

**MINUTES OF A MEETING OF THE
PLACE OVERVIEW & SCRUTINY SUB COMMITTEE
Council Chamber - Town Hall
21 October 2025 (7.00 - 9.55 pm)**

Present:

COUNCILLORS

Conservative Group David Taylor (Chairman) and Ray Best

Havering Residents' Group Philippa Crowder, Robby Misir and John Wood

Labour Group Matthew Stanton (Vice-Chair)

East Havering Residents Group Vacant

Also present at the meeting were Councillor Ray Morgan Leader of the Council and the Chief Executive.

The Chairman reminded Members of the action to be taken in an emergency.

91 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Laurance Garrard.

92 DISCLOSURE OF INTERESTS

There were no disclosures of interests.

93 LAUNDERS LANE (ARNOLD'S FIELD)

The Chair welcomed the Leader of the Council and Chief Executive to the special meeting.

A joint meeting of the People and Place Overview & Scrutiny Sub-Committee was organized in response to a motion on Arnold's Field agreed by Full Council.

The joint sub-committee received a report that describes the history of Arnold's Field, the investigations initiated by the Council in response to the

fires on the site and proposed options to stop the fires currently under consideration.

The Joint Sub-Committee received a comprehensive update on the history and current status of the Launders Lane site, including previous enforcement actions, judicial reviews, and the recent designation of the land as contaminated.

It was noted that the site was legally mined for extraction purposes in the 1960s. In 1999, permission was granted for the land to be filled and returned to the community however this did not occur. Instead, the landowners at the time allowed further activity on the site. Enforcement notices were subsequently served on the landowners, who challenged them in court but lost. Continued activity on the site was dismissed in 2005 and again in 2011. It is believed that no additional dumping occurred after that period, although there was significant movement on the site. Eventually, the land was altered through various expenses. During this time, the Environment Agency successfully prosecuted the company involved.

It was noted that in 2017, the site was acquired by MC Essex through auction. By 2019, there were more than five fires reported on the site, and in 2022, air quality monitoring measures were introduced. Evidence began to be gathered in 2023, including intrusive soil investigations carried out on behalf of the Council. In 2024, a nuisance abatement notice was issued against the landowners but later withdrawn to allow collaborative work toward a solution. The Council determined in 2024 that the land was not contaminated under the relevant parts of the Environmental Act, this decision was judicially reviewed, and the outcome was issued earlier this year. The Joint Sub-Committee noted that last week, the Council made a new Part 2 decision, as previously indicated, incorporating judicial review outcomes and engagement with landowners prior to public announcement.

The 2017 contaminated land inquiry had identified asbestos, hydrocarbons, and other substances, marking the site for future investigation. It was clarified that contamination alone does not necessarily mean the land is designated as contaminated, a pathway for contaminants to leave the site must exist. The 2024 decision concluded the land was not contaminated but judicial review introduced new considerations, including smoke as a contaminant which had not previously been addressed in legislation. This led to the recent Part 2 decision, supported by published evidence and local investigations. All associated documents have been published on the Council's website.

It was stated that discussions are ongoing with landowners regarding remediation. Members noted that declaring the land contaminated does not automatically stop fires or their impacts, permanent solutions are being explored. The Council will decide whether remediation will be voluntary or enforced through statutory notices.

The Council's approach this time was narrower, focusing on whether residents were exposed to specific substances. Initial reports did not find toxic substances above unusual levels. However, following judicial review, the Council adopted a broader view, considering smoke impacts and overall health implications. Evidence included local monitoring, judicial review findings, published research on air pollution and wildfires, recommendations from authorities, and residents' reports. Potential impacts identified include risks to firefighters, public access, traffic accidents due to smoke, and strain on fire service resources. Short-term air pollution effects were noted, including increased respiratory risks.

Officers explained the legal framework, the requirement for engagement with landowners, and the steps taken to gather evidence on health impacts, such as air quality monitoring and GP attendance data. It was confirmed that smoke from fires constitutes a contamination pathway, setting a significant precedent.

Members expressed concerns about health implications for residents, particularly vulnerable groups and children, and stressed the need for proactive communication and monitoring of long-term health impacts. Suggestions included collaboration with external experts and London Fire Brigade to share data and provide guidance on health checks. Financial and legal implications of remediation were discussed, including potential costs of up to £10 million for capping solutions, risks of landowner non-cooperation, and the possibility of compulsory purchase orders. Officers outlined remediation options including long-term engineering solutions and short-term measures such as polymer-based capping to prevent fires before next summer.

Planning considerations were highlighted, including the site's Green Belt designation and the landowner's interest in redevelopment. Members emphasized separating planning decisions from remediation requirements and requested clarity on timelines for engagement and enforcement. Concerns were raised about communication delays regarding the contaminated land decision, and officers committed to improving transparency and providing clear action plans.

The Chair invited three contributions from members of the public regarding the report, speakers represented local community and environmental groups and expressed strong concerns about the ongoing issues at Launders Lane.

A representative of Rainham Against Pollution (RAP) described the poor condition of the land and criticized the lack of enforcement following previous directives from the Secretary of State, which required the land to be restored to agricultural quality. The representative highlighted severe health impacts on residents caused by recurring fires, citing examples of individuals suffering from COPD, cancer, and repeated respiratory infections. The RAP representative referenced recent research indicating that PM2.5 pollutants can attach to red blood cells, causing systemic health

damage, and called for long-term health planning, including potential mass screening. The RAP representative also praised the Fire Brigade for their efforts despite health risks and noted that air quality monitoring by residents often recorded PM2.5 levels far exceeding safe limits, criticizing reliance on averaged data that fails to reflect short-term spikes.

The Havering Friends of the Earth representative emphasised that unregulated dumping on private land is not a new problem in the borough. She shared historical examples of similar issues in South Hornchurch and Rainham Riverside where successful remediation had been achieved and questioned why lessons from these cases had not been applied to Launders Lane. The Representative criticised the delays in addressing the problem which have caused significant hardship for residents and urged the Council to review previous remediation strategies and improve its approach to dealing with private landowners.

A local resident speaking on behalf of Rainham Children expressed deep concern about the health impacts on vulnerable groups, particularly children. They criticised the historic lack of decisive action and reliance on annualized data that overlooks short-term pollution spikes. While commending the Council's recent announcement as a vital step forward, the speaker stressed that residents have endured years of exposure to PM2.5 levels exceeding DEFRA and WHO limits. They referenced expert testimony and the landmark High Court judgment in the case of Ella Adoo-Kissi-Debrah, which recognised air pollution as a cause of death and identified smoke as a plausible contamination pathway, setting a nationwide precedent for statutory accountability. The local resident described the situation as a health crisis, citing risks of respiratory and cardiovascular disease, dementia, and mental health issues, and called for urgent action to protect children and other vulnerable residents. They concluded by affirming that clean air and a healthy environment are fundamental human rights and pledged continued campaigning for environmental justice, including support for "Zane's Law."

The Sub-Committee noted that public contributions strongly highlighted the urgency of taking action, highlighting severe health impacts on residents and calling for the establishment of statutory registers of contaminated land. Members acknowledged these concerns and agreed that decisive leadership and timely remediation measures are essential to safeguard public health.

The Chair invited representatives from the London Fire Brigade (LFB) and the Environment Agency (EA) present to provide further comments.

The LFB representative expressed sympathy for residents affected by smoke and thanked firefighters for their continued efforts in challenging conditions. It was noted that Launders Lane presents significant operational difficulties due to deep-seated fires and unstable ground, which restrict safe access. The Brigade has attended every reported fire, making risk-based assessments at each incident. Since 2017, the representative has

personally spent nearly 100 hours on-site as an incident or functional commander. In 2022, tactical changes were introduced to protect firefighter safety, including limiting direct access and adopting controlled burns where necessary. These decisions were made in consultation with the Environment Agency and specialist officers. The representative explained that smoke behaviour varies with air pressure, sometimes causing greater impact on residents during early morning hours. Firefighters now use enhanced protective measures, including respiratory equipment within 400 meters of the site, and the Brigade continues to work closely with the Council and unions to develop safe and effective strategies. The representative emphasised the seriousness of the issue which occupies a significant proportion of their time, and reaffirmed their commitment to transparency and engagement with councillors and residents.

The Environment Agency representative acknowledged the significant challenges posed by the site and confirmed that similar issues have been encountered elsewhere in the country. The Agency has previously taken enforcement action including prosecutions resulting in custodial sentences in 2014 but noted that historic waste deposits complicate liability and remediation. The EA continues to work in partnership with the Council, providing technical guidance and monitoring water quality and environmental risks. It was noted that National landfill experts have been engaged to advise on potential solutions. The representative recognised progress made compared to previous years but stressed that resolving the problem will require sustained collaboration and cannot be achieved overnight.

Key Recommendations Agreed by the Joint Sub-Committee

1. Engagement Strategy
Develop a clear engagement strategy with residents and stakeholders, including timelines and communication protocols.
2. Health Monitoring and Communication
 - o Create an action plan for detecting and monitoring long-term health impacts.
 - o Develop a proactive communications plan advising residents on air quality risks and encouraging health checks.
3. Legislative Lobbying
Lobby the government to tighten contaminated land legislation, specifically to include smoke as a contamination pathway.
4. Legal Advice
Seek legal opinion on the Council's potential liability for future health impacts and associated costs.
5. Data Sharing Partnership
Establish a data-sharing partnership with the Fire Brigades Union to access research and health impact data.
6. Environmental Measures
Explore cutting back vegetation on the site to reduce fire risk.
7. Transparency on Timelines

- Provide residents with indicative timelines and decision-making flowcharts for remediation steps.
- 8. Financial Preparedness
Assess financial implications and options for securing costs if the landowner defaults, including legal charges on the land.

Chairman