



Ian Carroll

Our Ref: SC01730

27 February 2025

Dear Ian,

Re: Rattlechain

Dear Ian,

Thank you for taking the time to meet with me recently about the Rattlechain Lagoon and landfill site. I was impressed by your encyclopaedic knowledge of the area and the issues of remediation and biodiversity. I understand how much you and other local residents care about this.

After our meeting I met with the Director of Place at Sandwell Council to discuss this further, both the issue of how and why the clearance happened and then the question of future development at the site.

Site clearance issues

I made clear to the council in the meeting the distress of the community who saw a much-loved green space, which the council had spent a lot of money on rewilding, completely cleared by the site owner with no notice to those who live immediately around it.

I raised the fact that the landowner had told the council he would send a communication to residents but that no such letter had been received by anyone in the area. The council were disappointed by this given the landowner had said he would send a letter, but they said that given that no planning permission was required for the clearance the landowner was not actually obliged to send a letter and therefore unfortunately little can be done about the fact he didn't.

I also raised your points in relation to the environment and biodiversity, including the presence of the Small Blue butterfly. The council have stated the following:

"Towards the end of 2024, the owner informed the council of his intention to carry out intrusive site investigations across the land. The council was advised that the landowner had commissioned independent ecologists to carry out a Preliminary Environmental Assessment (PEA) across the tip with the intention of confirming the presence or likely presence of rare or protected species."

It was also confirmed that a separate badger survey had also been carried out. Based on the findings of the PEA the landowner confirmed to the council that works would begin to clear vegetation across the site in January 2025.

On 8 January 2025, the owner began preparatory works to reinstate access into and across the site for plant and equipment. It was confirmed to the council that this work was limited to clearing vegetation from the mound, with no intrusive ground investigations at this stage. The council was also advised that an ecologist would be on site to undertake a watching brief throughout this work, to ensure all conditions set out in the PEA were complied with, and to monitor for the presence of unexpected protected species."

Given the toxic white phosphorous in the rattlechain lagoon itself, I was assured that the council's Environmental Health team has powers to intervene where there is a significant risk to human health and that they would continue to monitor the situation if any exploratory activities do begin. In regards to the Small Blue, the council said that responsibility for protecting rare species and habitats is under the purview of Natural England, so it may be worth you reaching out to them if you haven't already done so.

I also raised the issue of the flood risk to the properties with gardens backing on to the clearance works and the fact they have already experienced increase run off due to the loss of vegetation. The council's environmental health team have now committed to make contact with affected properties to investigate this further.

I am sorry that there does not appear to be much ability to hold the site owner to account for the recent clearance. However I did ask the council to make clear to him in their discussions the unhappiness of the residents and I asked them to work with him to explore whether it was possible to have some planting along the back of the houses in the short to medium term.

Future development plans

As we talked about, the Director did confirm that this site is designated as a potential site for housing under the Black Country Core Strategy and Sandwell's Site Allocations and Delivery Development Plan. It is also an important priority of the Government to get more homes built and we do have nearly 20,000 people on the council house waiting list in Sandwell alone.

However, before the site can be developed, the owner must demonstrate that the land can be made suitable for use and any flooding risk from the nearby River Tame can be managed. The council confirms that despite the proposed allocation for housing being in place for some time, there are no current proposals or planning permission in place for the development of housing on the site.

The council confirmed that any future planning permission for housing to be developed on this site would require site investigations and remedial works would have to be carried out given the historic context of this location.

I pushed on the fact that any development would need to provide continued green space for the community and the council confirmed there would be a requirement for the provision of green space in any future housing development and enhancement of and improved access to the Sheepwash nature reserve.

Any future development of this site is likely to be very complex and will involve public consultation and will require both Sandwell Council and the Environment Agency being satisfied that the land is suitable for housing.

I know that the situation will be very unsatisfactory to you, but I hope you can see that I will continue to keep a close eye on this as things progress.

Thank you for getting in touch with me about this issue and your wider work in the community. I will keep you informed of any further updates I receive in respect of this site.

Yours sincerely

