

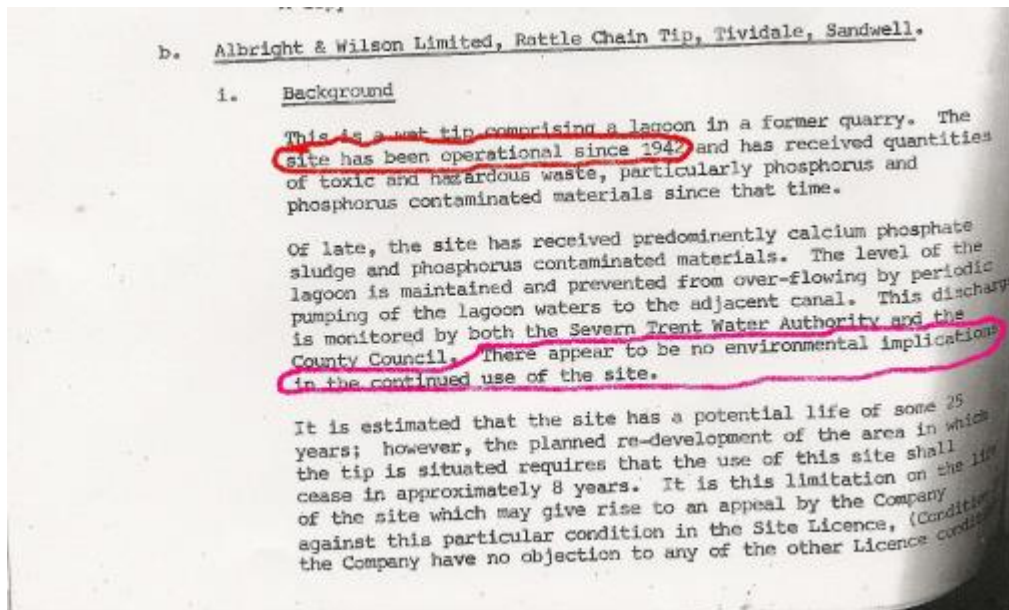
1. Minutes of Waste disposal and pollution control committee, December 1977, West Midlands County Council, supplementary report. Retrieved 18/10/24.

“b. Albright and Wilson Limited, Rattle Chain Tip, Tividale, Sandwell.

i Background

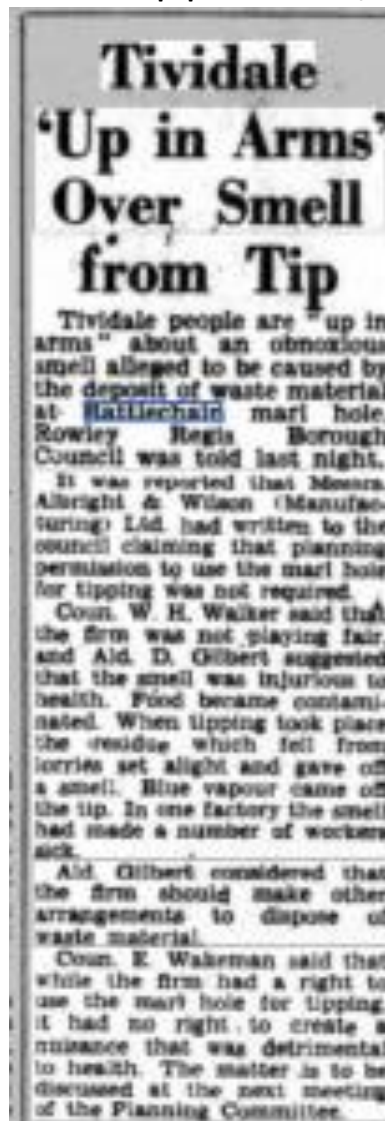
This is a wet tip comprising a lagoon in a former quarry. The site has been operational since 1942 and has received quantities of toxic and hazardous waste, particularly phosphorus and phosphorus contaminated materials since that time.”

There clearly WERE environmental implications from the use of this site!



2. **Glowing water ‘peril to children’** The Birmingham Post and Gazette 4th November 1957. Retrieved from The British newspaper archive 18/10/24.

3. **“Tividale ‘Up in Arms’ over smell from tip”** 1st April 1958 Birmingham Daily Post Retrieved from The British newspaper archive 18/10/24.



“When tipping took place the residue which fell from the lorries set alight and gave off a smell. Blue vapour came off the tip. In one factory the smell had made a number of workers sick.”

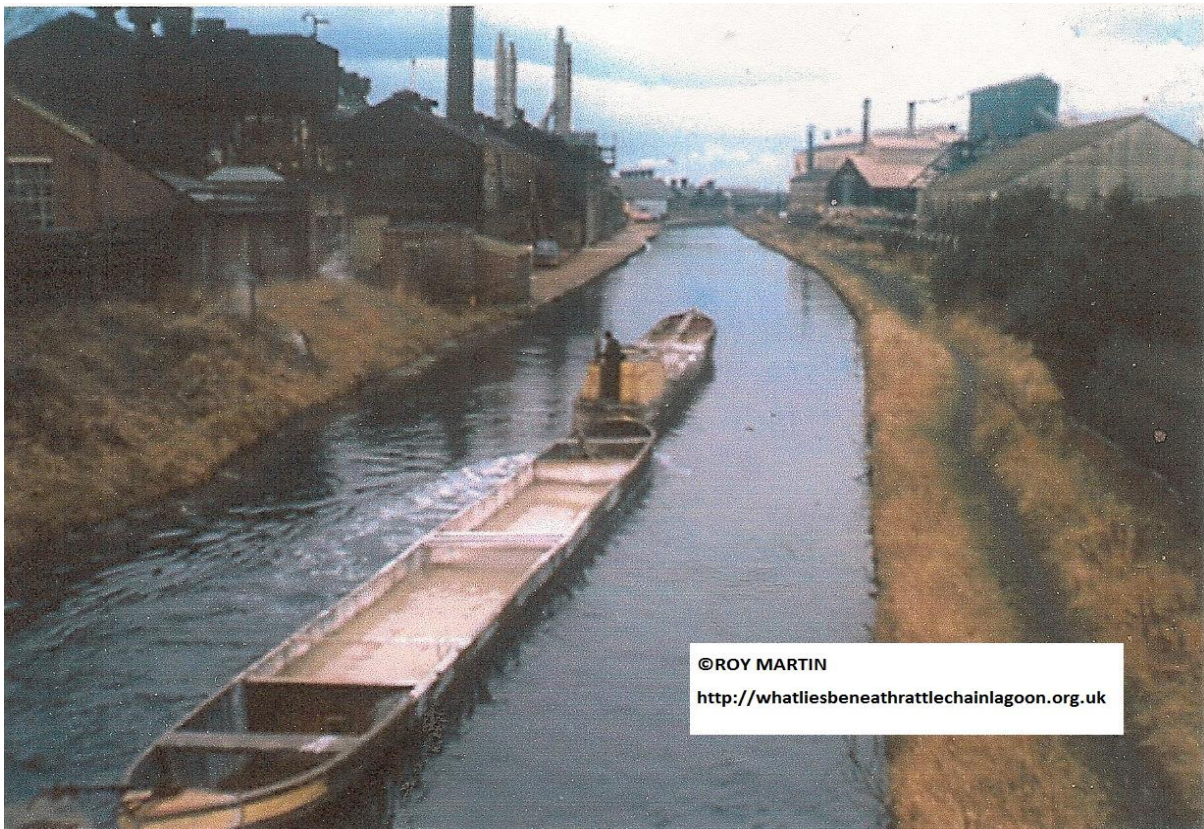
4. Enoch Clowes in Robert Davies' "Midlands Canals- memories of the canal carriers." From page 39-40. Retrieved 18/10/24.

This account is important for two reasons. The description of the lagoon as it then stood, and the toxic effects that it had to human health on those who carried out the job.

"My new but hazardous job was to transport effluent waste, and sometimes phosphorus, to a dumping site near the junction with the Netherton branch canal....

The huge marl hole that served as a waste dump had many years before been the site of the Rattlechain brick works, and also the place where a disastrous breach of the canal had occurred late in the nineteenth century. But now there was just this enormous marl hole, filled with the most horrid blue water **in which nothing could live**. And it was this ghastly cargo that nearly finished me and my mate off one day. We arrived at the dumping site, and started the petrol [Meadows](#) pump to empty the boat. Within minutes the pump stopped working, and as we tried to sort the problem out we were both overcome by the toxic fumes coming from the outlet pipe. Fortunately, a passer-by helped us to safety, and Frank Matty told us to take a few days off to get over it. That's how it was in those days."

5. Unpublished pictures and notes by Roy Martin on the BCN canal system. Retrieved 18/10/24.



HIGH BRIDGE OLDBURY. MATTYS BOATS ON ROUTE FOR THE GOWER BRANCH AND THE RATTLECHAIN. 1972. SOME FORTY YEARS LATER THE CARGO IS STILL WITH US.

6. (National Archives AVIA 22/2110) Images reproduced by permission to <http://whatliesbeneathrattlechainlagoon.org.uk/>

TELEGRAMS: "ALBRIGHT, OLDBURY" TELEPHONE: BROADWELL 1236 (4 LINES)

ALBRIGHT & WILSON LIMITED
ESTD 1844
CHEMICAL MANUFACTURERS

TEMPORARY LONDON OFFICES
TERMINAL HOUSE
52 GROSVENOR GARDENS
LONDON, S.W.1
TELEGRAMS: ALBRWIL, PHONE, LONDON
TELEPHONE: BLOAN 9531

OUR REF. T.V.A./L.D.E

OLD BURY
BIRMINGHAM

BRANCH SALES OFFICE:
116 CORN EXCHANGE BUILDINGS
CATHEDRAL STREET
MANCHESTER, 4
TELEGRAMS: ALBRWIL, MANCHESTER
TELEPHONE: BLACKFRIARS 1718

YOUR REF. D.X.2.

DATE 18th November, 1940

The Ministry of Supply,
The Adelphi,
LONDON W.C.2.

For the attention of T.N. Blockley Esq.

Dear Sir,

Contract 294/6/B/5898 dated 4/7/40
Contract 294/6/B/6410/Con. 7, dated 25/11/40

The above two contracts which call in all for 6,208,000 S.I.P. Grenades are now almost complete, and in addition, we have received instructions to proceed with a further 1,000,000 delivery to follow on completion of the above mentioned contracts.

In connection with these contracts, we have incurred items of capital expenditure amounting to some £30,000/£35,000. which up to the present time we have included in the cost of production, and we shall be glad to receive your confirmation that this is agreed.

We would mention that at a meeting held in London on 25th June, 1940 when this project was undertaken by us

(Present:

Major General Clarke (Director of Artillery)
J. Davidson Pratt Esq., B.A., B.Sc., C.E.E. (Controller of Chemical Defence Development)
Professor Heilbron
Brigadier General Barker (D. Comp S.)

For Albright & Wilson Ltd.
Mr. S. Barratt (Director)
Mr. J. G. Clarke (General Works Manager)

our representatives indicated that capital expenditure would be incurred on special filling machines, sealing machines, adaptations of buildings, catering for a large increase in personnel etc. and

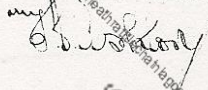
Contd.

2 cms	The National Archives	ins	1	2
Ref.:	AVIA 22/2110	C463113		
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although it was agreed that we should proceed with all possible speed which as you are fully aware, we did, we have no written agreement on this point.

Awaiting your reply.

Yours faithfully,
ALBRIGHT & WILSON LIMITED.



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Please note that this copy is supplied subject to the National Archives' terms and conditions and that your use of it may be subject to copyright restrictions. Further information is given in the 'Terms and Conditions of supply of the National Archives' leaflets					

7. From "100 YEARS OF PHOSPHORUS MAKING" Richard Threlfall 1951. Chapter 13 page 227

"When the plant closed in 1942, just on seven and a quarter million grenades had been filled. The storage of these devices by local authorities caused many headaches, because often they were submerged in a convenient stream for safety, and from time to time boxes of a thousand or so bottles broke loose and floated away."

Retrieved 18/10/24

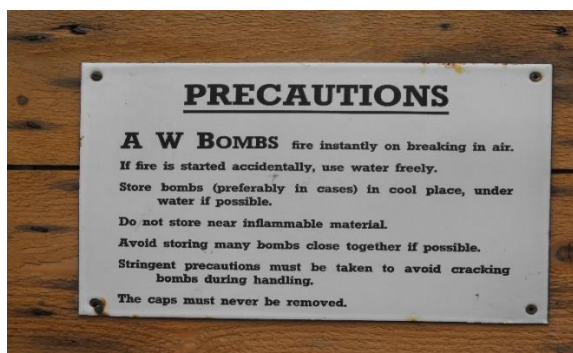
I.E THE PLANT CLOSED IN THE SAME YEAR THAT RATTLECHAIN LAGOON BEGAN RECEIVING WASTE.

8. Albright World magazine 1980's

Retrieved 18/10/24



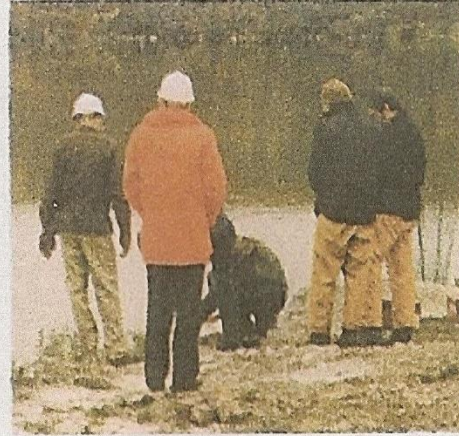
9. Aw bombs crate instructions in original box. I Carrroll photo collection. Retrieved 18/10/2



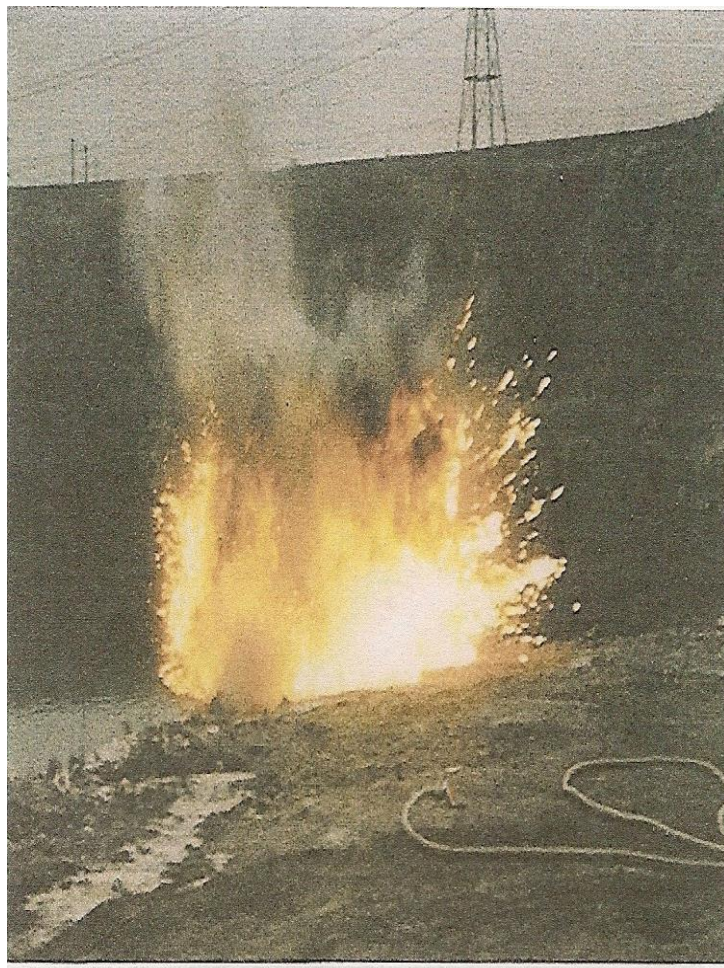
10. Pictures from Albright World January/February 1983. Retrieved 18/10/24



Oldbury safety manager Derek Severn, safety inspector David Poulton and production manager Peter Bloore examine the metal plate found with the bombs



A + W staff were on hand while army experts prepared the bombs for detonation.



The phosphorus bombs are despatched at A+W's Rattlechain Tin at Oldbury.

11. Marianne Walsh US Army chemical core of engineers.. **“Remediation of P4 Contaminated Matrices at FMC, Pocatello, Idaho.” Retrieved 18/10/24**

Anytime that white phosphorus is released into the environment, injuries are likely to follow. Notable news stories within the last few years concerning white phosphorus are: the wartime use of WP munitions in Fallujah, Lebanon, and Gaza (The Times Online 2009); the injury of a construction worker in Orlando, FL when he uncovered a World War II era WP ordnance (Orlando Sentinel 2008); injuries from white phosphorus smoke following a train derailment in Ukraine (Associated Press 2007); the collapse of a phosphorus furnace in Yunnan, China that released 50 tons of white phosphorus (China Chemical Reporter 2007); the poisoning of waterfowl at an Albright and Wilson waste pond in Oldbury, England (Express and Star 2008); and controversy over plans to build a hospital on top of a capped landfill containing 150,000 tons of phosphorus-contaminated wastes from an Albright and Wilson plant in Portishead, England (This Is Bristol 2008). The purpose of mentioning the above occurrences is to emphasize that problems with P₄ are worldwide and that releases long ago are still causing problems.

12. Express and Star article referenced in this report “Worries over Toxin in Pool”. April 2nd 2008 . NB The white phosphorus was not “at the bottom” hence the poisoning of wildfowl feeding at surface level. Retrieved 18/10/24

. [Scan_20161105.png \(947×1329\) \(saveoursandwellcanadageese.org.uk\)](#)



13. Examples of post mortem reports showing “systemic exposure” in Dead Rattlechain Canada goose and mallard ducks that had been poisoned by the white phosphorus within the lagoon.

Retrieved 18/10/24

Veterinary Laboratories Agency Shrewsbury
 Kendal Road, Harlescott, Shrewsbury. SY1 4HD
 Telephone: 01743 467621 Fax: 01743 441060
 Email: shrewsbury@vla.defra.gsi.gov.uk



VLA Ref. No. 26-B0061-04-11

PAUL DUFF	Sender.	Veterinary Laboratories Agency
VLA PENRITH	Sender's Ref.	Not Given
	Date Received	04/04/2011
	Date of Sampling	04/04/2011
	No. in Die Off	Not Given
RICHARD IRVINE	Die Off Location	Not Given
VLA LUDDINGTON	Located In	FALSE
	Sign. Events	Not Given
	County	WMD
	Map Ref	SO1974913
	AI Species / Breed	Not Given
	FF Species / Breed	Goose / Canada Goose
	Responsible S/VIO	Holmes_P
	Samples	Animal Presented Dead x 1
	Autolysis	Not Given

REPORT 4 (SUPPLEMENTARY)

Comment on analytical results of toxicology carried out at Harlan Laboratories on goose tissues from Rattlechain Lagoon, provided by Jo Payne AHVLA.

Results[†]

The total amount of white phosphorus detected in gizzard content was 7.65 mg and in small intestine content 3.22 µg.

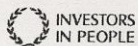
Several tissues were also tested. The concentrations of white phosphorus residue present are shown in the following table.

Tissue sample	White phosphorus residue (mg/kg tissue)
Muscle	< LOD
Fat	0.298
Intestine	< LOD
Liver	< LOD
Kidney	< LOD
Proventriculus/Gizzard	< LOD

The concentration of white phosphorus present in muscle, liver and kidney could not be measured as they were below the analytical limit of detection (LOD) of 5.89 µg/l. The concentration of white phosphorus present in intestine could not be measured as it was below the analytical limit of detection of 1.69 µg/l.

Comment

The analytical results show that the goose ingested a significant amount of white phosphorus and also confirms the presence of white phosphorus residue in fat tissue. This indicates that there is systemic exposure. Sparling, Day & Klein (1999) calculated the LD 50 of white phosphorus in swans to range between 1.40 to 4.68 mg/kg bodyweight (BW), with a mean of 3.65 mg/kg BW. The quantity



‡ - Test subcontracted; opinions given and interpretations of the result are outside the scope of UKAS accreditation.
 † - Not UKAS accredited; opinions given and interpretations of the result are outside the scope of UKAS accreditation.
 For further details of the test methods used, and other terms and conditions, please refer to the VLA Website.

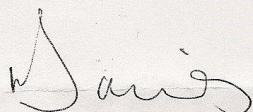
VLA Ref. No. 26-B0061-04-11 continued...
Date Received : 04/04/2011

detected in gizzard content (1.25mg/kg BW) is close to the LD 50. Geese are similar to swans in size and conformation so I would expect the LD 50 to be similar in both species of bird.

The autopsy failed to identify any other likely cause of death. The quantity of white phosphorus detected in gizzard and the presence of white phosphorus residue in fat tissue is consistent with white phosphorus poisoning as the cause of death of this goose.

Reference: Sparling DW, Day D & Klein P, 1999. Acute toxicity and sub lethal effects of white phosphorus in Mute Swans. Arch. Environ. Contamin. Toxicol. 36, 316-322

Jo Payne, Animal Health & Veterinary Laboratories Agency



I H Davies MRCVS
Regional Veterinary Manager
28 October 2011

cc Dr Tom Dutton, HSE Manager, Rhodia UK Ltd, PO Box 80, Trinity Street, Oldbury, B69 4LN

Mr Ian Carroll, [REDACTED]

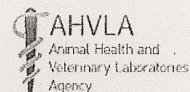
Mr David Whitford, Environment Management Team Leader, Environment Agency, Sentinel House, 9 Wellington Crescent, Fradley Park, Lichfield, WS13 8RR

Animal Health and Veterinary Laboratories Agency Shrewsbury

Kendal Road, Harlescott, Shrewsbury, SY1 4HD

Telephone: 01743 467621 Fax: 01743 441060

Email: shrewsbury@vla.defra.gsi.gov.uk



AHVLA Ref. No. 26-B0300-09-11

PAUL DUFF AHVLA PENRITH	Sender.	Other for AI
	Sender's Ref.	Not Given
	Date Received	15/09/2011
	Date of Sampling	15/09/2011
RICHARD IRVINE AHVLA LUDDINGTON	No. in Die Off	Not Given
	Die Off Location	RATTLECHAIN POOL, OLDBURY
	Located In	FALSE
	Sign. Events	Not Given
	County	WMD
	Map Ref	SO1974913
	AI Species / Breed	Not Given
	FF Species / Breed	Duck / Mallard Duck
	Responsible VIO	P Holmes
	Samples	Animal Presented Dead x 2
	Autolysis	Not Given

REPORT 3 (SUPPLEMENTARY)

Results of testing for white phosphorus residues carried out by Harlan laboratories have been provided by Rhodia †.

Jo Payne has provided the following comments:

Comment on analytical results of toxicology carried out at Harlan Laboratories on duck tissues from Rattlechain Lagoon

Results

The total amount of white phosphorus detected in gizzard content of duck 1 was 0.530 mg and the total amount of white phosphorus detected in gizzard content of duck 2 was 0.098 mg.

The concentration of white phosphorus was determined in several tissues.

Duck 1

The concentration of white phosphorus residue present in the gizzard was 0.051 mg/kg and in fat was 1.51 mg/kg. The concentration of white phosphorus residue present in the intestine was 6.25 mg/kg. The concentration of white phosphorus present in liver and kidney could not be measured as they were below the analytical limit of detection concentration of 0.013 mg/kg and 0.052 mg/kg respectively.

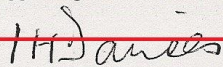
Duck 2

The concentration of white phosphorus residue present in the gizzard was 0.110 mg/kg and in fat was 0.831 mg/kg. The concentration of white phosphorus present in liver and kidney could not be measured as they were below the analytical limit of detection concentration of 0.022 mg/kg and 0.114 mg/kg respectively. The concentration of white phosphorus present in the intestine could not be measured as it was below the analytical limit of detection concentration of 0.032 mg/kg.

Comment

Gross post mortem examination of the two ducks failed to identify a likely cause of death and as a result white phosphorus analysis was undertaken on gastrointestinal content and various tissues.

The analytical results confirm that both ducks 1 and 2 had been systemically exposed to white phosphorus suggesting that the death of both ducks was due to white phosphorus poisoning.


I H Davies MRCVS
Regional Veterinary Manager
2 April 2012



INVESTORS
IN PEOPLE

‡ - Test subcontracted; opinions given and interpretations of the result are outside the scope of UKAS accreditation.
† - Not UKAS accredited; opinions given and interpretations of the result are outside the scope of UKAS accreditation.
For further details of the test methods used, and other terms and conditions, please refer to the VLA Website.

14. CHAIRS group minutes dated December 2009 (chemical hazards and identification risk surveillance group). Retrieved 18/10/24

Rhodia incident

4. JP gave an update on recent developments, as follows:

- Tissues from a swan that was post mortemmed by VLA in the spring were submitted by Rhodia to Harlan Laboratory, Derbyshire to be tested for the presence of white phosphorus (P4). P4 was detected in the gizzard content of the swan, confirming that exposure had occurred. P4 was identified in the gizzard but P4 levels in other tissue samples were below the Harlan Laboratory LOD. The identification of P4 in the absence of evidence of any alternative cause of death suggests the death was probably caused by P4.
- A dead canada goose was submitted in October for post mortem. The goose had allegedly shown nervous signs prior to death. No alternative cause of death was established at post mortem. Rhodia have indicated that they will again submit tissues to Harlan for P4 analysis.
- Rhodia are continuing their work on the lagoon to make it safe.

5. The Chair commented that as P4 probably caused the death of the swan the investigation confirms current environmental contamination with P4 and suggests the levels of contamination in or around the lagoon could poison wildlife or humans. MB confirmed that HSE had inspected the site and advised Rhodia about security there. It was agreed that members were effectively joined up regarding this case, however if any further incidents or changes arise then the matter should be discussed again by the CHAIRS group.

“5. The Chair commented that as P4 probably caused the death of the swan the investigation confirms current environmental contamination with P4 and suggests the levels of contamination in or around the lagoon could poison wildlife or humans. MB confirmed that HSE had inspected the site and advised Rhodia about security there. It was agreed that members were effectively joined up regarding this case, however if any further incidents or changes arise then the matter should be discussed again by the CHAIRS group.”

15. Sunday Mercury “Lake of death” article and Birmingham Live website 7/10/2010. Retrieved 18/10/24

[Scan_20161104-2.png \(1553×1915\) \(saveoursandwellcanadageese.org.uk\)](#)

[Scan_20161104-3.png \(595×2009\) \(saveoursandwellcanadageese.org.uk\)](#)

[Oldbury residents fear toxic lake - Birmingham Live](#)

16. Email from Marianne Walsh to Dave Whitford and Suzanne Ward of Environment Agency dated 31st May 2012 regards Rattlechain monitoring and white phosphorus, based on her extensive experience. Retrieved 18/10/24

FW: White Phosphorus

To: Dave Whitford and Suzanne Ward, Environment Agency
From: Marianne E. Walsh, Chemical Engineer, US Army Corps of Engineers
Re: White Phosphorus

31 May 2012

I have been contacted to review lab reports concerning waterfowl that fed at Rattlechain Lagoon and subsequently died. The lab reports provided evidence that the waterfowl ingested white phosphorus. My experience with white phosphorus stems from a U.S. Army impact area where residues from white phosphorus ordnance were killing waterfowl (Racine et al. 1992). As part of this Army project, I developed and used methods for the sampling and analysis of white phosphorus contaminated soils, water, and tissue. I also developed methods for the monitoring of the remediation of the impact area. Documentation on this project is summarized in two annotated bibliographies (Nam et al. 1999, Walsh 2003).

I want to let you know that the concentrations of white phosphorus in the tissues of the birds from Rattlechain Lagoon are consistent with those that we detected over many years of study of white phosphorus poisoning of ducks and swans. I have no doubt that the birds that died after feeding in Rattlechain Lagoon were poisoned by white phosphorus, which is lethal by ingestion. Only 5 mg of white phosphorus will kill a duck.

I would also like to comment on the proposed capping of Rattlechain Lagoon. Capping has been the most frequently used technology in the elemental phosphorus industry. This technology is technically feasible, but the long-term risks of leaving tons of untreated ignitable, reactive and very toxic material in subsurface soils are unknown. One hazard that cannot be ignored is the generation of phosphine gas (PH₃) from white phosphorus. Phosphine is extremely toxic by inhalation and would pose a risk to residents near the capped lagoon. A capped waste pond in Idaho generated copious quantities of phosphine, which led to an emergency remedial action by the US Environmental Protection Agency.

I would be happy to send to you literature about white phosphorus and waterfowl, and I invite you to review the documents about the problems caused by capping a white phosphorus waste ponds. The following link is a start:

http://www.sbtribes-ewmp.com/ATSDR_Phoshine_Gas_Human_Exposure_Pond_15s.html

References:

Racine, C.H., M.E. Walsh, B.D. Roebuck, C.M. Collins, D. Calkins, L. Reitsma, P. Buchli, and G. Goldfarb (1992a) White phosphorus poisoning of waterfowl in an Alaskan salt marsh. *Journal of Wildlife Diseases*. 28(4), 669-673.

Nam, S.I., M.R. Walsh, C.M. Collins and L. Thomas (1999) Eagle River Flats Remediation Project Comprehensive Bibliography – 1950 to 1998. SR 99-13. Cold Regions Research and Engineering Laboratory, Hanover, NH, 03755.

Walsh, M.R. (2003) Eagle River Flats Remediation Project Comprehensive Bibliography 1998 – 2003. ERDC/CRREL TR-03-15. Cold Regions Research and Engineering Laboratory, Hanover, NH, 03755.

Marianne E. Walsh
US Army ERDC/CRREL

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Racine, C.H., M.E. Walsh, B.D. Roebuck, C.M. Collins, D. Calkins, L. Reitsma, P. Buchli, and G. Goldfarb (1992a) White phosphorus poisoning of waterfowl in an Alaskan salt marsh. *Journal of Wildlife Diseases*. 28(4), 669-673.

Nam, S.I., M.R. Walsh, C.M. Collins and L. Thomas (1999) Eagle River Flats Remediation Project Comprehensive Bibliography – 1950 to 1998. SR 99-13. Cold Regions Research and Engineering Laboratory, Hanover, NH, 03755.

Walsh, M.R. (2003) Eagle River Flats Remediation Project Comprehensive Bibliography 1998 – 2003. ERDC/CRREL TR-03-15. Cold Regions Research and Engineering Laboratory, Hanover, NH, 03755.

Marianne E. Walsh
US Army ERDC/CRREL

17. P4 persistence in sediments reports and quotes

Persistence of White Phosphorus Particles in Sediment Marianne E. Walsh, Charles M. Collins and Charles Racine. Retrieved 18/10/24

" White phosphorus particles were found to be persistent indefinitely in saturated sediments."

It is noted that understanding of white phosphorus persistence in sediments were poor and limited. *" Lack of understanding of the environmental fate and transport of white phosphorus residues precludes accurate ecological assessments and efficient cleanup."*

The authors calculated **"Based on the amount of time for the radius to go to zero, a P4 particle with an initial diameter of 1 mm would take about 8 years to dissolve at a constant temperature of 25°C in slowly flowing water. "**

This "phosy water" contains suspended (colloidal) and dissolved P4 (Dacre and Rosenblatt 1974). Larger particles may also be suspended (Peer 1972).

"when a contaminant is acutely toxic and heterogeneously distributed as solid particles over an area, an average concentration will not represent true exposure risk. The problem of estimating exposure risk from white phosphorus became apparent at ERF when Denver Wildlife Research Center (DWRC) conducted studies to test the chemical bird repellent, methyl anthranilate (Clark and Cummings 1994). "

Composite Sampling of Sediments Contaminated with White Phosphorus Marianne E. Walsh, Charles M. Collins, Ronald N. Bailey, and Clarence L. Grant December 1997. Retrieved 18/10/24

18. Clevedon phosphorus dump article *New Civil Engineer* dated 26/4/2001. Retrieved 18/10/24.

[Toxic threat looms in Somerset | New Civil Engineer](#)

19 "It's a cra*p site for residential" in reference to the former sewage works, now Callaghan and Wilson Drives and the proximity to the hazardous waste lagoon. Email from John Baylay senior planning officer Sandwell Council dated 20/10/2002. Retrieved 18/10/24


>>> John Baylay 30-Apr-02 11:31:16 AM >>>
It's a crap site for residential DC and the Building Consultancy opposed the re-allocation of the site from business in the adopted UDP to residential because of the proximity of the site to Albright and Wilson Lagoon which is a chemical waste tip, but their concerns were ignored. Industrial buildings are a much better neighbour to a potentially hazardous site as this in both public safety and security terms


In my view any application for the residential development of this site could not be approved because unless the HSE and Environment Agency support the proposal and unless Rhodia (A&W's successors) provide a site investigation report of the pool's contents (which they won't), SMBC cannot show that it has discharged its duty of care with regard to the public safety of future residents of that estate. No application could be entertained until some form of risk assessment has been carried out. In the absence of any knowledge of what the lagoon contains how can the risk be assessed?

On a pedantic note the site is allocated for business purposes in the Adopted UDP. The full Council has agreed to the fairly modest departure from the plan that the proposed industrial development represented.

CC: Bird, Keith, Rice, Tony

20 A house buyer from Callaghan Drive Facebook. Retrieved 18/10/24

 I bought a house on the banks of this chemical dump. It took me 18 months to sell it (at a massive loss which I'm still paying for now). So glad I'm away from this now. Many nights sleep lost worrying about the health of my kids growing up with this in our back garden. We had meetings with the Environmental Health and Rhodia and were even interviewed by the press. Nothing ever came of it. Strangest of all, none of this showed up on any searches when we purchased the property from Barratts and the hazardous waste signs disappeared from the gates while the properties were being sold.

[Like](#) · [Reply](#) · [Message](#) ·  2 · 2 July at 22:52

21. Email from John Moorhouse Rhodia to Laurence Jackson SMBC 1/5/1012 regards Rattlechain lagoon and adjoining land. Does not appear to have got any further given in 12 years given claims of “discussions” only and no substance or credible remediation strategy. **Retrieved 18/10/24.**

From: MOORHOUSE, John [John.MOORHOUSE@EU.RHODIA.COM]
Sent: 01 May 2012 16:52
To: Laurence Jackson
Cc: MOORHOUSE, John; DUTTON, Tom
Subject: RE: Rattlechain lagoon and adjoining land

Laurence,

In response to our phone call of yesterday I summarise our position and answers to your questions as follows. I should clarify that all my remarks apply only to the area of land which comprises our Hazardous Waste Landfill (“The Lagoon”)and not to any adjacent land which may also be part of the total submission.

1 IS THE LAGOON CAPABLE OF BEING REMEDIATED

A) Technical Consideration.

Remediation can take many forms. The nature of the stored wastes is such that any attempt to remove them would, in our opinion, be technically too difficult and as a result not be financially viable. We have asked our consultants to consider methods to stabilise the waste in situ and they consider it could be technically feasible to achieve this even to allow the lagoon to be infilled.

B) Acceptability

The site is currently controlled by a Waste Management Permit. Any activity undertaken on the site has to be within the conditions of the Permit or an application has to be made to the EA to vary the conditions. Any redevelopment of the site would need the Waste Management Permit to be surrendered. Very strict conditions will have to be met to achieve this.

A recent study by the HPA has assessed the risks to persons outside the lagoon and found there to be no risk. However if ever the lagoon were to be remediated for a different use then the risks would need to be reassessed.

We have only ever considered any potential development for open space. We have considered development for house construction to potentially be an unacceptable risk for Rhodia given current knowledge.

2 RHODIA POSITION

A) Redevelopment

Over the last 5 or 6 years we have held discussions with Mintworth Transport and their advisors. We have seen the Sladen Report including their proposals for infilling. We have shown the report to our own in house specialists and to our external consultant at the time and all were of the opinion that the technique has significant technical defects.

We have been seeking a long term solution for the lagoon for some years and so have been interested to discuss a range of options. I would describe our position with Mintworth as passive.

The most recent discussions held with Mintworth have informed them of our own current plans for the lagoon as described below.

B) Remediation

Over the last two years, since it has been shown that birds are ingesting the waste, we have been working actively on techniques to protect the wild life.

Our proposal is to isolate the waste from the wild life by applying a geotextile barrier across the lagoon and laying a layer of imported sand over the geotextile. We have a design from our current consultants.

This would do nothing to stabilise the wastes to allow infill and would retain the lagoon as a water feature.

As explained above, we still have to gain EA approval to work within the Waste Management Permit and we also need to consult the HPA and the local residents.

I hope this helps.

regards,

John

22. Sladen Associates and Mintworth's previous failures and cost to the public purse.

Shidas Lane Lagoon Oldbury

Sladen Associates proposed surcharging the area with excess sand re planning applications DC/04/42934 and then DC/10/52117

Planning Permission (ref DC/04/42934) was granted in September 2005 for the reclamation of the lagoon by infilling it with inert materials up to the levels of the surrounding ground. Condition 18 restricted the levels to those shown on the approved plans.

The applicant has infilled the lagoon but has exceeded the approved levels by about 8m (max). It has advised me that this was necessary because of the need to surcharge the ground in order to improve the ground bearing capacity of the land so that buildings can be built on it.

. Shidas Lagoon was infilled by Mintworth and left abandoned by 2010. WMCA investment board reported in 2019

“...it has proved to be unsuitable for built development due to untreated mineshafts, excess surcharge material on the site and general poor ground loading conditions requiring piled foundation solutions. The above issues rendering the site financially unviable.”



A far cry from what was claimed when the infilling operations were approved by Sandwell planners!

INVESTMENT REPORT FOR
Stoford Properties – Shidas Lane



WEST MIDLANDS
COMBINED AUTHORITY

loading conditions requiring piled foundation solutions. The above issues rendering the site financially unviable. Summary of the issues in the ground is included in section 2.

Cost to the public purse was revealed in the FOI request ***“Approve a maximum grant of £3.45m to fund the remediation costs at the property in order to deliver the Development.”***

Coneygree site Tipton

Sladen Associates again for Mintworth permission for residential re application **DC/08/49278**

Submitted with the application was a report written by Sladen Associates “Ground conditions and mine stabilisation report former Coneygre foundry site. **Prepared for Mintworth Transport Limited.**” The date of this is February 2007.

Work	Source	Final Costs £ Average
Infilling limestone workings Ove Arup	Ove Arup = 2,795,779.43	
Sladen Associates (lower costs)	Sladen Associates = 5,737,500.00	4,266,639.00
Stabilising Thick Coal	Ove Arup	419,542.29
Stabilising Thin Coal	Ove Arup	82,019.36
Stabilising Mine Shafts	Ove Arup	150,000.00
Road Construction	Ove Arup	281,250.00
Signal controlled Junction	Ove Arup	300,000.00
Services Relocation	Ove Arup	255,940.53
Access Purchase – Unit 7a	Briks Industrial RBS	300,000.00
Access Purchase – Unit 8	RA Property Management	1,750,000.00
Access Purchase – Unit 9	Revelan Estates	1,262,000.00
Construction of Canal Wall	Bea Landscapes	56,280.00
Vibro-Compaction on 40,000sqm of made ground	Ove Arup	600,000.00
Professional Costs (all)	RPS	200,000.00
Total Costs		9,693,671.18

Not worth a mint

Despite SMBC rejecting this, and losing a planning appeal, no residential use ever materialised and it was purchased by the same company as the other Mintworth site at rattlechain but now as proposed business use that RPS acting for Mintworth claimed would be financially unviable in their earlier planning application. A volte-face of epic proportions! This same agent alongside Sladen were promoting ideas in 2012 for the rattlechain land still left abandoned and awaiting a magic tax payer money tree that the other two have or are prospected to receive.

REGISTER EXTRACT

Title Number	: WM411427
Address of Property	: LAND TO THE NORTH WEST OF Coneygre Road, Tipton
Price Stated	: £2,000,000 plus VAT
Registered Owner(s)	: COMETURE REDEVELOPMENTS LIMITED (Co. Regs. No. 11301093) of The Mill, 1 High Street, Wenley-in-Arden B95 3AA.
Lender(s)	: None

“Coneygree redevelopments limited” have the same directors and address as “rattechain redevelopments limited.” Retrieved 17TH JUN 2019

6.09 Extracts from the cost plan prepared in respect of both uses are included in the report and are summarised below:

Use	Total Abnormal Costs (£)	Cost per sq m (£)
Housing	10,705,621	648.83
Employment	6,846,026	320.40

6.10 The costs were included in viability appraisals in respect of the proposed development of the site for each use, copies of which are included with the report.

6.11 The housing development viability shows a shortfall of £13,575,578 which equates to a cost of £87,206 per dwelling built. This cost far exceeds the available grant support for new housing which is capped at £15,000 per dwelling.

6.12 The funding shortfall for employment use is £5,956,467, which equates to £13,237 per job created. An application for grant funding from the West Midlands Combined Authority has been invited at this level and thus the use can be made viable.

6.13 It can therefore be demonstrated that housing use is not economically viable on the site and allowing the site to remain in employment use would help to meet the significant shortfall of High Quality Employment land in the borough.

THE COSTS SHOULD NOT BE MET BY THE TAXPAYER !!!

23. Foundry sand misery adjacent to existing homes. Diggers on the Hill next to homes early 1990's Keith Brook. Retrieved 18/10/24



24. "Couple say work is blighting home" Sandwell Evening Mail 20th July 1990. Retrieved 18/10/24

BC EVENING MAIL, FR

COUPLE SAY WORK IS BLIGHTING HOME

SANDWELL council have joined forces with a Tividale couple who say nearby earthworks are wrecking their home.

Mrs Phyllis Martin said cracks appeared all over her three-bedroomed Gladstone Drive home since reclamation work began on the Rattechain Tip site three months ago.

But the final straw came this week, when despite repeated requests for heavy machinery to be kept away from the house, she returned to find a split running right around the garage.

She said: "There have been capillars working upto just inches from the wall. When I spoke to the firm I asked them to stop but they

just carried on. Now we are going to a solicitor."

Mrs Martin and her husband Jeff had the house surveyed before they moved in two years ago.

"That reports says there is nothing wrong with it, we wouldn't have moved in otherwise," she added.

The site is the responsibility of

the Black Country Development Corporation, which gave permission for the work to go ahead, but now Sandwell Council have entered the row.

Chairman of the Planning Property and Land Committee Coun Bob Badham (Lab, Greets Green and Lyng) has asked the council's own building control inspector to

look at the damage to the Martins' home.

He said: "It looks like our worst fears about this scheme have been confirmed."

BCDC spokeswoman Caroline Sargent said the corporation's own consulting engineers had seen the cracks but did not believe they were caused by the work.

Government quangos are not on the side of local residents, and nor do they care about their plight.

25. Selection of letters held by SMBC planning department regards harmful impact of the Mintworth years of operation at Their "Rattechain Tip". "a long-standing, problematic and heavily contaminated site" but reliant on SMBC planning officers keeping granting planning permissions! Retrieved 18/10/24

CONGRESSIONAL LOCAL ADMINISTRATION RECEIVED COUNTY 17 APR 1998 ACKNOWLEDGED

4500 WALTON ROAD
TIVIDALE
OLDHAM
NEWT MILLS
B69 3JF
24/8/98

TO

DEAR SIR,

WE LIVE NEXT DOOR TO A PIECE OF WASTE LAND WHICH AT ONE TIME WAS A LANDFILL. ABOUT 9 YEARS AGO WE WENT TO A MEETING WITH THE BLACK COUNTRY COUNCIL. WE WERE TOLD WE WOULD HAVE 100 LORRIES A DAY FOR TWO YEARS TO CLEAR THE LAND. 9 YEARS ON IT STILL IS NOT FINISHED.

WE HAD TO LAY OUT £800 FOR A STRUCTURAL ENGINE BECAUSE WE HAD GOT A LEAST FIVE DIPPERS AT A TIME NEXT TO THE HOUSE. WE HAD PUT IN DOUBLE GLAZING BECAUSE OF THE NOISE WHICH ARE NOW SPOILED FROM THE DUST FROM THE FOUNDRY SAND BEING TIPPED ON THE LAND. WE HAVE WRITTEN TO A NUMBER OF COUNCILLORS & OUR M.P. TO NO AVAIL. WE WENT TO A PLANNING MEETING I HAD ENCLOSED THEIR RECOMMENDATION, WHICH WE HAVE NOW BEEN TOLD MAY NOT BE PASSED BY THE BLACK COUNTRY WHICH DISBANDED IN MARCH. THE ENVIRONMENT COME EACH WEEK & TAKE POOL AWAY COVERED IN DIRT ON OUR HOUSE. WE CAN NOT HAVE WINDOWS OPEN, PUT WASH OUT OR SIT IN OUR GARDEN. WE ARE VERY VERY FRUSTRATED & THINK WE HAVE BEEN TREATED REALLY BAD BY THE COUNCIL & THE LANDOWNER. WE WOULD LIKE TO GET £5000 OFF OUR HOUSE WHICH WE CAN NOT SELL BECAUSE OF THE MOUND OF LAND.

“we were told we would have 100 lorries a day for two years to clear the land. 9 years on it still is not finished....

...we are very very frustrated and think we have been treated really bad by the council and the landowner. We have also lost around £5000 off the value of our house which we can not sell because of the mound of land.”

I HAVE GOT MOST OF OUR PROBLEM ON A TAMP
VIDEO, A FRIENDS SAY I WOULD NOT PUT UP WITH THIS,
BUT IF NO ONE WILL LISTEN TO US OR HELP US, WHAT
ELSE CAN WE DO, THE LANDOWNER DOESNT REPLY TO
LETTERS SENT TO HIM & THE COUNCIL COULD NOT CARE
WE HAVE NOW HAD A CONSERVATORY SPOILED FROM
THE BUST & FOUNDRY SAND THAT KEEPS BLOWING ONTO IT.
Yours sincerely

"the landowner does not reply to letters sent to him."

BCL 3513
cc Tony Rice
DK
22/9/96

BCDC
21 SEP 1996
RECEIVED

GLADSTONE DRIVE,
TIVDALE,
WARLEY,
WEST MIDLANDS,
B69 3LF.

Mr. A.J. Rice
Black Country House,
Oldbury,
West Midlands,
B69 2DG

Tel: 0121-
Your Ref: AJR/BCS3583
Date: 21 September 1996

Dear Sir,

I write to inform you that it was with great dismay that I read your letter dated 8 September 1996, regarding John Hunt Limited applying for a twelve month extension to continue operating Rattlechain Site at Temple Way

I have made numerous calls to various departments, including Environmental Health, where I spoke to Joanna Willett to express my concern over the height of the dirt tip, and indeed the pollution it is now causing to myself and my neighbours. I can only assimilate our present environment to living down a mine!

I have since spoken to Mr. Neilamy of the same office who advised I contact John Davies at the Environment Agency. On doing so he Mr. Davies seemed confident that work at the site was coming to an end, and the area was to be landscaped and grassed.

I cannot express strongly enough my opposition to this particular planning request to extend the license for Rattlechain. I am sick to the high teeth of the dirt and grime that is constantly coming across from Rattlechain, dirtying our property and doing who knows what to our health.

I trust you will visit the area, and talk to the residents before considering the application concerned.

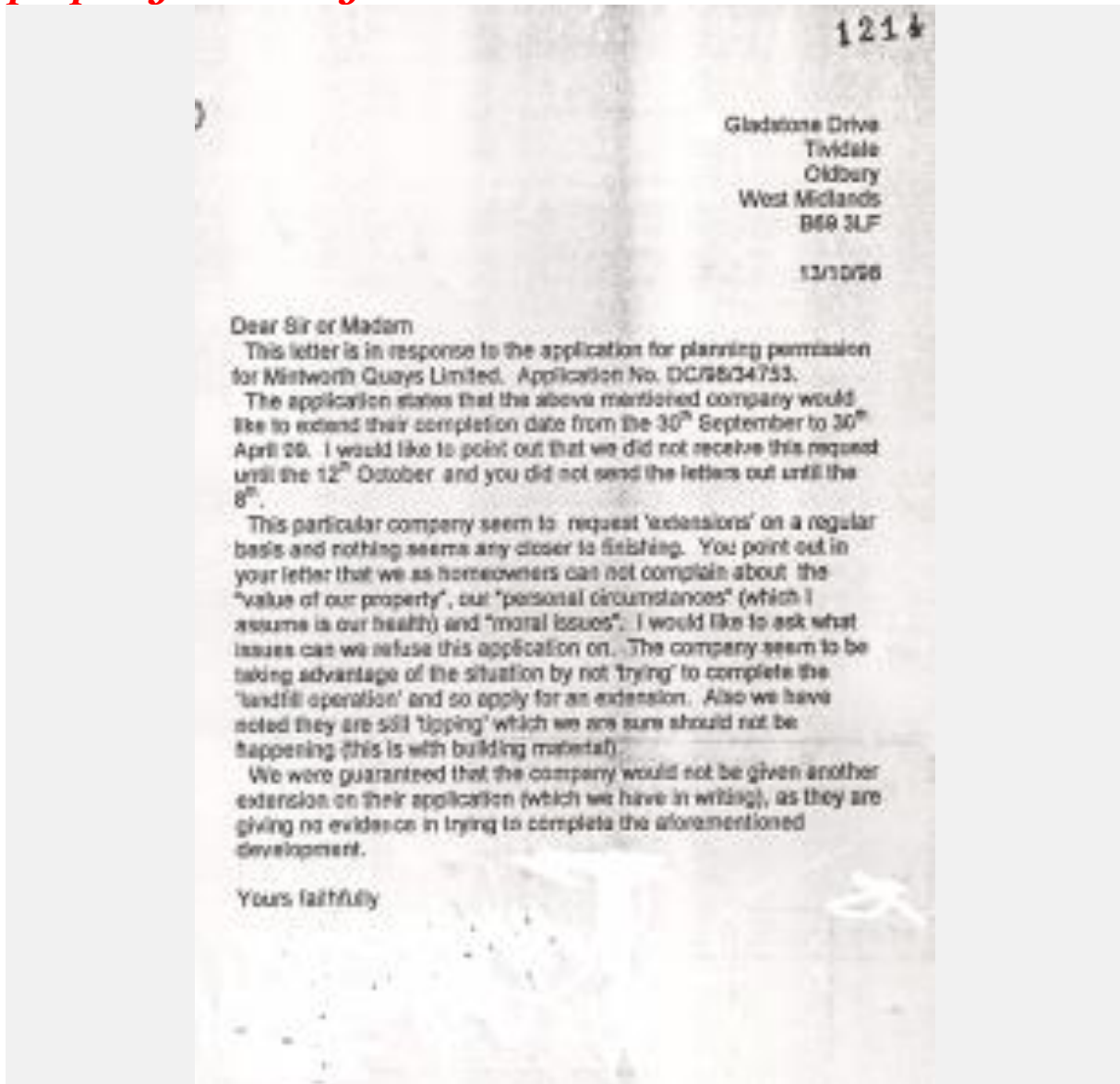
I look forward to hearing a favourable response from you in the near future.

Yours faithfully,

opposition and numerous calls fall on deaf ears at SMBC, and like "living down a mine"

"I have made numerous calls to various departments, including environmental health....to express my concern about the height of the dirt tip, and indeed the pollution it is now causing to myself and my neighbours. I can only assimilate our present environment to living down a mine....."

I cannot express strongly enough my opposition to this particular planning request to extend the licence for Rattlechain. I am sick to the high teeth of the dirt and grime that is consistently coming across rattlechain, dirtying our property and doing who knows what to our health.”



time extensions

“this particular company seem to request “extensions” on a regular basis, and nothing seems ever closer to finishing.”

24 SEP 1989

4762

Mr & Mrs
 MacDonald Close,
 Elvendale,
 Dunfermline,
 Fife,
 KY11 1LQ.

Dear Mr & Mrs,

I am writing in reference to your letter dated 8 September, regarding the Barrichalls Site, South View, Elvendale.

We do not agree that the company concerned should be given an extension of lease for this site. Our objections are being delayed due to black dust coming from this site. We have spent a lot of money on our properties, and cleaning the black dust from inside and outside the house is a daily job. Windows cannot be opened because of the dust blowing in and staining curtains, seats and other furnishings. The worst part of all is the health aspect. A lot of people are suffering from these problems, and even my own granddaughter who lives with us has been diagnosed as having asthma at the age of 1, and she is one of many in the close proximity of this estate.

Why should we suffer daily from the constant havoc this site is causing to the residents of this once peaceful and peaceful estate. The company was supposed to stop tipping by the 1 September, but I would have seen lorries daily still tipping on the site.

We have tolerated this for long enough and now is the time to draw a stop to it. Fined enclosed a picture of what is wiped from our windows with every day.

Yours faithfully

COPIED TO
 B.C.D.C.
 24 SEP 1989

***“Our properties are being devalued due to the black dust coming from this site.....
why should we suffer daily from the constant havoc this site is causing to the residents of this once peaceful estate? “***

26. The two separate “Rattlechain tips”, Fine Art America Retrieved 18/10/24



27. “Tipping misery goes on despite promises” Express and Star dated 12/8/99. Retrieved 18/10/24

Tipping misery goes on despite promises

By Dan Slee

Families who live near a controversial Tividale tip have had their hopes of an end to their seven-year tipping nightmare dashed. Dust clouds have blown onto homes around the Rattlechain tip, off Temple Way since work began in 1992.

But extra time has now been granted by Sandwell council to allow workers to complete landscaping at the tip until November - the fourth time an extension has been granted. It came seven months after a pledge by the authority to stop the developers asking for more extensions.

Residents say they had previously been told that cast iron guarantees would be sought by Sandwell council that tipping of building waste and landscaping would be finished by April.

Sandwell council planning committee last week granted approval for the extension.

A planning spokesman said an application was received in June, two months after the permission expired, to vary a condition of work at the tip to enable landscaping at the site to be completed by November 30.

Development director Malcolm Hinks had asked for a legally binding document to be signed to ensure the work was completed by the end of April and an assurance that no extensions would be sought.

The site is to be converted into a public open space by site owners Minitworth Quays once tipping is completed.

Mrs Hilary Lawley, whose MackMillan Close home backs onto the tip said: "This is outrageous. We had been given cast iron promises that they would make them stop and they have been broken yet again."

A Sandwell council spokesman said the extension was granted because bad weather had played havoc with projected landscaping deadlines.

28. Coneygree tipping to rattlechain encouraged by Sandwell council. Playing one set of complaining residents off against another! Express and Star March 3rd 1993. Retrieved 18/10/24.

Mound prompts waste sites call

A "mini-mountain" of foundry waste has been building up in a residential area of Tipton because of a shortage of landfill sites, Councillor Mrs Jill Geddes has said.

Ban man caught driving

A Dudley man has been ordered to serve 200 hours community service for driving a car while banned.

Craig Walker, aged 25, of Stourbridge Road, admitted driving while disqualified and without insurance in January.

Walker was also disqualified from driving by West Bromwich magistrates for two years, fined £140 and ordered to pay £30 costs.

Mr Paul Cardwell, prosecuting, said Walker was spotted by police driving in Thursfield Road, Tipton.

Mr Louis Spragg, defending, said Walker had been trying to get rid of his car and had driven to a scrap yard to sell it.

He said: "He was unsuccessful and was driving back home when he was stopped by police - he has since sold the car."

She said she was not surprised residents in Lindley Avenue were complaining about the dump near their homes.

The Express & Star reported on Monday that families were sick of living in the shadow of the "mini-mountain" of waste foundry sand.

The council said waste disposal contractors, Minitworth, had exceeded agreed levels for the height of the waste heap and promised the excess waste would be removed.

Councillor Mrs Geddes said: "The mound is an eyesore and dust is a real problem for people living nearby."

"But it is not the contractors I blame. They are being forced to dump this waste because there is no where else to take it."

"We must find some new landfill sites and quickly otherwise I fear this mound will not go away."

A Sandwell environmental spokesman said there was a shortage of landfill sites but there was room for the waste at the Rattlechain site in Tividale.

He said work was under way to remove some of the waste and added the site would be closely monitored in future.

29. Sheepwash officer report Regards development on border of Sheepwash at fieldhouse omits designated status of Sheepwash. False statements. Retrieved 18/10/24.

[DC 15 58580-DELEGATED OFFICER REPORT-830730](#)

“With regards to the second point of objection it should be considered that Planning Policy has stated that Sheepwash Park is not designated as a Site of Importance for Nature Conservation (SINC). They have commented on the proposal and have not asked for additional information to be submitted with reference to nature conservation. Furthermore, The Wildlife Trust had been previously consulted but had not commented on the proposal. Therefore there is no obligation on the applicant to comply with policy ENV1 (Nature Conservation).”

With regards to the second point of objection it should be considered that Planning Policy has stated that Sheepwash Park is not designated as a Site of Importance for Nature Conservation (SINC). They have commented on the proposal and have not asked for additional information to be submitted with reference to nature conservation. Furthermore, The Wildlife Trust had been previously consulted but had not commented on the proposal. Therefore there is no obligation on the applicant to comply with policy ENV1 (Nature Conservation).

30. FOI request map of Sheepwash designation, confirming it WAS designated as a Local Nature Reserve and SINC in 1999.

[Sheepwash Nature reserve- areas of designation maps - a Freedom of Information request to Sandwell Metropolitan Borough Council - WhatDoTheyKnow](#)

Also shows map of the SINC and adjacency of sites SH35 and SH36 in Sandwell Plan.

[Layout](#)

31. Email received from Darrell Harrison, naturalist, regards small blue butterfly, flora at Macdonald Close on SH35 area.

“Dear Sir/Madam, or to whom this may apply.

I am an amateur naturalist specialising in wildflowers, moths and butterflies with many years expertise and experience, having safe guarded from development Moseley Bog, with Joy Fifer and local residents back in 1980, a popular urban nature reserve.

Just over three years ago I started to explore, courtesy of google maps, an interesting looking area in Tividale. A post industrial site adjacent to the canal and railway line with water features. On first impression, easily accessible through a housing estate, off MacDonald Close, through a metal gateway, I found an area rich with colonising flora. I couldn't quite believe how there were not signs up at the two entrances to explain the area and at least put it on the map. The blast furnace sand and

recovering skeletal soils are great for many wildflowers, and on three consecutive visits on the day of July 6th 2022, 2023, 2024, Kidney Vetch, the foodplant of the Small Blue butterfly was abundant, and so was the presence of the butterfly itself suggesting that a colony was established. This is a fantastic lepidoptera record for Birmingham and the Black Country.

I believe the area is land listed as Rattlechain, land to the north of Temple Way, Tividale, with a site reference SH35 in the Sandwell Local Plan for housing allocation.

Sadly a similar site minus Kidney Vetch, was recently destroyed last year at Burnt Tree in the Coneygre industrial estate, (same holding company?) Essentially a large spoil heap which had attracted the interest of many local and visiting botanical naturalists over the years including myself and the likes of Professor Ian Trueman.

Typical plants here at the referenced 'Rattlechain' site include the following :- Common Centaury /*Centaureum erythraea*, Fairy Flax /*Linum catharticum*, Haresfoot Clover /*Trifolium arvense*, Hop Trefoil /*Trifolium campestre*, Lucerne/ *Medicago sativa*., Rose Campion/ *Lychnis coronaria*, Perennial Wall Rocket/ *Diplotaxis muralis*., Large Evening Primrose/ *Oenothera glazioviana*., Blue Fleabane /*Erigeron acer*., Fodder Vetch /*Vicia villosa*., Melitots- *alba* and *officinalis*., Wormwood., Broom., Sea Buckthorn /*Elaeagnus rhanoides*., Lupin x *regalis*, Orchids C.S.O and Bee., Mouse ear Hawkweed /*Pilosella officinarum*., Wild Carrot /*Daucus carota*., Cotoneaster sp., Pampass Grass /*Cortaderia seloana*., Stonecrops, *acre* and *album*., Alsike clover., Vipers Bugloss /*Echium vulgare*., Broad leaved Everlasting Pea /*Lathyrus latifolius*., Fennel and Bronze Fennel.. These plants were noted, on these days but by no means are an extensive list, but one which offers plenty of nectaring and food for resident and visiting insects.

Small Blue, Common Blue, Small Heath, Marbled White were all present on my last visit in July which considering the weather was impressive.

Enclosed are a few pictures of the Small Blue on Kidney Vetch, and I sincerely hope that the species listing and interest of this diverse site will afford it a good measure of interest and possible future protection, as any proposed landscaping would cost a fortune and possibly uncover more hazardous waste.

Sincerely
Darrell Harrison."

