



Councillor Peter Mason
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Clean Air for Southall & Hayes

2 September 2021

Dear all at CASH,

I wanted to write again following my letter of 12 July to provide an update on some of the seven areas of activity regarding Southall Gasworks that I set out. I know that the distress, concern, and impact on standards of living that residents have suffered is very real, and I remain determined that Ealing Council take concrete steps to mitigate this wherever possible.

As I committed to when I became leader, we commissioned new independent legal advice from specialist counsel on the possibility of successfully issuing a statutory abatement notice in regards to odour issues arising from the Gasworks site. We are today publishing that advice on our website [here](#), and a copy is attached here for your reference.

Alongside this, we are publishing an action plan that sets out how the council has and will be taking action to address the recommendations made by counsel. This is also attached to this letter.

The steps we are taking include the recruitment of dedicated environmental protection officers for Southall. By being based permanently in the town, these officers can make professional inspections of the area for odours and other potential nuisances, as well as responding promptly to complaints made by residents. As well as helping to resolve any nuisances that arise, the presence of these dedicated officers should also help to grow the body of evidence available as to the occurrence, nature and likely source of odours, strengthening the chances of success in any legal proceedings. The first of these officers is now in post and on-site, and recruitment is ongoing for a second officer.

As you will have hopefully seen, we have begun publicising how residents can contact the dedicated officer to raise concerns about odours or other nuisances. This can be done via the new southallodours@ealing.gov.uk email address.





We have also undertaken work with Mapping for Change, the developers of the OdourCollects app, to ensure that the council can get real-time notification of odour issues reported through the app. This means that it can now be a valuable tool for officers on the ground to log and investigate concerns. We are now promoting the app via our communications channels and encouraging residents to download and use it as a means to report issues.

I know that some residents have been put off from registering complaints about odours and other nuisances as a result of either feeling that the council will not take their concerns seriously, or because they have found it difficult to make contact. I hope that with dedicated officers on the ground and three new routes to register a complaint, including an independently-run app, residents will now feel able to let us know when they are experiencing a nuisance, enabling the council to investigate and log problems that arise. I would be very grateful if you could use your networks to ensure residents are aware of these new channels.

In addition to the above, counsel's advice includes recommendations around a review of compliance with the planning conditions for the Gasworks site; attempting to work more closely with LB Hillingdon in relation to nuisances arising from the industrial facilities across the borough boundary; monitoring the canalside area for issues arising from DNAPL removal; and reviewing the investigative techniques being used by our environmental protection officers. As you will see from the action plan, we have accepted all these and other recommendations and have set out ambitious timescales to meet them, when we were not already doing so. We will, of course, provide updates on these as we make progress.

Ealing's officers are continuing to work closely with the appointed contractor for the new independent air quality monitoring to ensure that the infrastructure is in place as quickly as possible so that the monitoring can commence. I hope to be able to provide more information on a start date in the near future.

We are also continuing to explore our ability to undertake independent soil testing. A key issue here remains that we only have regulatory powers to sample the topsoil, all of which is imported material. I hope to be able to update on this in the near future.

As we have discussed previously, it is clear that there needs to be significant change to the legislative and regulatory framework to give local councils greater control over brownfield developments in our communities. This needs to include providing clear regulatory functions to councils over air, soil and water pollution, along with other activities that can cause a nuisance to local residents. The legal advice that we have received is very helpful in clarifying what needs to change, and working to secure that change, hopefully through the Planning Bill, will now be a key focus of our



attention. I hope this is something we can work closely on with yourselves and Gasworks Communities United on in the coming months.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. Mason".

Councillor Peter Mason
Leader of the Council