



British Geological Survey
Keyworth, Nottingham
NG12 5GG

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Tel: +44 (0)115 936 3100
E-mail enquiries@bgs.ac.uk

www.bgs.ac.uk
email: enquiries@bgs.ac.uk

Dear 

Thank you for your request made under the Environmental Information Regulations 2004 (EIR). Your request is for:

All environmental contamination information for the entire Bury borough.

1. Contaminated-land maps covering the full borough area.
2. Any GIS layers, shapefiles, or digital mapping data showing contamination zones or risk areas.
3. Any soil contamination reports, surveys, sampling results, or environmental assessments for any part of the borough.
4. Details of the type, classification, and severity of contamination, including any associated environmental or health risks.
5. Any remediation notices, environmental hazard notices, or land-charge entries relating to contamination.
6. Historic industrial-use data, landfill records, or pollution-incident records relevant to any site within the borough.
7. Any public-health or environmental-risk information held in relation to contaminated or potentially contaminated land.
8. Confirmation of whether contamination applies borough-wide, or only to specific locations, parks, or land parcels.

We will address each point below:

1. Contaminated-land maps covering the full borough area.

'Contaminated land' has a legal definition under part 2A of the Environmental Protection Act 1990 and it is the responsibility of the local authority to hold a register of sites that might be legally defined as contaminated land. BGS does not hold this information therefore Regulation 12(4)(a) 'Information not held' applies.

BGS does hold limited information on land that it considers has the *potential* to be contaminated based on historic land use and other sources of pollution. Please see the details under question 2.



2. Any GIS layers, shapefiles, or digital mapping data showing contamination zones or risk areas.

BGS does not hold any data concerning contamination zones, therefore Regulation 12(4)(a) 'Information not held' applies.

BGS does hold information on land that it considers has the *potential* to be contaminated based on historic land use and other sources of pollution. These are sites of potential interest, but they are *not known* to be contaminated. These data were created and presented in the Brownfield Ground Risk Calculator under contract to the Greater Manchester Combined Authority (GMCA) in 2019.

The data were created using BGS commercially available data products and combined with data that the GMCA licensed from the Environment Agency (EA) and the Mining Remediation Authority (The Coal Authority at that time) and the GMCA's own data.

BGS does not hold the Intellectual Property Rights in this 3rd party data used in the Brownfield Ground Risk Calculator tool therefore Regulation 12(4)(a), the exception for 'Intellectual Property Rights' applies. If BGS were to release the data, this could breach GMCA's own licence arrangements with the EA and the Mining Remediation Authority and be legally actionable. Further to this, the licence arrangement between the GMCA and the EA and MRA demonstrate that those bodies restrict what end users can do with their data and releasing it into the public domain would deny them control over the use of their data.

Additionally, BGS is only partially funded by public money, having to generate more than half of its operating costs, including via commissioned contract work. If BGS breaches a contract with one commissioning customer by releasing data that contractually is theirs or under their control, BGS will lose the trust of future commissioning partners, thereby damaging its ability to earn income and fund its services.

BGS has considered the public interest test in this case and recognises that there is always a public interest in transparency and accountability, and that understanding the potential for contamination is in the public interest, however there is also a public interest in BGS being able to work for the public good, to offer impartial expert advice to government, other decision-makers, public authorities and commercial companies. Income from commissioned work supports BGS's ability to do this and therefore we believe that it is not in the public interest to impede the ability of BGS to earn an income through some of its data products.

On balance, BGS believes that the public interest is served better by withholding the Brownfield Ground Risk Calculator.

3. Any soil contamination reports, surveys, sampling results, or environmental assessments for any part of the borough.

BGS does not hold any soil contamination reports or environmental assessments for the borough of Bury therefore Regulation 12(4)(a) 'Information not held' applies to this part of the request.

BGS does hold geochemical sampling data collected under the G-BASE programme (set up to establish the chemistry of the surface environment nationally, through the collection and analysis of stream sediment, stream water and soil samples) but only stream sediment and water samples were taken in the area of interest (none of which are from the urban area of Bury and mostly have been taken from the northern area of the borough). These data were not collected for the purpose of looking for contamination but was collected to establish a geochemical baseline for the country. The data for Bury was collected in 1988 and 1989 so indicates the elements present at that time. Please see the [G-BASE website](#) pages for more information. These data are already available to you under our usual Data Licensing Service so it can be accessed under 'business as usual' through emailing digitaldata@bgs.ac.uk and requesting the G-BASE (stream sediment and water) data for your area of interest. This service is charged.

4. Details of the type, classification, and severity of contamination, including any associated environmental or health risks.

BGS does not hold information on the type or classification of contamination or any environmental and health risks therefore Regulation 12(4)(a) 'Information not held' applies.

The Brownfield Risk Calculator described under question 2 includes scores for the potential severity of contamination.

5. Any remediation notices, environmental hazard notices, or land-charge entries relating to contamination.

BGS does not hold any remediation notices, environmental hazard notices, or land-charge entries relating to contamination therefore Regulation 12(4)(a) 'Information not held' applies.

6. Historic industrial-use data, landfill records, or pollution-incident records relevant to any site within the borough.

BGS holds historic Ordnance Survey topographic maps which can give an indication of historic land-use. Historic Ordnance Survey maps are available for you to view free of charge on the [National Library of Scotland](#) website.

BGS also holds an Historic Land Use dataset which is usually supplied with the Historic Mineral Planning Permissions data. The historic land use dataset contains the hand drawn boundaries for areas of land which have previously been affected by the extraction of minerals, including derelict land, restored quarries (filled and unfilled), tips and spoil heaps and wet areas resulting from mineral working for England and Wales.

The data was extracted from a set of paper maps formerly held by the Ministry of Housing and Local Government and show mineral planning information collated from the 1940s (retrospective to the 1930s) up to the mid-1980s when responsibility for mineral planning and the subsequent land use was devolved from central to local government for England and to the Welsh Assembly for Wales.

This is a licensable dataset so it can be supplied under a licence agreement through contacting digitaldata@bgs.ac.uk

The GMCA supplied BGS with a land use map that was created by the [Greater Manchester Archaeology Unit](#) to assist with the creation of the Brownfield Ground Risk Calculator and BGS still holds a copy of this data. The data can be accessed via their [Archaeology Data Services](#) web pages.

BGS holds landfill records for only one year, 1972-3; these records of some 3055 waste/landfill sites were created as part of a survey carried out on behalf of the Department of the Environment (DoE) at the time. This collection was not maintained or complete, as many of the local authorities contacted, did not respond to the request for details and the survey was never repeated. Complete collections of landfill records are held by the local authorities, and the Environment Agency has a [larger Historic Landfill Sites](#) dataset that includes the data that BGS holds. If you would like a copy of any landfill records that BGS holds for Bury in 1973 then you can obtain these through our usual GeoRecords service by sending an email to enquiries@bgs.ac.uk. This is a charged service.

BGS does not hold pollution incident records therefore Regulation 12(4)(a) 'Information not held' applies to this part of your request. Pollution incident records are held by the Environment Agency, and they are already in the public domain in the [Environmental Pollution Incidents \(Category 1 and 2\) - National Data Library](#).

7. Any public-health or environmental-risk information held in relation to contaminated or potentially contaminated land.

BGS does not hold any public health information or environmental risk information in relation to contaminated land or potentially contaminated land. Environmental risk information is covered in Part 2A of the Environmental Protection Act 1990 which specifies that it is held by the relevant local authority. For this reason, exception 12(4)(a) 'Information not held' applies.

8. Confirmation of whether contamination applies borough-wide, or only to specific locations, parks, or land parcels.

BGS only holds data on the potential for contamination at specific locations. BGS does not hold information that could confirm whether or not there is contamination at those sites or at other sites in the borough therefore Regulation 12(4)(a) 'Information not held' applies.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:

Head of Information Governance

Email: foi@ukri.org

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: <https://ico.org.uk/>

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/who-we-are/contact-us/make-a-complaint/>

Kind regards

