



# WORCESTER CITY COUNCIL

## *Contaminated Land Inspection Strategy February 2026*

## Executive Summary

The industrial history and development of the country has left a legacy of land where there is the potential for contamination to be present. Contamination may pose a risk to human health and the environment. Part 2A of the Environmental Protection Act 1990 places a duty on local authorities to address these risks through the contaminated land regime. The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is “contaminated land”. The source of contamination must present a significant possibility of significant harm to relevant receptors, for example a person, ecosystem, or controlled waters, through a viable pathway of exposure.

Enforcement action under this legislation should only be used when there is no other appropriate alternative with other mechanisms used in preference if possible. These mechanisms include the planning and development control process and voluntary action taken by landowners to minimise the unnecessary burdens placed on taxpayers, businesses, and individuals.

This strategy is a requirement under the contaminated land regime, as set out in the Contaminated Land Statutory Guidance 2012, for local authorities who are the primary regulator. Strategies should be reviewed every 5 years. Due to the withdrawal of the funding system from central Government for contaminated land work, the Council will focus on addressing sites where contamination may exist, predominantly through the planning and development control process. This document details how this is already achieved and how we continue to work to drive standards and improve consistency in regulation across the region and further afield.

To date, no sites have been declared as ‘*Contaminated Land*’ by Worcester City Council (WCC) since the first Contaminated Land Strategy was produced in 2001. Currently, there are approximately 610 sites identified as potential sites of contaminated land concern within the district, largely relating to the historic land use.

WCC planning policies such as the South Worcestershire Development Plan (SWDP) and the South Worcestershire Development Plan Review (SWDPR), alongside national policy such as the National Planning Policy Framework (paragraphs 124 & 125), encourage the reuse of previously developed land (brownfield) subject to appropriate site investigation, risk assessment and remediation. Voluntary action is strongly encouraged to deal with potentially contaminated land, either on an individual site basis or as part of wider regeneration work. Regulatory action under Part 2A will only be used where no appropriate alternative regulatory solution exists.

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## 1. Introduction

Worcester City Council, as with most local authorities, has a legacy of land contamination that has resulted from over 200 years of industrial development. In addition to historically contaminated sites, pollution incidents such as spillages and accidents can give rise to contamination of the land. In the minority of cases the contamination may be serious enough to present a hazard to human health or the environment.

In April 2000, the UK Government introduced a duty on each local authority to inspect the land within its area and identify any areas that could be defined as "contaminated land". Where a local authority finds such land, it must ensure it is remediated to reduce or remove risks to people and the environment. The government set out its requirements for dealing with contaminated land within Part 2A of the Environmental Protection Act 1990 ("the Act") and associated 'Statutory Guidance' documents.

Worcester City Council (WCC) first published its Contaminated Land Strategy in July 2001. This document represents a revised strategy which updates and replaces the previous version. The document considers changes in the Contaminated Land Statutory Guidance 2012, national policy, council policy and sets out the Council's strategic approach to contaminated land.

## 2. Legislative Context, National, and Local Policy

Section 57 of the Environment Act 1995 inserted Part 2A into the Act which establishes a legal framework for dealing with contaminated land. This came into force on 1<sup>st</sup> April 2000.

Part 2A provides a means of dealing with unacceptable risks posed by land contamination to human health and the environment.

The Department for Environment, Food and Rural Affairs (Defra) states the following in its guidance document [Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance \(publishing.service.gov.uk\)](#) (2012).

*1.4 The overarching objectives of the Government's policy on contaminated land and the Part 2A regime are:*

- (a) To identify and remove unacceptable risks to human health and the environment.*
- (b) To seek to ensure that contaminated land is made suitable for its current use.*
- (c) To ensure that the burdens faced by individuals, companies and society are proportionate, manageable and compatible with the principles of sustainable development.*

Contaminated land is defined in Part 2A of the Act as any land, which appears to the local authority in whose area it is situated to be in such condition, by reason of substances in, on or under the land that:

(a) significant harm is being caused or there is a significant possibility of such harm being caused.

or

(b) significant pollution of controlled waters is being caused or there is a significant possibility of such pollution being caused.

Section 78A(4) of the Environmental Protection Act 1990 defines harm as:

*“Harm to the health of living organisms or other interference with the ecological systems of which they form a part, and in the case of man includes harm to his property.”*

The presence of a harmful substance in, on or below a piece of land does not necessarily mean that land is “contaminated land”. The source of harm may be present but unless a possible route exists through which it is likely to cause harm to health, eco-systems or property, or to cause pollution of controlled waters, the land is not contaminated within the meaning of the Act.

Only land where unacceptable risk has been clearly identified after risk assessment should be considered as meeting the Part 2A definition of contaminated land. Land

should be considered ‘uncontaminated land’ as defined by Part 2A unless there is reason to consider otherwise.

Within this document “contaminated land” is used to mean land which meets the legal definition under Part 2A. Other terms, such as “land affected by contamination” or “land contamination” are used to describe land where contaminants are present but not at sufficient level of risk to be classified as contaminated land.

A site cannot be identified as contaminated land purely due to contaminative substances being present. There must be a relevant sensitive receptor, such as a human being, ecosystem, controlled waters, or property, at risk of significant harm from the source of contamination. There must also be a viable pathway of exposure linking them together. A pathway may be exposure from handling of soils, breathing in dust or vapours, consumption of produce grown in impacted soils, or other means by which a contaminant may reach the receptor. A complete source-pathway-receptor model of contamination is referred to as ‘contamination linkage or pollutant linkage’.



The term ‘*significant contaminant linkage*’ is used in the Statutory Guidance to mean a contaminant linkage which gives rise to a level of risk sufficient to justify a piece of land being determined as contaminated land.

## 2.1 Radioactive Contaminated Land

A legal framework for dealing with radioactive contaminated land in England under the Part 2A regime has been established by the Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 and the Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006.

The radioactive contaminated land regime addresses harm attributable to radioactivity under Part 2A, where radioactivity is present because of a past activity or as a result of the after-effects of an emergency. The regulations do not apply to current practices or natural background radiation and are only concerned with potential effects on human health, excluding environmental receptors. The Radioactive Contaminated Land Statutory Guidance (June 2018) is legally binding on local authorities including Worcester City Council.

[Radioactive contaminated land: statutory guidance - June 2018 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718247/radioactive-contaminated-land-statutory-guidance-june-2018.pdf)

## 2.2 Duties of Local Authority

Under section 78B(1) of Part 2A of the Act the council has an inspection duty, which is set out below.

*Every local authority shall cause its areas to be inspected from time to time for the purpose –*

- (a) of identifying contaminated land; and*
- (b) of enabling the authority to decide whether any such land is land which is required to be designated as a special site*

The Statutory Guidance states there are two broad types of inspection likely to be carried out by local authorities. Firstly, strategic inspection, which comprises the collection of information to make a broad assessment of land within the area and then prioritisation of sites for further consideration. Secondly, detailed inspection of that particular land to obtain information on ground conditions and, where necessary, carrying out risk assessments in order to make decisions relevant to that land under the Part 2A regime. The Guidance refers to these as ‘strategic inspection’ and ‘detailed inspection’. Further information is provided in Section 5 below.

## 2.3 Special Sites

Land required to be designated as a ‘special site’ is defined within regulation 2 of the Contaminated Land (England) Regulations 2006. Where a local authority inspects land considered to meet the definition of a Special Site, as outlined within the regulations, and determines it may constitute ‘contaminated land’, consultation with the Environment Agency would be undertaken. Subject to the Agency’s advice and agreement, a joint approach to inspection of the land would be adopted. For special sites, regulation is transferred to the Environment Agency, however, the local authority retains the duty to formally determine land as contaminated land under Part 2A.

## 2.4 Contaminated Land Statutory Guidance

The Department for Environment, Food and Rural Affairs (Defra) published revised Contaminated Land Statutory Guidance in April 2012 (Statutory Guidance). The Statutory Guidance requires the Local Authority to take a strategic approach to carrying out its inspection duty, set out in a written strategy which is periodically reviewed.

The strategy should include the following:

- (a) *Its aims, objectives and priorities, taking into account the characteristics of its area.*
- (b) *A description of relevant aspects of its area.*
- (c) *Its approach to strategic inspection of its area or parts of it.*
- (d) *Its approach to the prioritisation of detailed inspection and remediation activity.*
- (e) *How its approach under Part 2A fits with its broader approach to dealing with land contamination.*
- (f) *Broadly, how the authority will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals.*

[Environmental Protection Act 1990: Part 2A - Contaminated Land Statutory Guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/421212/Environmental_Protection_Act_1990_Part_2A_-_Contaminated_Land_Statutory_Guidance.pdf)

## 2.5 Worcester City Council Policy

The Council's vision and priorities is set out in the Worcester City Plan 2025 – 2030. The Council has outlined its priorities as follows: -

- A city where everyone can prosper,
- A resilient and sustainable city,
- Strong and engaged communities,
- An attractive heritage city with a vibrant modern culture,
- A healthy and active city.

Further information can be accessed via the following link.

[Worcester City Plan 2025-30](#)

### South Worcestershire Development Plan

Worcester City Council have joined together with Malvern Hills District and Wychavon District Council to prepare a joint Development Plan covering the area of South Worcestershire. The aim of which is to ensure future development is well planned and managed effectively within the area and to ensure a positive impact on the environment.

The South Worcestershire Development Plan (SWDP) replaced the existing Local Plans of the three partner Councils when it was adopted in February 2016. The SWDP considers the long-term vision and objectives for South Worcestershire up to the year 2030, as well as containing the policies for delivering the objectives in a planned and cohesive manner.

The Councils started a review of the SWDP in late 2017 in response to changes by Government requiring Development Plans to be updated every five years, necessitating a revised SWDP by 2021.

The purpose of the review is to provide an update of the existing plan period to 2041 and where necessary, its vision, objectives, spatial strategy, and policies for the future development of the area. The second part of the plan includes site allocations, policies and policy designations that will provide for the development needs of the area up to 2041.

In September 2023, following further consultation in November and December 2022, the South Worcestershire Councils formally submitted the South Worcestershire Development Plan Review (SWDPR) and associated documents to the Secretary of State for independent examination. Examination Hearing Sessions were held in March, April, and September 2025. The Inspectors recommended a number of Main Modifications to the Plan in order for it to be found legally compliant and sound. The Main Modifications are currently being consulted on.

A dedicated webpage with all relevant documents is available via the following link

[South Worcestershire Development Plan - South Worcestershire Development Plan](#)

## **Climate Change**

An Environmental Sustainability Strategy was drawn up to establish Council and city-wide objectives to reduce Worcester's carbon emissions and consumption of resources and develop its low carbon economy. The natural environment is also addressed in the sustainability strategy. The council has also produced a full Biodiversity Strategy for the period 2025-2030. Both of these documents were agreed in November 2025.

In Worcester, as with much of the UK, climate change is expected to bring warmer and wetter winters, hotter and drier summers, and greater incidents of extreme and unstable weather. A changing climate presents potential impacts on areas where contamination is present in a number of ways. For example, changes in temperature can affect properties of contaminants, and extreme weather can increase the release, mobilisation and exposure to contaminants. It could also impact the suitability of different remediation strategies. Therefore, there is a need to ensure that measures to address contaminated land are resilient to future changes.

Further information in respect of climate change and sustainability is available on the WCC website via: -

[Worcester City Council's Environmental Sustainability Strategy 2020-2030](#)

The impacts of climate change on the environmental conditions of a site will be considered further when any specific assessment of sites is undertaken. Reference will be made to the Environment Agency's Land Contamination Risk Management guidance document (2025) which provides further information in this regard.

## 2.6 Brownfield Land Register

The Government introduced a requirement for all Local Planning Authorities (LPAs) to publish a Brownfield Land Register (BLR) by 31st December 2017. The BLR is a comprehensive list of brownfield sites in a local authority area that are suitable for housing. The register aims to help house builders identify suitable sites quickly, speeding up the construction of new homes.

The Council will have the final say on which sites are on the register and which sites will have permission in principle. The BLR is compiled in two parts: -

Part 1 will include sites categorised as previously developed land which are suitable, available and achievable for residential development.

Part 2 will allow LPAs to select sites from Part 1 and grant permission in principle (PiP) for housing led development. There are currently no sites that have been put forward for Part 2.

All sites submitted must be Brownfield land, suitable to be developed for housing and meet the National Planning Policy Framework (NPPF) definition of previously developed land.

Further information relating to the BLR within Worcester is available via the following link.

[Brownfield Land Register - Worcester City Council](#)

### 3. Aims and Objectives

The aim of this document is to outline how the Council will implement the contaminated land regime within the district, in a proportionate and cost-effective manner. It is not intended to reiterate the specifics as defined by legislation or in statutory guidance or other best practice documents which cover the numerous and detailed aspects involved when assessing land for contamination. A brief outline of the regime is provided here [Land affected by contamination - GOV.UK](#) and on the Worcestershire Regulatory Services (WRS) website [Contaminated Land | Worcestershire Regulatory Services \(worcsregservices.gov.uk\)](#) .

#### Aims

The council's aims in dealing with contaminated land are to:

- Protect human health;**
- Prevent damage to property, livestock, and crops;**
- Protect designated ecosystems;**
- Prevent any further contamination of land;**
- Encourage voluntary remediation; and**
- Encourage re-use of brownfield land.**

## Objectives

The principal objectives of this strategy are to:

Identify sites where historic or current use may have led to land contamination.

Identify and remove unacceptable risks to human health and the environment resulting from contaminated land.

Ensure sites are suitable for use utilising the planning system and voluntary remediation wherever possible.

Encourage development and use of previously developed (brownfield) land.

Ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development.

Ensure the strategy meets obligations under Part 2A of the Environmental Protection Act 1990 and fulfils statutory responsibility.

The objectives outline the ‘suitable for use approach’ with respect to the remediation of contaminated land and achieving sustainable development. This means that the risk is assessed in the context of a specific use with the aim of maintaining an acceptable level of risk at minimum cost, thereby “not disturbing social, economic and environmental priorities.”

## Priorities

The council, through WRS, undertakes to:

Maintain accurate information and records of potentially contaminative land uses.

Undertake risk assessment and prioritisation of potentially contaminated land sites.

Where land is considered to be contaminated, ensure appropriate remediation is undertaken, using Part 2A powers only when no alternative solution exists.

Act as consultee through the planning process, ensuring appropriate investigation and remediation, protecting new developments from historic land contamination.

Consulting with stakeholders, as necessary.

Provide information and advice to developers.

Provide information and advice in response to enquiries regarding property transactions.

Adopt and publish a revised Contaminated Land Strategy (this document) which is rational, ordered, efficient and reflects local circumstances, in accordance with Statutory Guidance.

Periodically review the Contaminated Land Strategy, at least every 5 years.

Maintain a public register of contaminated land as required by Part 2A of the Environmental Protection Act 1990.

## 4. Characteristics of Worcester District



Worcester is a cathedral city and the county town of Worcestershire. It has a population of approximately 103,872 people as per the 2021 census. The River Severn flanks the western side of the city centre overlooked by Worcester Cathedral. The city is located 30 miles southwest of Birmingham, 27 miles north of Gloucester, and 23 miles northeast of Hereford.

Worcester was founded by the Romans around 50AD on an earlier settlement likely established in the Iron Age. It stood on the Roman road from Wroxeter to Gloucester which was a busy route and meant a large number of travellers and traders passed through. Worcester became a flourishing town with many craftsmen such as blacksmiths, carpenters, bakers, and potters. There would have also been a great number of farmers in the area.

Following the decline of the Roman empire, occupation of the area continued, and in 680AD a bishop and cathedral were established, aiding the growth of Saxon Worcester. In the late 9<sup>th</sup> century Alfred the Great, fearing Viking attacks, created a network of fortified settlements called burghs where forces could gather to defend the threat. Worcester was one of the places made a burgh and would have comprised a large ditch and rampart, surrounding the settlement, likely with a wooden palisade.

According to the Domesday Book, in 1086 Worcester had a population of around 2,000 people, which by comparison of the time would make it a large town. The Normans had built a wooden castle but by the 12<sup>th</sup> century it was rebuilt in stone. This was followed by stone walls built around the city in the early 13<sup>th</sup> century. When King John died in 1216 he was buried at Worcester cathedral, as set out in his will, between the shrines of St Wulfstan and St Oswald.

Medieval Worcester had a weekly market and an annual fair from 1218. People would travel from all over Herefordshire and Worcestershire to attend the Worcester fair. The number of fairs increased during the Middle Ages and by 1500 there were four a year. The main industry in the Medieval town was the production of woollen cloth and a leather industry with shoemakers, glovers, and saddlers. Craftsmen such as carpenters, bakers, brewers, and butchers operated from their shops and stalls in the Shambles. Worcester was an inland port importing wine and other goods and with a main export of wool. Timber and iron were also brought to Worcester by water from the Forest of Dean.

The English Civil War, which took place between 1642 and 1651, was fought between the Royalist and the Parliamentary forces. During the war both sides at various times occupied Worcester, which featured significantly in the conflict, and bookended that period of history. The first battle of the war took place at Powick Bridge on 23 September 1642, comprising a cavalry skirmish ending in a victory for the Royalist Cavaliers. The Battle of Worcester took place on 3rd September 1651 and was to become the final action of the English Civil Wars, when the Parliamentarians defeated the Royalist forces. The fighting disrupted trade and left Worcester impoverished but the town soon recovered.

By the 18<sup>th</sup> century, the wool cloth trade in Worcester had been in a state of continued decline and by the end of the century, it was effectively over. Other industries had been established in its place including a porcelain works in 1751 that was to become the Royal Worcester Porcelain Works. In the late 18<sup>th</sup> century other industries included carpet making, vinegar making, and brick and tile making. However, glove-making had continued as one of the main industries with success peaking in the early 19<sup>th</sup> century. In 1826 import duties on foreign gloves were removed which had disastrous results on the glove industry in Worcester. Other industries continued to thrive however, including brick-making, vinegar-making, and pottery production. By the 19<sup>th</sup> century, Worcester was an industrial town, iron foundries were opened and engineering flourished.

By 1801 the population of Worcester was 13,000 having risen rapidly due to the expanding industries. It had reached 46,000 by the end of the century. The Worcester and Birmingham Canal opened in 1815, and the railway reached Worcester in 1850. From 1880 horse-drawn trams were present in the streets. Between 1904 and 1928 these were replaced by electric trams.

During the 20<sup>th</sup> century the major industries in Worcester were sauce-making, printing, and light engineering. As the manufacturing industry declined, service industries became more important.

There are a variety of specially designated areas highlighting the strategic importance of the Worcester City in terms of its natural assets. The statutory guidance sets out those specific natural habitats which are identified as potential receptors under the contaminated land regime.

The following sites have been identified: -

- Two Sites of Special Scientific Interest (SSSI's)
- Eighteen conservation areas
- Eighteen Scheduled Monuments
- Ten sites designated as Local Nature Reserves.

Further details relating to the above can be found in Appendix B.

## **4.1 The Geological Setting**

The geology is principally Sidmouth Mudstone formation across the district with limited areas of Branscombe Mudstone Formation in the southeast portion of the city. Superficial deposits of alluvium are present associated with the course of the River Severn that cuts through the western part of Worcester. Other superficial deposits of sand and gravels are present generally within the western portion of the city (BGS Geology Viewer, 2025).

Worcester city sits within the Worcester Basin, a significant geological rift valley filled with thick layers of sedimentary rock and topped with glacial deposit. The underlying solid geology is dominated by rocks from the Triassic Period (approximately 200–250 million years old). The "sticky red clay" of the Mudstone bedrock lies deep beneath much of the city, formed in semi-desert environments from ancient "playa lakes".

The superficial geology features of Worcester are shaped by more recent activity from within the last 2 million years. The River Severn has left a series of sand and gravel terraces at various heights across the city. The modern floodplain of the Severn is covered in silty and clayey alluvial deposits, creating the flat, fertile water meadows (hams) seen along the riverbanks.

The Mudstones provided an abundant source of clay for Worcester's brick-making industry. With the sand and gravel from river terraces also representing important mineral resources.

## 4.2 Hydrogeology and Hydrology

### Hydrogeology

To help protect groundwater, the Environment Agency (EA) in England and Wales has identified different types of aquifer, underground layers of water-bearing, permeable rock from which groundwater can be extracted. The groundwater within the district comprises entirely Secondary B aquifer ([MAGIC](#) website, 2026). Further information can be accessed via the following website: –

[Protect groundwater and prevent groundwater pollution - GOV.UK](#)

The Private Water Supplies (England) Regulations 2016 and The Private Water Supplies (England) (Amendment) Regulations 2018 set out standards for the quality of the water and place a duty on the Council to sample and risk assess these private supplies. According to available records there are currently no private water supplies located within the district. Non-domestic abstractions may be present however WRS holds no record of these supplies. Further information in relation to private water supplies can be found on the WRS website via the following

[Private Water Supplies | Worcestershire Regulatory Services \(worsregservices.gov.uk\)](#) .

As part of the Environment Agency's duty to monitor and protect groundwater it has identified Groundwater Source Protection Zones. These identify the sensitivity of a source such as a spring, borehole or well and illustrate land use restrictions within defined zones. No source protection zones are present within the Worcester district.

### Hydrology

The main waterways in the district are the River Severn, a scenic, wide waterway that flows through the heart of the city, and the Worcester and Birmingham Canal. The canal starts at Diglis Basin, near the Cathedral, and heads northeast, connecting the Severn to Birmingham. The basin opened in 1815, marking the completion of the Worcester & Birmingham Canal, which was crucial for transporting goods. Following closure of the site as a port in the early 1990s, the area was redeveloped into a modern marina and residential area in the 2000s.

Other water courses within the district include the Barbourne Brook and Duck Brook. The Barbourne Brook originates in the northern areas of Worcester, specifically in the vicinity of Blackpole and Perdiswell and flows through the city, passing near to Bilford Locks and Gheluvelt Park, before discharging into the River Severn. Duck Brook flows to the Severn through Battenhall Park, from the direction of Whittington.

## 5. Strategic Inspection & Prioritisation

Worcestershire Regulatory Services (WRS) is the shared Environmental Health and Licensing functions of Worcester City Council and the five other Worcestershire districts. In line with the service level agreement, the potential contaminated land sites of each district are maintained in a combined working dataset to provide a countywide prioritisation to tackle those sites in the county in order of priority.

Using a combination of historical maps supplemented with Council records and other relevant information sources, a dataset of sites is maintained, where past uses may have led to the presence of contamination. These sites are termed 'Sites of Potential Contaminated Land Concern' ("PCL").

At the time of writing this report, there are approximately 9590 site records held relating to potential sites of contaminated land concern within the dataset for Worcestershire as a whole. It should be noted that some of these may relate to multiple records for a site due to changes in land use or the time period over which uses have occurred. Approximately 610 PCL sites are recorded within the Worcester City Council area. New sites are being added to the records as and when they are identified, or further clarity of information is attained. These sites range from large industrial sites, such as former power stations, landfill sites, and gas works, to very small sites such as infilled ponds, electricity substations, and everything in between, such as petrol filling stations, warehouses, factories, and depots.

A manual method of prioritisation of these sites is being undertaken to rank the sites in order of priority for detailed inspection. Sites that have a greater risk will be classed as a higher priority, those with a lower risk will be allocated a lower priority. Where sites have been remediated as part of the planning process or through voluntary remediation this will be reflected within the prioritisation. The list will continue to be revised as further sites are redeveloped through the planning regime.

Most of these sites will not have been investigated, with only limited information available, and therefore have only been identified with a potential for contamination to be present due to the historical land use rather than a known history of contamination. The sites will be ranked by order of priority for possible detailed inspection in the future.

It is important to note that requirements under Part 2A of the Act addresses the risk based on the existing land use only and not future possible uses. Whilst sites may have been noted as remediated, or not requiring inspection, this does not preclude further work being required in the future should a more sensitive land use be proposed which may create a higher level of risk.

Part 2A adopts a precautionary approach in terms of the risks posed by contamination. The Statutory Guidance provides more detail on the specifics of risk assessment and the procedures for deciding whether land meets the legal definition of contaminated land resulting in determination. Any inspection carried out by the

Council would follow the requirements set out in the legislation and Statutory Guidance at that time.

## **6. Detailed Inspection**

Sites of Potential Contaminated Land Concern (PCL) will be prioritised for further detailed inspection with the highest-ranking sites inspected first. These sites would be those with the highest associated risk. The risk is considered based on the likelihood of contamination being present (by former activity), the sensitivity of the current land use, and likelihood of harm being caused.

Detailed inspection should follow a phased approach, which is standard practice for investigating the presence of contamination. This may include intrusive investigation involving the collection of soil and water samples along with gas and groundwater monitoring, dependent on the nature and likelihood of contamination suspected. All inspections will follow the Statutory Guidance and Land Contamination Risk Management Guidance (Environment Agency, 2025) and other relevant best practice and guidance.

To date, Worcester City Council have reviewed a number of sites under Part 2A of the Act. However, no sites have been determined as ‘contaminated land’ as a result at this time.

The detailed inspection of potentially contaminated land sites under the Part 2A regime is very resource intensive for the local authority, in terms of both time and money. Defra previously provided a grant system to local authorities via a bidding system, to finance the investigations. The grant system could also be used by local authorities to remediate sites, where no other responsible party could be identified. This scheme was withdrawn in 2013 and no replacement funding mechanism has been provided to enable local authorities to undertake this work since.

Intrusive investigation can be an expensive process normally requiring the services of specialist environmental consultants, often needing further rounds of investigation after initial results are received. Where remediation is required, the Council will seek to identify those persons responsible for the contamination and therefore liable for the costs of remediation.

Remediation costs can reach hundreds of thousands of pounds and where no other person is found to be liable for the costs, it would fall to Worcester City Council to fund and ultimately the taxpayer.

The Statutory Guidance states that local authorities must seek to minimise unnecessary burdens on the taxpayer. As such, in the absence of any external funding mechanisms and the financial risk that this creates, Worcester City Council at this time, will not proactively undertake Part 2A detailed inspections of Sites of Potential Concern (except where there is clear evidence that a problem exists).

The Council will continue to use the favoured mechanisms detailed in the Statutory Guidance, such as the planning process and voluntary remediation, to ensure that historical contamination is appropriately and proactively dealt with. These alternative arrangements are described in more detail below.

The Council will, however, use its powers under Part 2A of the Act to reactively deal with contaminated land where there is clear evidence that a problem exists or is likely to exist and there is no other regulatory approach available. Any potential funding streams will be assessed and pursued where appropriate should they become available.

## 7. Broader Approach

Contaminated land is considered within the Development Management and Building Control regimes to ensure sites are suitable for their current and intended use. Each system has its own requirements.

### Development Control

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2024) sets out government's planning policies for England and how these are expected to be applied. Paragraphs 196 onwards detail the requirements for addressing potential contamination in the development control process to ensure the site is suitable for its proposed use and, after remediation (where required), ensure that the land is not capable of being determined as contaminated land.

### NPPF Paragraph 196

*Planning policies and decisions should ensure that:*

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990; and*
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

### NPPF Para 197

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

WRS act as a consultee within the planning process and work closely with Planning Officers to ensure issues of potential contamination are investigated and dealt with as required. This is generally achieved by way of various conditions being applied to planning consent notices, as appropriate, to ensure the relevant issues are adequately addressed.

Involvement continues throughout a development up to the point it is demonstrated that no remedial measures are required on a site, or a final verification report is submitted and agreed to demonstrate remediation work has been successful. It is

the responsibility of the developer and/or landowner to ensure the site is safe and suitable for use. The Council welcomes early communication on these matters so advice can be provided as to the requirements of addressing land contamination under the planning regime.

Addressing potential contamination through the development control regime is the best approach for addressing potentially contaminated sites. The high number of planning applications received per year in the district allows a much greater number of sites to be investigated than could be progressed under the Part 2A regime. The use of other mechanisms to address potential contamination is supported by the Statutory Guidance.

It should be noted there is a currently a government consultation seeking views on a revised version of the NPPF. The consultation period ends on the 10<sup>th</sup> March 2026.

### **Building Control**

Regulation 6 of the Building Regulations 2010 identifies resistance to contaminants as being a requirement to certain material changes of use.

WRS Officers would work with the Building Control Officers with regards to the requirements under the legislation and the subsequent remediation measures agreed for a site with the developer or landowner.

Building Regulations require measures to protect new buildings and the future occupants. Ground covered by any buildings and associated ground is required to be reasonably free of materials that might damage it or affect its stability. Reasonable precautions are required to avoid health and safety risks resulting from contamination.

Guidance has been issued in Approved Document C, *'Site preparation and Resistance to Contaminants and Moisture'*, (HM Government, 2013). A consolidated version of the individual Approved Documents has been published by the government, entitled *"The Building Regulations 2010 - The Merged Approved Documents - October 2024 compilation of individual approved documents"*.

### **Environmental Permitting Regime**

The Environmental Permitting (England and Wales) Regulations 2016 and subsequent amendments provides a regime for the regulation of prescribed industrial and waste management activities.

Where significant harm or pollution of controlled waters comes from a process regulated under the above regimes, a remediation notice under Part 2A of the Act cannot be served if the powers are available under the relevant Environmental Permitting regime to address the harm or pollution of controlled waters.

## Environmental Damage Regulations

The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 impose obligations and liabilities on certain commercial operations to prevent and remediate environmental damage caused by their activities based on the polluter pays principal.

The term “Environmental Damage” has a specific meaning under the regulations and is damage that adversely affects land, surface or groundwater, marine waters, protected species or natural habitats or a site of special scientific interest (SSSI). The Local Authority has enforcement responsibilities in relation to damage to land where this results in a “*significant risk of adverse effects on human health*”. In relation to damage to water and natural habitats/protected species, the Environment Agency and Natural England are the enforcement authorities respectively.

There can be some overlap of Environmental Damage and Part 2A and sites may be investigated under both regimes. In general Part 2A covers historic contamination whereas the Environmental Damage Regulations are to provide a quicker response in relation to pollution incidents.

## Voluntary Remediation

Discussions with landowners or occupiers who wish to address potential contamination on their land on a voluntary basis are welcomed. This sometimes occurs where a landowner wishes to sell land, use it as equity, reduce the risk of damage to the environment, or limit any future liability.

## Regional Collaboration

WRS is a member of a number of regional contaminated land groups consisting of representatives from other Local Authorities and relevant bodies. These include the West Midlands Contaminated Land Group, Gloucestershire Contaminated Land Group, and Staffordshire Contaminated Land Group. These groups are voluntarily run organisations working to provide support to local authority officers, encouraging dialogue with the wider industry and helping deliver consistency in the regulation of environmental pollution matters. WRS are also a member of the National Contaminated Land Officer Group (NCLOG) which offers a coordinated approach across the country to topical matters as they evolve. NCLOG is now being hosted and supported by the Institution for Environmental Sciences (IES). NCLOG was established in 2019 to enable the contaminated land officer voice to be heard nationally at government and industry level, and to promote consistency across the sector. NCLOG has over 200 members across the UK and maintains close links with existing regional officer groups and those working in the devolved administrations. It is a voluntary organisation and is governed by an elected Committee.

WRS have produced the Technical Guidance Note for Planning (May 2025) which sets out the requirements for how land affected by contamination should be dealt with as part of the planning process. The document also provides a specification as to the technical standards expected for contaminated land reports submitted in support of planning applications and discharge of condition requests. Environmental consultants and developers are directed to this document. It is hoped that this helps to improve the quality of information submitted and to raise awareness of the requirements particularly within the planning process. The document has been made available to other local authorities for information.

[wrs-technical-guidance-document-for-planning-v-5-9.pdf](#)

### **The Office for Environmental Protection**

The Office for Environmental Protection (OEP) was legally created in November 2021, under the Environment Act 2021. Their remit is to protect and improve the environment by holding government and other public authorities to account. The OEP have powers to enforce against failures to comply with environmental law.

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## Appendix A – Prioritisation Methodology

Preliminary prioritisation will continue in order to assess sites for future inspection. The sites will be scored utilising a risk ranking scoring system within the contaminated land database. The aim is to score all potential sites of concern to establish a hierarchy system with the higher risk sites at the top of the list. The site categorisation methodology is based upon the Source-Pathway- Receptor linkage, taking into account;

- Likely presence of Contaminant and severity of harm
- Likelihood of a Pathway for contaminant cause harm
- Receptor Sensitivity

The first step is to identify former potentially contaminative land uses or activities, such as “Gas Works”, and apply the corresponding score. If a site has had multiple different land uses it will be assigned the relevant scores for each of the major land uses. The risk assessment tool allows for up to six separate land use scores to be assigned. If a case arises where there are more than six relevant land uses for the site, the highest category scores will be included. A generic score according to the risk class is appointed depending on the use from the following rankings; Very High, High, Medium, Low, or Very Low.

The next stage is to assign a further score based on the pathway efficiency taking account of geology, soil classification, services pathways, and whether any remediation or barriers have been put in place. If no data is held a conservative approach is adopted by applying the same score as for high risk. The other values are medium or low.

A third score is applied in relation to the receptor sensitivity with the highest sensitive uses accruing a higher score. The most sensitive end uses are classed as residential with gardens, schools, and children’s nurseries. The receptor sensitivity takes account of exposure pathways that are likely to be present and the vulnerability of those receptors. A residential property with garden is likely to have more exposure pathways because of the potential for residents to interact with bare soils. Home grown produce may take up contaminants whilst growing that can then be ingested when consumed. Soils may also be ingested by young children during play, inhaled as dust, and tracked into residential properties. Children are at a higher risk from contaminants due to a number of factors including their smaller size (and therefore exposure to proportionally larger doses of toxins), closer proximity to the ground, dirt and indoor dust. When compared to an adult, children also breathe more and consume more food and water in terms of per kg of bodyweight (Hauptman, M, / Woolf, A, 2020).

A further score can be applied for other considerations where relevant. These include controlled waters sensitivity and whether there are other ecological

receptors, or protected property or buildings. These may include national nature reserves and Sites of Special Scientific Interest, ancient monuments, crops, owned or domesticated animals, and wild animals subject to shooting or fishing rights.

The scoring matrices that are to be utilised within the prioritisation process are set out below.

## SCORING MATRIXES

<u>SOURCE</u>		<u>CODE</u>	<u>RISK</u>	<u>SCORE</u>
Asbestos manufacture, abrasives, and related products		ML	<b>Very High</b>	<b>50</b>
Chemical works (organic and inorganic)	Manufacture of cosmetics, bleaches, manure, fertilisers and pesticides, detergents, oil organic based pharmaceuticals, other chemical products, including glues, gelatines, recording tapes, photographic film	CH		
	Sheep dips	SD		
	Dyes, pigments	DY		
	Paint, varnishes, printing inks, mastics, sealants, and creosote	PA		
Radioactive materials processing and disposal		NA		
Gas works, coke works, coal carbonisation and similar sites. Production of gas from coal, lignite, oil, or other carbonaceous material other than waste		GA		
Refuse and waste disposal sites, including hazardous wastes, incinerators, sanitary depots, drum and tank cleaning, solvent recovery		RF		
Oil refining and bulk storage of oil and petrol & Gasometers which are not gas works		LL		
LANDFILL SITE - KNOWN TO BE ACTIVELY PRODUCING GAS		LA		
Abattoirs and animal slaughtering:		AB	<b>High</b>	<b>40</b>
Animal products processing into animal by-products e.g. soap, candles, and bone works.		AN		
Tannery, leather goods and skinnery		TY		
Engineering (heavy and general)	Manufacturing of distribution, telecoms, medical, navigation, metering, and lighting.	HE		
	Manufacture and repair including ships, aerospace, rail engines and rolling stock	HT		
	Heavy products manufacture - rolling and drawing of iron, steel, and ferroalloys - includes tube works	HM		
	Manufacturing of electrical and electronic domestic appliances.	HS		
	Manufacture of cars, lorries, buses, motorcycles, bicycles	LT		
Manufacturing of engines, buildings and general industrial machinery, including nuts and bolts, gas fitting as, wire rope/cable		MA		

	and ordnance accessories. Including metal workshops and canneries			
Metal smelting and refining	Includes furnaces and forges, electroplating, galvanising, and anodising	FY		
	Ferro and aluminium alloys-manganese works, slag works	PL		
Civilian manufacture and storage of weapons, ammunition, explosives, and rockets including ordnance.		MG		
All military establishments including firing ranges (if not specified as civilian).		MD		
Recycling of metal waste including scrapyards and car breakers		SP		
Natural and synthetic rubber products including tyres and rubber products. Tar bitumen, linoleum, vinyl, and asphalt works		RB		
Paper, card etc products (packaging).		PD		
Pulp, paper, and cardboard manufacture		PR		
UNDERGROUND STORAGE TANKS ON SITE and above ground fuel storage tanks (except domestic)		US		
LANDFILL SITE - STRONGLY SUSPECTED TO BE PRODUCING GAS, based on available information on age and content of fill		LB		
Manufacture of clay bricks and tiles, including associated activities eg brick fields, also solitary kilns (other than lime kilns)		BK		
Extraction of alluvial sediments (sand, stone, clay, peat, marl and gravel)		PT		
Quarrying of all stone (including limestone, gypsum, chalk and slate) and ores, includes all opencast mining and slant workings - also slate/slab works, flint works, stone yards		QU		
Airports and similar (air and space transport)		AP	<b>Medium</b>	<b>30</b>
Concrete, ceramics, cement and plaster works.	Concrete, cement, lime and plaster products, also including solitary lime kilns.	CE		
	Tableware and other ceramics.	CR		
Dry-cleaning and laundries (larger scale, not usually "High Street")		LY		

Flat glass products manufacture		GL		
Photographic processing		PP		
Coal storage/depot.	Coal mining (and the manufacturing of coke and charcoal) - areas include associated surface activities in area and coal mine shafts.	CC		
		CY		
	Areas of mining and single or groups of shafts other than coal, or not specified - including levels, adits, etc also areas associated with mineral railways.	MN		
Electricity generation and distribution, including large transfer stations, power stations (excluding nuclear power stations).		PW		
Batteries, accumulators, primary cells, electrical motors, generators, and transformers		BT		
Printing of newspaper		NW		
Printing works other than newsprint and bookbinding (usually excludes "High Street" printers)		PN		
Railway land, including yards and tracks.		RW		
(Railway tracks - up to 4 tracks wide or 30 m)		RL		
Sale of automotive fuel. Road vehicle fuelling, transport depots, road haulage and commercial vehicle fuelling, local authority yards and depots.		FU		
Repair and sale of cars and bikes, parts and motorway services.		GG		
Transport depots - road haulage corporation yards		DP		
Sewage treatment works. Sewerage, septic tanks, effluent - including all filter beds.		SW		
Textiles manufacturing - natural and manmade textile manufacture and products including hemp rope and linoleum.		TX		
Timber treatment works and manufacturing. Sawmills, planing and impregnation (ie treatment of timber), wood products, telegraph works, timber yard, eg veneer		WD		
Computers, office machinery, business/industrial electrical goods.		LE		
Insulated wire and cable for electrical/tel/purposes.		WR		
LANDFILL SITE - GAS PRODUCTION IS POSSIBLE, based on historical map evidence of infilled quarry, water body or other void		LC		
Plastic products manufacture, moulding and extrusion; building materials; fibre glass, fibre glass resins and products. Manufacturing of Tar, Bitumen and Asphalt.		PS	Low	20

Dockyards and wharves. Boatbuilding, wharf and quays, cargo/transport handling facilities - marine or inland	DK		
Brewing and malting	BW		
spirit distilling and compounding.	DL		
Major food processing includes large dairies. Exceptionally large-scale corn/flour milling	FD		
Constructional steelwork, metal structures and products and building materials (Including Building Yards and smithy's)	MP		
Cemetery, modern burial ground, and graveyard	GV		
All hospitals including sanatoriums but not lunatic asylums (also includes laboratories)	HL		
LANDFILL SITE - GAS PRODUCTION UNLIKELY, based on available information on age and content of fill	LD		
Light Industry	LI	<b>Very Low</b>	<b>10</b>
Pollution incident (historic)	PI		
Area prone to repeated flooding	FL		
Radioactive Substances Act Registrations	RS		
Allotments and agricultural areas subject to repeated sewage spreading or excessive treatment	AL		

<b>PATHWAYS</b>		<b>SCORE</b>
Geological risk pathway	No data held or High Risk	5
	Medium Risk	3
	Low Risk	1
Soil Classification risk pathway	No data held or High Risk (No info or soils of high leaching potential)	5
	Medium Risk (Soils of intermediate leaching potential)	3
	Low Risk (Soils of low leaching potential)	1
Services pathway risk	No data or Drainage services (including culverted rivers) or wells known	5
	Possible drainage services	3
	No drainage services on site	1
Remediation pathway risk	No knowledge	5
	Likely that some remedial scheme would have been employed	4
	Partial remedial scheme believed to be in place	3
	Remedial scheme believed to be in place and effective	1

	Full appropriate remedial scheme in place and full details held	0
Barrier pathway risk	Uncertain/No knowledge of any barrier	1
	Physical or effective management barrier in place	0

<b>RECEPTORS</b>	<b>SCORE</b>
Residential with Gardens	20
Schools and Children's Nurseries	20
Private Water Supply abstraction for domestic consumption	18
Residential without Gardens	16
Playing fields and Public Open Space	9
Allotments and Cemeteries	8
Leisure/Hospitals/Commercial	7
Industrial	6
Agricultural	5
Other	1
No Risk Recorded	0

<b>OTHER CONSIDERATIONS</b>	<b>SCORE</b>	
Controlled Waters	Abstraction Point for Domestic Consumption	10
	River Water Classification A, B or C	
	Source Protection Zone 1	
	Major Aquifer (vulnerability risk = High)	
	Source Protection Zone 2	8
	Major Aquifer (vulnerability risk = Medium)	
	Minor Aquifer (vulnerability risk = High)	
	Source Protection Zone 3	6
	Major Aquifer (vulnerability risk = Low)	
	Minor Aquifer (vulnerability risk = Medium)	
	River Water Classification D, E or F	5
	Pond, Lake or other unclassified water feature	
	Minor Aquifer (vulnerability risk - Low)	4

	Abstraction Point for Commercial or Industrial use	3
	Non-Aquifer	2
Ecological Receptor, Property or Buildings	Owned or Domesticated animals	5
	Crops	
	Wild Animals subject to shooting or fishing rights	4
	National Nature Reserves & Sites of Special Scientific Interest	3
	Ancient Monuments	2
	Other Property	1

## Appendix B – Ecological and Sensitive Sites

There are a variety of specially designated areas highlighting the strategic importance of the Worcester City in terms of its natural assets.

The following sites have been identified:-

- Two Sites of Special Scientific Interest (SSSI's)
- Eighteen conservation areas
- Eighteen Scheduled Monuments
- Ten sites designated as Local Nature Reserves.

<b>According to available information sources there are 2 Sites of Special Scientific Interest (SSSI's) within the Worcester City area (<a href="#">Search for planning data</a> / <a href="#">Magic Map Application</a> / <a href="#">Site Search</a> )</b>		
Northwick Marsh SSSI <a href="#">1002655</a>	Lyppard Grange Ponds SSSI <a href="#">2000428</a>	
<b>There are 18 Conservation Areas within Worcester City District</b>		
<a href="#">Worcester and Birmingham Canal</a>	<a href="#">Riverside</a>	<a href="#">Historic City</a>
<a href="#">Battenhall Villas</a>	<a href="#">Sidbury and the Royal Fort</a>	<a href="#">Foregate Street and the Tything</a>
<a href="#">Landsdowne Crescent and Rainbow Hill Terrace</a>	<a href="#">St George's Square</a>	<a href="#">Trotshill</a>
<a href="#">Brittania Square</a>	<a href="#">St Johns</a>	<a href="#">Shrubbery Avenue</a>

<a href="#"><u>Lark Hill</u></a>	<a href="#"><u>Lowesmoor</u></a>	<a href="#"><u>Royal Infirmary</u></a>
<a href="#"><u>Claines</u></a>	<a href="#"><u>Warndon Court</u></a>	<a href="#"><u>Field Terrace</u></a>

**There are 18 Scheduled Monuments (England) recorded within the Worcester City area.**

<a href="#"><u>Fort Royal</u></a>	<a href="#"><u>City walls: section S of The Butts, extending 150ft (50m) between Angel Place and Bath Cottage</u></a>	<a href="#"><u>City walls: section S of The Butts, extending 100ft (30m) E from Rack Alley</u></a>
<a href="#"><u>Civil War fieldwork at Tamar Close, Worcester</u></a>	<a href="#"><u>Powick Old Bridge</u></a>	<a href="#"><u>St Albans Church</u></a>
<a href="#"><u>Worcester City Centre</u></a>	<a href="#"><u>City walls: section extending 90ft (30m) under the E walls of Nos 2-5, No 1 Court, New Street</u></a>	<a href="#"><u>City walls: section extending 130ft (40m) from the back of No 27 New Street to Windsor Row</u></a>
<a href="#"><u>City walls: section extending 50ft (15m) between Windsor Row and Nash's Passage</u></a>	<a href="#"><u>City walls: section extending 130ft (40m) between Charles Street and Portland Place</u></a>	<a href="#"><u>City walls: section extending 85ft (30m) along W side of Talbot Street</u></a>
<a href="#"><u>Edgar Tower entrance to the Cathedral Close</u></a>	<a href="#"><u>Remains of Guesten Hall</u></a>	<a href="#"><u>Refectory of St Mary's Priory in Cathedral Close</u></a>
<a href="#"><u>Western range of monastic buildings of the Cathedral Priory</u></a>	<a href="#"><u>City walls: section extending 280ft (90m) W and SW of Clare Street</u></a>	<a href="#"><u>Moated monastic grange and fishpond complex at Middle Battenhall Farm, 450m north of Upper Battenhall Farm</u></a>

Ten sites have been designated as Local Nature Reserves within the district.

**Local Nature Reserve**

<a href="#"><u>Hornhill Meadow</u></a>	<a href="#"><u>Laugherne Brook</u></a>
<a href="#"><u>Gorse Hill and Elbury Mount</u></a>	<a href="#"><u>Cherry Orchard</u></a>
<a href="#"><u>Offerton Wetlands</u></a>	<a href="#"><u>Perry Wood</u></a>
<a href="#"><u>Nunnery Wood</u></a>	<a href="#"><u>Lyppard Grange</u></a>
<a href="#"><u>Ronkswood Hill Meadow</u></a>	<a href="#"><u>Warndon Woodlands</u></a>