

Anthony Richard Minshall
Hill Valley Cottage
Terrick Road
Whitchurch
Shropshire
SY13 4JZ

4th Sept 2025

Environment Agency Incident reference: 02425617

Dear Sir / Madam,

Re: Follow on incident 02425617 — urgent request for investigation, evidence preservation and coordination with Cheshire East regarding Malkins Bank Golf Course

Thank you for taking up this matter. This letter follows my initial report and the Agency's allocation of incident number 02425617. Please treat this as an urgent, formal statement of events, evidence and a request for the Agency to examine the conduct of Cheshire East in respect of this site and to preserve and investigate all relevant records and pathways.

Summary of facts and concerns

- Site: Malkins Bank Golf Course, Malkins Bank, Cheshire. Hotspot: drain adjacent to the 15th hole / bridge. OS grid ref: CW11 4XN.
- Confirmed contamination: ALS Environmental sampling (10 May 2017; report COV/1388180/2017) recorded benzene at 3,240 µg/L at the 15th hole bridge drain (other nearby drains: 212 µg/L and 87.7 µg/L; upstream reference at 5th hole <0.10 µg/L). These results are attached.
- Historic investigations / designation:
 - The Nicholson and Atkins investigations (supplied in first letter) document extensive historic unlicensed tipping, large buried waste masses and identified pollutant linkages to controlled waters. The Atkins 2007 intrusive report records some 152 analytes of potential concern linked to human health.
 - I understand that on 29 September 2011 Cheshire East planning/consultancy records considered remediation options but did not proceed with the main remedial choices. The site was subsequently recorded as a contaminated land / special site in or around February 2012 (the contaminated designation pre dated the case).
- Recent mobilisation: A major flood in November 2022 and progressive failure of drainage/culverts has removed surface capping in places and opened new pathways; the drains have been condemned and the water is finding new pathways into the stream. I allege this has materially increased leachate flux to Birchenwood Brook and to the drains sampled.

- Additional troubling reports: multiple ~~o n s~~ methane chambers historically, and credible witness accounts (night watchman / former workers) alleging buried drums (including reported animal carcass drums) brought to the site historically. I will provide signed witness statements where available.
- Financial and operational impact: I personally invested substantial sums in operating and improving the golf course. The contamination, persistent problems with the 15th fairway, and the flood impacts have caused severe financial loss and have ultimately contributed to the company entering voluntary liquidation on 30 May 2025. I am seeking compensation and advise the Agency we intend to pursue proceedings against Cheshire East for alleged misrepresentation and nondisclosure. I ask the Agency to note that this is an allegation requiring investigation and verification.

Requests of the Environment Agency

1. Please confirm receipt of this letter and that it has been added to incident 02425617. Provide the incident reference in your reply and the name of the investigating officer / team.
2. Please investigate whether Cheshire East complied with its statutory duties under Part II A of the Environmental Protection Act 1990 and associated obligations when the ~~c o n t a m i n a t e d~~ designation and remediation decisions were made, and whether the council's actions or omissions contributed to an ongoing risk to controlled waters and public health. Please examine:
 - the decision record and supporting documents for the ~~c o n t a m i n a t e d~~ designation (including the reports dated 29/09/2011 and the February 2012 adoption as a special site),
 - remediation options considered and any validation / verification of works carried out 2017–2019 (methane chamber remediation),
 - any testing or monitoring (or lack thereof) performed by Cheshire East prior to and after designation.
3. Please preserve and secure any records, monitoring data or correspondence held by the Agency and request preservation of records from Cheshire East relating to the Nicholson and Atkins investigations, remediation contracts and validation, internal memos about drainage, and any communications with third parties regarding disclosure to prospective tenants. I will also submit an EIR request for these materials concurrently.
4. Please ensure rapid confirmatory sampling and vapour monitoring at the hotspot and downstream receptors if the Agency considers this necessary for ~~p u b l i c h~~ protection (we have supplied the 2017 ALS results; we request current confirmatory UKAS sampling if not already undertaken).
5. Please consider whether enforcement action or an immediate protective notice is required to prevent further discharge to Birchenwood Brook, protect public health (signage, access restrictions) and protect downstream abstractions or sensitive receptors.
6. Please coordinate with Cheshire East and the local authority to identify and notify any private water supplies or if the Birchenwood Brook is an end supplier of drinking water, considering the seriousness of this situation.

7. Due to the seriousness of the situation the EA will investigate any potential cover by the council of the situation, in my mind it is as serious as the Post Office scandal except worse due to involving Human Health
8. My legal representative requested a judicial review in 2021, the dismissed our request.

Yours Sincerely

Anthony Richard Minshall