6. Should you wish to make any representation in response to this Notice, or to seek further information, please contact the following as soon as possible:

Dale Robinson
Chief Environmental Health Officer
South Cambridgeshire District Council
Meadow House
118 Water Lane
Oakington
Cambridge
CB4 5AL
Tel. 01223 443131
Fax. 01223 443248

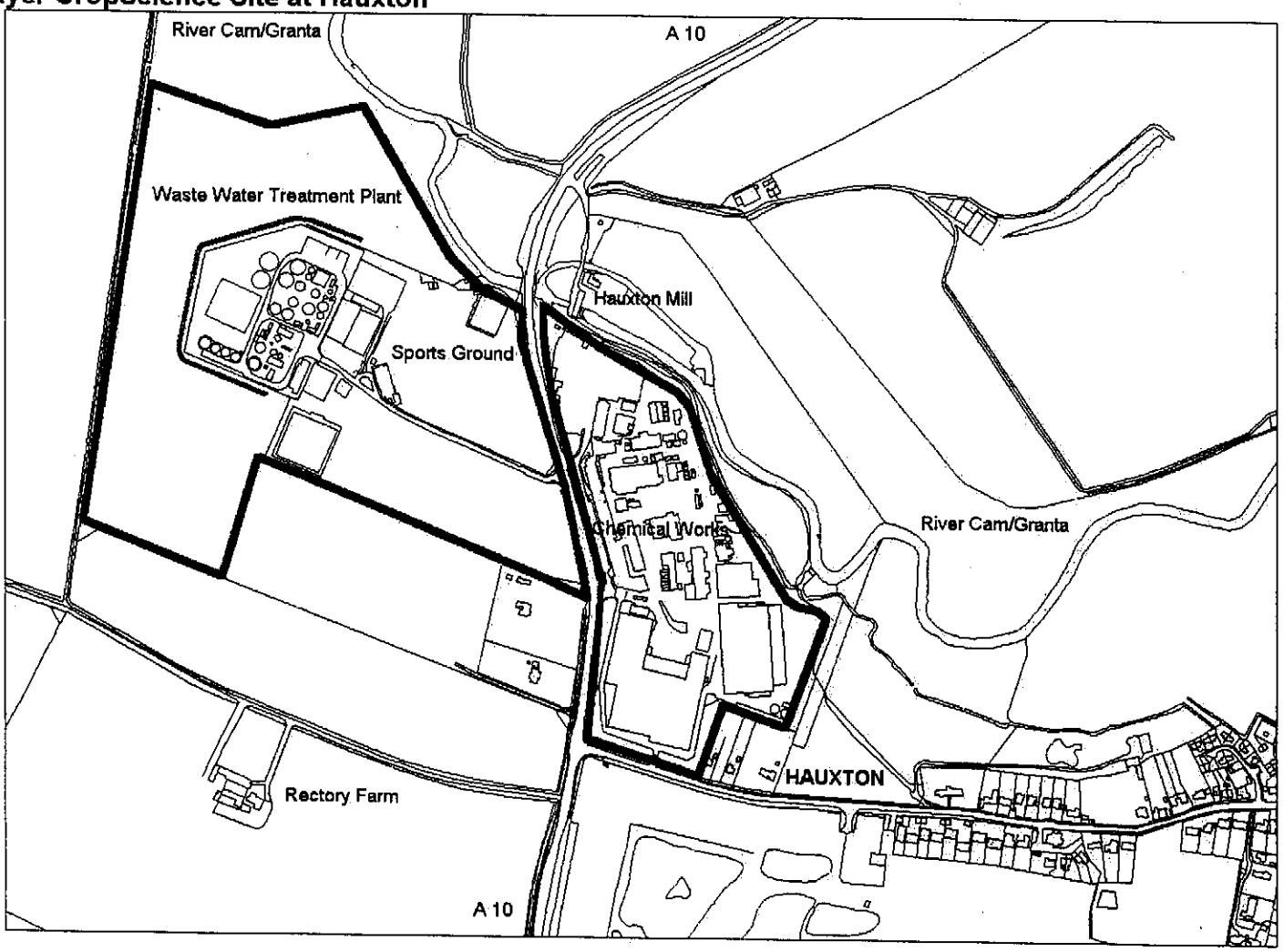
SCHEDULE

The land to be determined as Contaminated Land and required to be designated as a special site is the Bayer CropScience Ltd site at Hauxton, Cambridgeshire, CB2 5HU. The area of land is outlined on the attached map.

Dated: 22nd July 2003
Signed:

Dale Robinson, Chief Environmental Health Officer
South Cambridgeshire District Council
Meadow House
118 Water Lane
Oakington
Cambridge
CB4 5AL

Bayer CropScience Site at Hauxton



“Statement pursuant to paragraph 5.2 of the statutory guidance issued in April 2012 by the Secretary of State for Environment, Food and Rural Affairs in accordance with section 78YA of the Environmental Protection Act 1990 (“the 1990 Act”).[and Section 57 of the Environment Act 1995]”

A written Determination (“the Determination”) for the former Bayer CropScience site was prepared in accordance with paragraph 52 of Chapter B of Annexe 3 of DETR Circular 02/2000 and was issued by South Cambridgeshire District Council (“the District Council”) on 3/6/2003. For details please see a copy of the Determination in the Contaminated Land Register, which is maintained by the District Council under Section 78R of the Environmental Protection Act 1990.

In order for land to be determined as Contaminated Land, it must meet the definition presented in Section 78A (2) of the Environmental Protection Act 1990: “*any land which appears to the local authority in whose area it is situated to be in such a condition by reason of substances in, on, or under the land, that (a) significant harm is being caused or there is significant possibility of such harm being caused; or (b) pollution of controlled waters is being, or is likely to be caused”.*

Following the Determination, the property was granted planning permission, subject to conditions that required developers and their appointed specialist contractors (Atkins Limited) to carry out extensive remediation work in order to make the land suitable for its proposed end use. During the development process and upon completion of the remediation works, the District Council received a Verification Report prepared by Atkins Limited which documented the remediation work carried out. This was submitted under planning for the purposes of Condition 10 of the planning permission issued under reference S/2307/08/F and separately Condition 5 of the planning permission issued under reference S/2308/06/O. Through consultation with the Environment Agency, a statutory consultee for the assessment of risk to controlled waters, the District Council has, in the light of the Verification Report, discharged Condition 10 of the planning permission issued under reference S/2307/08/F and has separately discharged Condition 5 of the planning permission issued under reference S/2308/06/O.

Following the receipt and review of the Verification Report, and having taken advice from the Environment Agency in respect of risks to controlled waters, the District Council has concluded that the property, does not now meet the definition of contaminated land under Part 2A, as outlined above, as a result of its previous use. However, whilst the District Council has discharged the two planning conditions referred to above and has said that it is satisfied that the property is no longer to be treated as Contaminated Land, the District Council does not give and is not to be seen as giving any direct and/or implied warranty and/or representation as to the condition of the property.

July 2015