



Joint Strategic Committee  
13 June 2024

# ADUR DISTRICT COUNCIL

Key Decision: [Yes/No]

Ward(s) Affected: All Worthing

## Referral of Motion on Notice from Adur District Council

### Report by the Director for Sustainability and Resources

#### Officer Contact Details:-

Chris Cadman-Dando

Senior Democratic Services Officer

[chris.cadman-dando@adur-worthing.gov.uk](mailto:chris.cadman-dando@adur-worthing.gov.uk); 01903 221364

#### 1. Purpose

- 1.1. This report sets out a motion (attached as Appendix 1) referred from the meeting of Adur District Council on the 28 March 2024.
- 1.2. Members of the Joint Strategic Committee are asked to consider and determine the Motion.
- 1.3. Members can either support the motion and ask for further work to be carried out in this regard, or, members can reject the motion.

#### 2. Recommendations

- 2.1. That the Joint Strategic Committee considers the motion and either:-
  - a) That the Joint Strategic Committee accepts the motion and requests further work be carried out in this regard; or
  - b) That the Joint Strategic Committee rejects the motion.

### **3. Context**

- 3.1. At its meeting on 28 March 2024, Adur District Council received a motion from Councillor Gabe Crisp, seconded by Councillor Julian Shinn, details of which can be found at Appendix 1.
- 3.2 The motion submitted to Council contained subject matter that requires a decision of the Joint Strategic Committee, as defined in para 14.5 of the Council's Procedure Rules. Therefore, it was debated at full council and referred to the Joint Strategic Committee for further consideration and determination.
- 3.3 Where a motion has been referred by Full Council to the Joint Strategic Committee, the mover, or the seconder in the absence of the mover, shall be entitled to attend the relevant meeting of the Executive and explain the motion. Councillor Julian Shinn has been made aware that the motion has been referred to this Committee.

### **4. Issues for consideration**

- 4.1 The Joint Strategic Committee can either support or reject the motion.
- 4.2 Should the Joint Strategic Committee support the motion, then the Committee should ask Officers to carry out further work and report back to the Committee if necessary.

### **5. Financial Implications**

- 5.1 There may be direct financial implications in future depending on the course of action the Joint Strategic Committee wishes to take.

### **6. Legal Implications**

- 6.1 Rules concerning motions are set out in the Council's Constitution under paragraph 14 of the Council's Procedure Rules.

## **Background Papers**

Motion to Adur District Council on the 23 October 2023

## **Sustainability and Risk Assessment**

### **1. Economic**

There may be direct financial implications in future depending on the course of action the Joint Strategic Committee wishes to take.

### **2. Social**

#### 2.1 Social Value

There may be Social Value implications depending on the decision of the Joint Strategic Committee - these would be investigated in a further report if the motion is accepted.

#### 2.2 Equality Issues

There may be Equality issues depending on the decision of the Joint Strategic Committee - these would be investigated in a further report if the motion is accepted.

#### 2.3 Community Safety Issues (Section 17)

There may be Community Safety implications depending on the decision of the Joint Strategic Committee - these would be investigated in a further report if the motion is accepted.

#### 2.4 Human Rights Issues

There may be Human Rights depending on the decision of the Joint Strategic Committee - these would be investigated in a further report if the motion is accepted.

### **3. Environmental**

There may be Environmental considerations depending on the decision of the Joint Strategic Committee - these would be investigated in a further report if the motion is accepted.

### **4. Governance**

The proposals in this report are in line with the Council Procedure Rules concerning Motions on Notice

## **Motion on 'Zane's Law'**

### **Preamble**

The current UK regulations with regard to toxic waste disposal and the danger to human life, to our environment, and to the planet as a whole, from both historic landfill sites and currently approved landfill sites operating the 'dry tomb' principle, are dangerously inadequate. Especially so, in the face of climate breakdown, with rising sea levels, increased rainfall, and widespread flooding.

In 2014, 7-year-old Zane Gbangbola died, and his father was paralysed with a diagnosis of hydrogen cyanide (HCN) poisoning, during catastrophic flooding in the UK. It is understood that flood water passing through a historic landfill site carried HCN into Zane's home, and this was detected there at high levels by the Fire and Rescue Services on the night of the tragedy. This is expected to be the subject of an Independent Panel Inquiry.

'Zane's Law' seeks to address the crisis of contaminated land in the UK, reinstating legislative provisions removed by successive governments from the 1990 Environment Protection Act, and recognising the Human Right to a Healthy Environment, approved by the UN General Assembly, in July 2022.

Therefore, 'Zane's Law' proposes that the following measures be adopted into legislation by the Government, to prioritise the protection and safety of people and planet, and the human right to a healthy environment.

The legislation if passed would likely include:

1. Each relevant Local Authority must keep a full, regularly updated Register of Land that may be contaminated within their boundary.
2. The Environment Agency must keep a full, public 'National Register of Contaminated Land' to be regularly updated by information from Local Authorities.
3. All above mentioned Registers of Land must be accessible and available for inspection by the General Public.
4. Relevant Local Authorities must inspect any land registered that may be contaminated and must fully remediate or enforce remediation of any land which poses harm to public safety, or which pollutes controlled waters\*.
5. Relevant Local Authorities must be responsible for inspecting previously closed landfill sites and fully remediating them or enforcing their remediation when they pose a risk of significant harm to people or controlled waters.

6. The Government must take full responsibility for providing the necessary funds for Local Authorities to meet these new requirements, following the 'polluter pays' principle: to recover costs as appropriate where those responsible for the pollution can be identified.

These measures are not all in place currently and would require significant investment and full funding from the Government to be implemented. These must take account of other statutory requirements (such as data protection provisions).

#### Motion

This Council therefore resolves:

To write to the Prime Minister, the Secretary of State for Health, and the Secretary of State for the Environment, Food and Rural Affairs to express the Council's support for new legislation on contaminated land based on the proposed principles of 'Zane's Law', to request that these ministers support Baroness Natalie Bennett, by all possible means, in her efforts to advance 'Zane's Law' through the House of Lords, and that the Government provides all necessary funds for Local Authorities and others to meet the requirements of any new legislation.

*\* Controlled waters are groundwater or surface water intended for human consumption.*

**Proposer - Cllr Gabe Crisp**  
**Secunder - Cllr Julian Shinn**