

National Brownfield Forum

Meeting Notes

23rd June 2022, 11.00am – 3.00pm Teleconference



FINAL

Present:

Alex Lee (*Chair*)

Nicola Harries (*Secretariat*)

Rob Foers & Amy Price

Richard Boyle

Matt Llewellyn & Trystan James

Angela Haslam & David Griggs

Andrew Williams

Edward Lewis

Darren Beriro

Louise Beale

Seamus Lefroy Brooks

Robin Lancefield

Stella Keenan

Geraint Williams

Carl Slater

Steve Edgar

Jenny Lightfoot

Emma Tattersdill

Sally Shaw

Joanne Kwan

Paul Nathanail

Apologies:

Graeme Duggan

Joanne Smith

David Jacob

Tom Henman

Simon Cole

Tim Elliott

Frank Evans

Lucy Thomas

Caroline Thornton

Rachael Davies

Hallan Sambrook

WSP

CL:AIRE

Department for Levelling Up, Housing and Communities (DLUHC)

Homes England (HE)

Natural Resources Wales (NRW)

Environment Agency (EA)

Welsh Government (WG)

Department of Agriculture, Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA)

British Geological Survey (BGS)

Specialist in Land Condition (SiLC)

Chair of NQMS Steering Group

Environmental Protection UK (EPUK)

Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)

Association of Geotechnical and Geoenvironmental Specialists (AGS)

Environmental Industries Commission (EIC)

The Society of Remediation Practitioners (REMSOC)

Geological Society

UK Environmental Law Association (UKELA)

National Contaminated Land Officers Group (NCLOG)

CIRIA

LQM

Department for Environment, Food and Rural Affairs (DEFRA)

Welsh Government (WG)

National House Building Council

Specialist in Land Condition (SiLC)

Society of Brownfield Risk Assessment (SoBRA)

Royal Institution of Chartered Surveyors (RICS)

Soil and Groundwater Technology Association (SAGTA)

Home Builders Federation (HBF)

Scottish Environment Protection Agency (SEPA)

Flintshire Council & Welsh Contaminated Land Working Group

Staffordshire Contaminated Land Officer Group

Robert Tyler
Jane Thrasher
David Rudland

NCLOG
EIC
EPUK

Agenda

- 1) Administrative:
 - a. Welcome and Apologies – (5 mins)
 - b. Introductions of represented organisations - (5 mins)
 - c. Terms of the Group - (5 mins)
 - d. The Nature of Future meetings – results of Recent poll - (5 mins)
 - e. The Content of future meetings - (15 mins)
- 2) General Knowledge Share
 - a. Government and Regulatory Update - (50 mins). Representatives to arrive prepared.
 - b. Opportunity for clarification on the industry updates as received in advance (15 mins)
 - c. Hot or emerging topics open session - (15 mins)
 - USEPA issue Interim Updated Health Advisories for PFOA and PFOS
 - Landfill Remediation
 - Radon Guidance
 - d. NQMS Update (10 mins)
 - e. Standards (5 mins)
- 3) Break - (20 mins)
- 4) Specific Knowledge Share
 - a. Presentation: “**Developing a Remediation and Sustainable Growth Assessment Tool**” by Angela Haslam Senior Advisor, Land and Contamination Management Team (Water & Land) and David Griggs Senior Advisor, (Sustainable Places) Environment & Business Environment Agency - (20mins)
 - b. Discussion - (20 mins)
- 5) AOB
 - a. Census themes - (15 mins)
 - b. Other - (10 mins)
- 6) Date and location reminder of next meeting

Meeting Notes

1. Administrative

a) Welcome & Apologies

Alex Lee (AL) welcomed everyone and apologies were given.

b) Introductions of represented organisations

AL welcomed everybody and gave a warm welcome to those that were new to the National Brownfield Forum (NBF).

c) Terms of the Group

AL explained that the updated Terms of Reference discussed on the last call have now been updated, accepted and are on the website [here](#).

d) The Nature of Future meetings

AL acknowledged that members who completed the online survey unanimously voted for the meeting to be hybrid. So those that could meet face to face can, but those only able to attend online will still be able to participate fully. It was agreed that moving around the country would also be beneficial as it was acknowledged meetings in London can be very expensive to attend. It was

acknowledged that rooms to host the NBF that have good communication features around the country are hard to source but will be looked into. It was also agreed that it would be good if the meetings could piggy back on other events that are already being organised that members would typically attend such as conferences/events. Nicola Harries (NH) is to look into whether there are any events that may be suitable for the next meeting which is scheduled on 24 November 2022.

ACTION: NH to make enquiries on any events that the NBF may be able to piggy back on.

The content of future meetings

AL explained the format proposed for this meeting was to try and be more impactful and was only a trial. If NBF members wanted to change the format further, or to return to the old format this is possible. The aim of this format was to try and create more dynamic knowledge sharing by bringing in “Hot Topics” and allow for new research topics to be presented for members to develop their knowledge and to cascade out to their membership groups. This new format will only be successful if industry groups ensure they get their summary of activities into NH in a timely manner and that all attendees pre-read all their papers. There will be tacit assumption that reading of papers has occurred.

The new format was liked and will continue.

2. General Knowledge Share

a. Government and Regulatory Update

Natural Resources Wales (NRW)

Matt Llewellyn (ML) provided an update on behalf of NRW. He confirmed that:

- NRW continue to work with EA/CL:AIRE on various guidance updates. Recently this has primarily been the H5 Site Condition reports document and the Remedial target methodology (P20) updated methodology and spreadsheet. NRW will provide additional input to the ‘land contamination: environmental permitting requirements’ guidance documents such as the monitored natural attenuation and natural source zone depletion documents as and when requested.
- Land Contamination technical advice note (TAN). A draft and business case has been prepared by the Welsh Land Contamination Working Group (of which NRW is a member) which will be submitted to Welsh Government. The intention of this proposed TAN is that it sit alongside Planning Policy Wales in a similar way to the way the DLUHC document ‘Land affected by contamination’ (on .GOV.UK) sits alongside National Planning Policy Framework in England. The intention is to raise the profile of land contamination within local planning authorities and ensure consistency. The general view is that there is a gap in land contamination planning guidance within Wales which is not covered by the DLUHC document
- Welsh Government white paper published its proposals for a new regulatory regime for coal tip safety in Wales. This will replace existing legislation for disused tips. The driver is stated as increased risks posed by climate change/extreme rainfall events. One of the key recommendations is the establishment of a new supervisory authority to oversee the new regime. There are various other recommendations around categorisation and monitoring. The consultation is open until 4th August [Written Statement: Coal Tip Safety \(Wales\) White Paper \(11 May 2022\) | GOV.WALES](#)

Welsh Government (WG) – Planning and Environment

Andy Williams (AW) provided an update on behalf of Welsh Government. He confirmed that the planning and environment directorate are relatively quiet in relation to brownfield work. They have been liaising with NRW with regards the proposed TAN.

AW was asked whether the [Welsh Wellbeing of Future Generations Act](#) could be a good vehicle to drive forward the requirements to address land affected by contamination and secure funding. Currently AW was not aware that there was the political appetite, and no funding has been secured for Part 2A sites using the act as the driver.

Department for Levelling Up, Homes and Communities (DLUHC)

Rob Foers (RF) introduced his colleague Amy Price (AP) who will now be leading on the brownfield agenda for DLUHC. RF confirmed that the Levelling Up Regeneration Bill has had its second reading and is wide reaching. Brownfield land is focused in the bill, looking at funding opportunities and how to unblock brownfield land for development.

Further information is available [here](#) and [here](#).

RF confirmed that AP will be preparing some work specifically in relation to brownfield land. RF confirmed that they are awaiting ministerial steer on what they see as priorities. They will be going to stakeholders and see the NBF as a good vehicle to get a steer of the NBF priorities.

AL re-confirmed that the NBF would like to help and be impactful in its support. It can either be as an open NBF discussion or to be taken offline where a few people who can represent the forum attend a meeting with DLUHC.

RF was also asked about the recent statement made by Jacob Rees-Mogg to the European Scrutiny Committee's inquiry "Retained EU Law: Where Next?", where the minister of state for Brexit was asked about maintaining the precautionary principle. He suggested that he was not keen. There was concern by NBF members that much environmental legislation is built around the precautionary principle and therefore to move away from that would bring significant change.

RF was asked how regulators views are considered and taken on board when new policy is being developed. With the planning agenda rapidly changing there is evidence where regulations are lagging significantly behind policy which makes it very difficult for regulators to regulate efficiently and industry to deliver the agenda that policy is requiring.

RF explained that government departments work closely to understand the impacts to rolling out new policies. Although DLUHC lead on planning they will work closely with their Defra colleagues to understand how new planning requirements impact on environmental policy. It was acknowledged that there can be problems where there is a disconnect between policies across departments.

Department of Environment, Food and Rural Affairs (DEFRA)

Graeme Duggan (GD) sent his apologies and confirmed that there wasn't anything significant to update the NBF members on.

Environment Agency (EA)

Angela Haslam (AH) provided an update on behalf of the EA. She confirmed that the EA and NRW are continuing to work on joint guidance which covers the Environmental Permitting Regulations aspects of land contamination which includes information on the most common types of

remediation techniques. In addition, the EA is continuing to work on updating the H5 site condition report/baseline reporting guidance and preparing it in the same format as LCRM for GOV.UK.

She also confirmed that the two climate change research projects that she introduced at the last NBF meeting have delivered their findings. AH confirmed that the EA are reviewing the findings and hopes to be able to provide a summary of the initial findings at the next NBF meeting.

In addition AH explained that the research project that BGS and Jacobs were working on titled "Developing a Remediation and Sustainable Growth Assessment Tool" has finished and a summary of the results will be presented later in the meeting.

The PFAS risk screening project is coming to the completion of Phase 3. Phase 4 is now being developed in conjunction with the EA chemicals programme team. The budget has been secured for a three-year project and identifies six work packages, some of which will be tendered and publicised extensively. The six work packages will involve:

1. Embedding the GIS model into the EA system
2. Good practice guide
3. Detailed assessment on sites
4. Economic appraisal package
5. Landfill Assessment:
 - Assessment of pre and post treated leachate to evaluate PFAS component
 - Assessment of sludges produced and POPs component
 - Assessment of POPs release into groundwater from older unlined facilities
 - Study of PFAS in gaseous emissions
6. Background concentrations of PFAS in soils

AH confirmed that the funding has been secured for England only.

Department of Agriculture, Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA)

Edward Lewis provided an update on behalf of DAERA and NIEA. He confirmed that Fionntan Adams is now in post. DAERA is also looking to close out the review of mercury sites in Northern Ireland in line with the Minamata Convention and are looking to publish their findings later this year.

Scottish Government and Scottish Environmental Protection Agency (SG & SEPA)

Unfortunately, no update was available.

Homes England (HE)

Richard Boyle (RB) provided an update on behalf of HE. As ever, more information on Homes England can be found at <https://www.gov.uk/government/organisations/homes-england>. What follows is a selection of information on our recent development and investment activities.

1,000 new homes to be built through funding partnership with HSBC

A five-year finance package sees Homes England and HSBC working in partnership to provide funding that will enable Wyatt Homes to accelerate delivery of over 1,000 new family homes across multiple sites. Of the 1,000 new homes being built, approximately 30 per cent will be affordable, with the aim of addressing the lack of affordable properties across Dorset, Hampshire and Somerset. See: <https://www.gov.uk/government/news/1000-new-homes-to-be-built-through-funding-partnership-with-hsbc>

Levelling Up boost to bring more jobs, homes and opportunities to Bristol

Bristol's biggest ever regeneration project at Bristol Temple Quarter has been kickstarted a £95 million. This will deliver up to 10,000 homes and 22,000 jobs in a series of new sustainable and inclusive communities at the heart of one of the UK's most productive and fast-growing city regions.

The 25-year plan begins with the first phase of this scheme, with funding focused on areas immediately around Bristol Temple Meads station, unlocking approximately 2,500 new homes by 2032 and supporting around 2,200 jobs. Future plans to develop 57 hectares of land across St Philip's Marsh in phase two.

The funding will also support the creation of three new or significantly improved station entrances planned to the north, south and east of Temple Meads. The new entrances will mean that the station no longer severs the connections between neighbouring areas but connects them instead.

See: <https://www.gov.uk/government/news/levelling-up-boost-to-bring-more-jobs-homes-and-opportunities-to-bristol>

Housing Statistics 1 April 2021 to 31 March 2022

Housing statistics for housing starts on site and housing completions delivered by Homes England between 1 April 2021 and 31 March 2022 were released on 23 June 2022.

In the financial year 2021-22 there were 38,436 housing starts on site and 37,164 housing completions delivered through programmes managed by Homes England in England. Levels of starts and completions were higher than in 2020-21 when the Covid-19 pandemic caused a slow-down in housebuilding activity.

See: <https://www.gov.uk/government/statistics/announcements/housing-statistics-1-april-2021-to-31-march-2022>

Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)

Stella Keenan provided the update below but confirmed that this is the same as the previous update as YALPAG has not met in the meantime.

- YALPAG's Land Technical Group meet twice a year - a meeting was held on 30 March 2022.
- YALPAG guidance documents on planning, verification requirements for cover systems and verification requirements for gas protection systems are continuing to be reviewed and updated as and when necessary. The Verification Requirements for Cover Systems (Version 4.1) was issued in June 2021. The Verification Requirements for Gas Protection Systems guidance is currently in the process of being updated. It is anticipated that the planning guidance will be updated in 2022/23
- The training sub-group continues to meet and is looking at options around arranging webinar training.

National Contaminated Land Officers Group (NCLOG)

Sally Shaw (SS) provided an update on behalf of NCLOG. She confirmed that the Cover Systems subgroup are working towards the first draft of a guide and we have had the initial meetings of a Ground Gas subgroup.

If anyone wishes to contact NCLOG for consultations or to raise any issues, NCLOG requests that they do so via the email address nationalclog@gmail.com rather than contacting members of the steering committee directly.

SS confirmed that they recently had their AGM where 75 local officers attended, which was a great turn out as it is about 50% of their membership. As part of their AGM they also had two

presentations one given by Sarah Dack UKHSA on the current state of contaminated land from a UKHSA perspective followed by Angela Haslam and Nicola Harries on an introduction to SuRF-UK and sustainable remediation.

SS confirmed that NCLOG members were interested in sustainable remediation and SuRF-UK but feel it is not an area that they can influence as contaminated land officers. This is really an area that affects their planning colleagues.

NBF members then discussed whether it would be appropriate for NCLOG members to request sustainability assessments as it is in line with LCRM which is deemed good practice. Could a standard condition be prepared to require sustainability assessments to be carried out?

NBF members then discussed that it would be enormously helpful to the broader development industry to have standardised planning conditions in relation to land contamination aspects. There were a number of examples presented where conditions were really poorly worded/using out of date guidance and therefore very difficult to discharge.

NCLOG was asked whether they could work with their members to develop a set of implementable and achievable conditions in relation to land contamination aspects. NBF members would be happy to work with NCLOG on this. It was acknowledged that DLUHC want a limited number of planning conditions placed on developments but dealing with land contamination was important.

ACTION: NCLOG to discuss with their members whether they would be willing to work with NBF on this.

b. Industry Update

SiLC

Dr. Tom Henman succeeded Ian Evans as Chair of the SiLC Professional and Technical Panel (PTP) in April 2022 for a two year term. Louise Beale was recently appointed by the PTP as Deputy Chair after a selection process.

There are currently 193 SiLCs and 128 SQPs. We have four candidates going through the SiLC exam 2022 Round 1 (2022A). We recognise the need to increase the number of candidates going forward and are planning to run two SiLC Introduction Days before the next application round deadline of 1 September 2022 and one in January 2023.

Current areas of SiLC activity include:

- The SiLC annual forum was held as a virtual event on 22 March. It was attended by 90 attendees live with others watching the video recording. There were three parts to the content: 1) NQMS and the way forward, including a panel discussion; 2) breakout discussions about current challenges facing the sector; and 3) presentations on climate change and sustainability related themes. The feedback received from attendees was very positive.
- SiLC recently published a video to promote the SiLC Affiliate Scheme (see <https://lnkd.in/eHrxyMMa>) and this has been covered in the AGS magazine.
- Following the recent NQMS Audit completed by SiLC, we are working with the NQMS Steering Group on some improvements to the signing off of reports under the scheme, including developing a checklist based on Appendix 1 of the NQMS overview document. We also met with the EA to discuss extending Appendix 1 to site condition reports prepared under the Environmental Permitting Regs.

- SiLC is holding a webinar on Thursday 30 June at 11am entitled 'Regeneration of Historical Landfill Sites – Views from Multi-Stakeholder Perspectives' (<https://www.silc.org.uk/webinars/regeneration-of-historical-landfill-sites-multistakeholder-perspectives/>), which will include a series of short presentations to set the scene and a panel discussion.
- Following the SiLC annual forum there has been a lot of interest in how SiLC can contribute on related climate change and net zero/ sustainability considerations and this is an area to be looked at further by the PTP.

The next SiLC PTP meeting is scheduled for 28 June 2022.

SoBRA

Conferences:

SoBRA's summer workshop was scheduled for the 22nd June at the Priory Rooms in Birmingham. It was to be a hybrid event with the in-person event livestreamed to on-line participants but the high cost of livestreaming (accounted for over 50% of the event cost) and the low number of on-line registrants regrettably resulted in the on-line option being withdrawn. The title of the event is "A Climate Emergency: The Importance of Brownfield Risk Assessment" and the SoBRA chair and vice chair wrote a supporting thought piece on this that is available here [A Climate Emergency: The Importance of Brownfield Risk Assessment - SoBRA](#). The publication from SoBRA's Controlled Waters and Climate Change sub-group will be launched at this event.

A save the date has been issued for our winter conference at Burlington House for the 8th December. Further details on all events can be found here [Upcoming Events - SoBRA](#).

Sub-Groups:

The active sub-groups are (and include the newly active CSM and Statistics sub-group):

NAPL

Vapour Intrusion

Ground Gases

Early Careers

Controlled Waters & Climate change

CSM and Statistics

Publications:

The NAPL sub-group published their first document in a planned series. The guidance on baildown tests for light non-aqueous phase liquids was published in May 2022 and can be accessed here [SoBRA Reports - SoBRA](#). The publication from the Controlled Waters and Climate Change sub-group will be launched at the Summer Workshop on 22nd June. Publications from other sub-groups are scheduled for 2022.

Accreditation Scheme:

The first accreditation window for 2022 opened and closed in January. There are currently 85 risk assessors on the accreditation register. The next window will be open in August – details here [Accreditation - SoBRA](#).

Other activities/events:

The early careers sub-group has organised another series of freely available webinars for this year. The current schedule is as follows and all previous webinars are available as recordings to view for free too. A big thank you to SCLF for allowing SoBRA to use their webinar platform to host these.

- NAPL mobility calculations and diagnostic gauge plots ,Thursday 7 July, 1-2pm (David Holmes, Geosyntec)
- Choosing laboratory analysis methods for risk assessments Thursday 4 August, 1-2pm (Geraint Williams, ALS)
- Foundation Works Risk Assessment Thursday 1 September, 1-2pm (Matthew Bickley, Systra)
- Introduction to the Remedial Targets Methodology (RTM) Worksheet ,Thursday October 6, 1-2pm (Judith Nathaniel, LQM)

Joining details and details of all the planned webinars can be found here [Upcoming Events - SoBRA](#).

AGS

The last Contaminated Land Working Group meeting was held 6 May 2022:

Recent successes of the working group include:

- Two linked webinars have been delivered on “Sustainability in the Delivery of Brownfield Regeneration” – these included Sustainable Remediation Solutions (17 May) and Sustainable Management of Soils (26 May).
- The Yellow Book - UK Specification for Ground Investigation was published in May. Many members of the CLWG contributed to this guidance. A future webinar is planned on the 23 June. The presentation will provide details of how the new document should be used and the major areas of change required by industry to conform to current good practice.

POST MEETING: The link to the recorded webinar is available [here](#) and is free to access.

- AGS’s Annual Conference is being held as a live event on 6 July.
- An article has been published on SiLC’s Affiliate Scheme in the last edition of AGS’s magazine. This article provides further information about a video SiLC produced to encourage early career professionals to join the scheme.

The main topics / projects the Working Group are currently working on:

- Future articles are being prepared on clean cover systems and an article on SoBRA’s controlled waters and climate change group.
- AGS’s Client’s Guide to Desk Studies has been drafted and is to be reviewed by the Business Practice Working Group.
- AGS’s Client’s Guide to Geoenvironmental Reports is also being reviewed by the Business Practice Working Group.
- Although progress has been limited, AGS’s CLWG and Lab members are contributing to the asbestos task and finish subgroup with the aim of updating the former Blue Book Method and then producing a user guide.
- The Data Management Working Group is at the early stage of reviewing ERES codes with assistance from the CLWG and Labs groups.
- A sustainability sub-group has been established by AGS. The terms of reference have been agreed and the group will report progress at CLWG meetings.
- New CLWG Terms of Reference have been drafted and shared including provision of new Chatham House Rule clause during calls to encourage open discourse.
- Articles are being planned on sustainability in ground investigation, sampling and laboratory analysis.
- AGS’s Labs Group is working on a standardised coal tar analytical methodology.

- The Labs Group is also attempting to improve the quality of water sampling following concern about the reliability of analysis results where chemical preservation has not been used for metals, ammoniacal nitrogen, cyanide, sulphide and other unstable parameters.

British Geological Survey

BGS and University of Nottingham continue their research on developing a method to measure the dermal bioavailability of PAH in gasworks soils. This work is funded by the Natural Environment Research Council and National Grid with support from WSP. Jack Lort successfully defended his viva in May and we plan to publish this work as an Open Access paper in due course. Through the same funding and research model, Alison Clayson is in her 3rd year, looking at the controls on the release of PAH from gasworks soils. The research team's shared goal is that we are able to reduce the uncertainties in human health risk assessment through the development of a reliable new laboratory method and knowledge around the controls on dermal bioavailability.

BGS continue to support the Geospatial Commission on their National Land Data Programme, with pilots in West Midlands (urban) and Devon (rural). The focus of the programme has been refined to these two objectives:

- Objective 1: Demonstrate the value of enhancing the UK's spatial modelling capability to inform land use scenario planning.
- Objective 2: Deliver a blueprint for the capability improvements required to improve spatial modelling for land use strategy, including: data, technologies, skills and partnerships.

BGS has completed a project with Arcadis on establishing the abundance and diversity of a specific set of enzymes called Soluble di-iron monooxygenases (SDIMOs) thought to be responsible for the biodegradation of the emerging contaminant, 1,4-dioxane, in groundwater. We have established a qPCR and DNA sequencing method to identify and quantify these enzymes which provide clues into the bioremediation potential of this contaminant, and possibly others, where the biodegradation pathways are not yet clear.

Geological Society – Contaminated Land Specialist Group

The Geological Society **Hydrogeology of Sandstones** conference was held on 4th & 5th May 2022 at Burlington House London. The conference included sessions on contaminated land and groundwater quality, with fourteen wide-ranging presentations covering aspects of characterisation of hydraulic behaviour, natural hydrochemistry and contaminant migration specific to sandstone aquifers, as well as diverse case studies on sandstone contaminant studies and remediation: <https://www.hydrogroup.org.uk/the-hydrogeology-of-sandstones/>

The Contaminated Land Group has produced a series of five **videos** (now available on YouTube) aimed at showcasing the role of a contaminated land specialist from the perspectives of consultant, regulator, contractor and academic: [Discover a career in contaminated land!](#)

To align with the Geological Society 'Year of Sustainability' a conference on **Climate Change and Sustainability, Impacts and Innovation in Contaminated Land** is scheduled to be held in Bristol in October 2022: <https://www.geolsoc.org.uk/11-Climate-Change-and-Sustainability-Impacts-and-Innovation-in-Contaminated-Land>

NHBC

NHBC is due to hold a meeting soon with the team working on the new ground gas document with a view of dealing with any outstanding issues.

NHBC has a couple of other new documents planned, with a fuller update provided for the next meeting.

NHBC would be interested to hear from industry whether there is interest to update their Radon guidance.

Action: All to respond to NHBC on Radon interest

Environmental Industries Commission

EIC has held its first round of physical meetings with Members which has been warmly welcomed. Guest presentations from BGS and Groundsure on GIS Mapping case of Birmingham. Also presentations from the EA on how brownfield development might positively contribute to Biodiversity Net gain.

EIC continues its campaigns around brownfield first, progression of C4SL, DoWCoP, and additional tax relief for Brownfield sites.

The EIC Environmental Labs Working group continues to explore PFAS, and microplastics. But the primary issue remains Asbestos in Soils guidance for Labs (blue book methodology). The group has also considered coal tar analysis challenges.

EIC is also contributing to the Levelling Up discussions and how Brownfield Development could play a role in delivering housing targets for the Government.

EIC will be reaching out to stakeholders over the coming months, so please do contact Michael.Lunn@eic-uk.co.uk if you would like to have dialogue with EIC Members.

UKELA

UKELA's annual conference is taking place as this note is produced (14th to 17th June 2022). Most of the sessions are online but there are also some opportunities for face-to-face networking/socialising. The Keynote Address will be given by Rt Hon the Lord Deben, Chair of the Committee on Climate Change. Plenary sessions range from practitioner and regulator perspectives on Protecting the Freshwater Environment to a debate on the UK Strategy for getting to Net Zero and national and global perspectives on "Tackling the Nature Emergency". Working group sessions include waste (export and recycling of plastic), noise (the impact of noise on wildlife), environmental litigation (wildlife crime and litigation) and Coal Tip Safety in Wales.

Other forthcoming events include:

- A Strategy Consultation on Environmental standards in Scotland (a lunchtime webinar by the Scottish team) – **June 29th**
- Young UKELA relaunch and "Basics" seminar: Nature and Development – **June 29th**
- Energy Update from the Climate Change and Energy working Party – **July 11th**
- Water Quality and the Environment Act: a joint webinar from the Nature conservation, environmental Litigation and Water working parties – **September 14th**
- Annual Scottish Conference – **October 6th**

Full details are available on UKELA's website.

UKELA also remains actively involved in public consultations and calls for evidence, with submissions since the last Forum meeting including:

- UKELA's response to OEP strategy and Enforcement Policy, led by the Governance and Devolution Group (22 March 2022)
- UKELA's response to the Nature Recovery Green Paper, led by the Nature Conservation Working Party (May 2022)

Copies of the submission are available on UKELA's website.

RICS

RICS monitors contextual construction trends, which include brownfield and regeneration activity. The RICS Global Construction Monitor Q1 2022 reports that 84% of respondents single out material costs to be impeding construction activity; workloads are expected to rise for year ahead, but profit margins are now seen remaining flat. Labour and supply chain shortages set to impact future workloads. However, there is continued strong activity across the UK construction market despite rising concerns over shortage of materials.

RICS numbers demonstrate labour shortages are pretty much across the board including quantity surveyors and project managers as well as both skilled trades and more general labour. This, combined with problems around accessing building materials in the current environment, is exerting significant upward pressure on construction costs at the present time.

CIRIA

- Will launch the soil community of practice web pages in Oct 2022. We are still looking for case studies and blogs
- Soil report will be launched in Oct/Nov 2022
- PFAS conference on 20 July 2022
https://www.ciria.org/CIRIA/Navigation/Events/Event_Display.aspx?EventKey=E22301
- Plan to start the climate change and contaminated land good practice guidance document soon.
- Started working on the PFAS good practice guidance report – will finish in 2023.

EPUK

Annual Conference - 19th October, "Going For Net Zero: Opportunities and Challenges for Better Local Environmental Protection. Dame Glenys Stacey – Chair of The Office for Environmental Protection will be providing the keynote speech." <https://www.environmental-protection.org.uk/event/epuk-annual-conference-19th-october-2022/>

EPUK is hoping to arrange a seminar on landfill regulation. EPUK considers this to be the key issue currently facing the Brownfield community.

Land Quality committee met 19 May 2022 to discuss brownfield priorities.

CL:AIRE

DoWCoP

CL:AIRE is currently working with the EA team on the wording and structure of the new draft. New regular meetings are now taking place with the EA and CL:AIRE DoWCoP team. CL:AIRE continues to invest heavily in the technology side of the portal and growing the audit team.

Audits are continuing in earnest, verification reports are being chased, training courses are continuing across the country (along with free ones for LA and EA staff) and the register of materials use is increasing.

Construction Code of Practice for the Sustainable Use of Soils on Construction Sites

Following the award of the contract, CL:AIRE hosted a public consultation and workshop to receive feedback on the document. CL:AIRE is now working on updating the guidance.

ReCon Soil

Recon Soil (project studying the potential reuse of surplus materials from the construction industry) is continuing following a very successful launch event at the Eden Project.

Gas Protection Verification Accreditation Scheme (GPVS)

Promotion of the GPVS is continuing with some LAs now signposting to the scheme as a way of demonstrating competency. We are looking at ways to increase the uptake of Specialist Grade in Gas Protection Verification by running introduction days. At present candidates applying are not adequately preparing themselves, although lots of guidance is provided. The introduction days will aim to walk candidates through what level of information is needed as supporting information for their application. This hopefully should have a two-fold impact 1. Better quality submissions and 2. candidates starting to realise what is involved in preparing verification plans and validation reports in line with industry standards. The profile of the scheme is improving and CL:AIRE has been notified of a high-profile house builder and site developer now requiring all sites with gas risks to be verified by a GPVS accredited person.

Training is continuing in Blackburn.

National Quality Mark Scheme (NQMS)

114 SQPs currently showing on the register.

138 SQP numbers have been issued since the scheme was launched.

2022/23 – 14 SQPs not yet updated on the register.

2019/2022 - 10 SQPs not renewed/left the industry or retired.

200 declarations purchased (up from 183). Further update provided by Seamus Lefroy Brooks – chair of the NQMS Steering Group.

Sustainable Remediation

SuRF-UK is working on a bulletin on Resilience and Sustainable Remediation which is currently being reviewed by the CL:AIRE TRG. SuRF International are regularly meeting and sharing their activities that are currently being undertaken in their countries.

Category 4 Screening Level Project

The next C4SL report 1,2-dichloroethane was recently published.

Natural Source Zone Depletion (NSZD) Guidance

The first draft of the NSZD report has now been submitted by the subcontractor and is in the first stages of review.

Monitored Natural Attenuation (MNA) Guidance

The draft edited report has recently been submitted to CL:AIRE and is now in the review stage.

P20/Remedial Target Methodology (RTM)

CL:AIRE has submitted the updated P20/RTM spreadsheet and guidance to the Environment Agency CL:AIRE is now awaiting feedback.

Concawe Sustainable Remediation Case Study Project

CL:AIRE is continuing to prepare the 10 case studies for Concawe demonstrating sustainable remediation. Once completed and approved the case studies will be published as CL:AIRE bulletins.

EiCLaR

Work continues to support the EC-funded EiCLaR project at the start of its second year.

Landfill Remediation

Unfortunately no progress has been made on this although CL:AIRE is continuing to try and raise the profile of the problem with the Environment Agency and government departments.

Aggregates Quality Protocol

CL:AIRE is waiting to hear back from the Environment Agency about the start date of this project after indicating their interest in participating in the Task and Finish Group.

PFAS Bulletins

CL:AIRE is continuing to work on preparing the first of a series of short information bulletins on key areas of PFAS.

Training

CL:AIRE is continuing to deliver a number of training courses both face to face and virtually on the following subjects:

- Verification of Gas Protection Systems
- Non Licensed Work
- CAR-SOIL
- Statistics for Land Contamination
- Introduction to Controlled Waters DQRA
- DoWCoP
- Good Practice for Risk Assessment for Coal Mine Gas Emissions

Further information available: [Book or buy \(claire.co.uk\)](http://bookorbuy.claire.co.uk)

c. Hot or emerging topics open session

➤ **USEPA issue Interim Updated Health Advisories for PFOA and PFOS**

AL wanted to make NBF members aware of the recently published USEPA drinking water health advisories for PFOA and PFOS [Drinking Water Health Advisories for PFOA and PFOS | US EPA](#).

It was acknowledged that this publication has brought uncertainty to the UK development industry as the screening values are extremely low (in the parts per trillion) but it was accepted that the USEPA has also stated that they will not be enforcing to these values. There was concern felt with the absence of UK guidance that people may start to refer to the USEPA publications which would not be appropriate.

It was hoped that the new work package that the EA will soon let will assist in removing some of this uncertainty in time.

➤ **Landfill Remediation**

Landfill remediation is currently seen as a major constraint for industry whilst trying to meet new DLUHC policy of brownfield remediation and levelling up. There are problems of consistency of approach from regulators, surrendering of permits and now extensive delays occurring to actually getting permits in place to undertake work on site. These problems are causing privately funded projects to be stalled or funders walking away from projects, as well as publicly funded projects to be significantly delayed which is wasting tax payers money.

Steve Edgar provided a summary of his experiences as a remediation contractor trying to seek regulator's approval to remediate former landfills. It was acknowledged that CL:AIRE has been

trying for at least 3 years to engage with government departments and the Environment Agency on this issue. The Environment Agency acknowledged the problems being faced and were not ignoring it. They confirmed that internal guidance has been prepared but is currently with their legal team for review. Unfortunately no date can be provided when this internal guidance will be rolled out. The internal guidance will be a starting point by working within the existing regulatory framework that is available to the Environment Agency and will provide regulators the ability to provide consistent advice. The next step will be to discuss with industry/Environment Agency/Defra/DLUCH to see how they can work together to develop a system that works better for all.

It was acknowledged that SiLC has also raised this issue at a high level within the Environment Agency, Defra, BEIS and DLUCH with no success.

It is felt that now there is a mismatch between redevelopment of sites in a sustainable way and permitting is stopping the work, due to the extraordinary time delays occurring to get permits in place. It is felt that industry does not have the right tools to address these brownfield sites and government departments are not joined up in their approach. A former landfill under DLUCH is seen as a brownfield site that is given planning permission and an opportunity to provide large volume of houses and associated infrastructure on, but Defra is classifying the site as waste and sites are having to follow the waste permitting regulations that are not designed for remediation, are time consuming to get in place and very cumbersome to work with.

It was acknowledged that only a few years ago, remediation of former landfills was really successfully being achieved with the use of the Definition of Waste: Development Industry Code of Practice (DoWCoP) and relevant mobile treatment permits, but the Environment Agency advice now is that waste regulation controls apply to the redevelopment/remediation of these sites which is , delaying the redevelopment of sites significantly and often causing cost delays on large publicly funded projects.

It was also acknowledged that Defra is promoting circular economy and the reuse of materials wherever possible, this again is seen as a disconnect with the route that industry is being required to follow for landfill remediation and not in the spirit of this.

There needs to be urgent improvement. How can the NBF engage with government and regulators to try and fix this problem?

AH confirmed that she has been speaking to permitting colleagues who are aware of industry frustrations. There is currently a Permitting System Improvement Programme looking at making improvements across the whole of the National Permitting Service (NPS). NBF requested whether a member of the team could be asked to attend the next NBF so members could share their concerns. AH explained if this was not possible, it may be possible to approach colleagues in NPS to see if they would be willing to meet 2/3 representatives from the NBF where they can share their concerns.

ACTION: AH to discuss with colleagues in the National Permitting Service (NPS) Team whether they would be able to attend the next NBF so members could share their concerns. If this was not possible, would the NPS be willing to meet 2/3 representatives from the NBF where they could share their concerns.

Radon Guidance

AL explained that NHBC is looking at updating their radon guidance and would like to hear from NBF members of those who may be interested in participating. If there is interest, NHBC will make enquiries with their NHBC Foundation to get support.

ACTION: People interested in participating in updating the NHBC Radon guide should contact David Jacob directly by 22nd^h July 2022.

d. National Quality Mark Scheme for Management of Land Contamination (NQMS) Sub Group
Seamus Lefroy Brooks gave an update on behalf of the NQMS steering group. He explained that their main activities was discussing the preparation of a myth busting bulletin to help to promote the scheme.

In addition, as a request of the first audits (which were discussed at the last meeting) the appendix 1 checklists that the Suitably Qualified Persons (SQP) can refer to and complete when carrying out their review will be formalised and prepared as a Word and PDF that can be completed, signed and dated and saved with the reports. These will be available to download from the NQMS website once signed off by the steering group and SiLC.

e. Standards

Nicola Harries (NH) shared the update that Mike Smith kindly provided outlining the new standards that are in preparation or out for consultation. Sincere thanks were given to Mike Smith for collating and sharing this information. Full details are provided [here](#):

3. Specific Knowledge Share

a. Presentation: “Developing a Remediation and Sustainable Growth Assessment Tool”

AH and David Griggs provided a presentation on the research project that they have been working on with BGS and Jacobs. It is available to download [here](#)

The presentation outlined the project scope looking at the feasibility to develop a tool to better enable the Environment Agency and its partners to measure and communicate the social, economic and environmental value of remediating contaminated sites.

Following the presentation there was a discussion. The project was welcomed. It was acknowledged that remediation has a perception problem. It is often seen negatively, not that land is being brought forward for development for beneficial use, so any tool that could present remediation in a positive light was welcome. It was acknowledged that there are a lot of tools across the development industry, so if another tool is developed and used, it needs to be impactful, not duplicate, easy to use and ideally influence the National Planning Policy Framework. It is felt that there are a number of sites if remediated would be beneficial for the environment before becoming a problem eg coastal landfills that may be impacted due to sea level rises. If remediation could plug into the environmental net gain policy landscape this would be advantageous. Remediation needs to be repackaged as an opportunity rather than seen as a burden.

NBF members were asked to think about what are the barriers to recognising remediation's contribution to environmental net gain? Is there a need for a tool, method or framework to better measure the benefits of remediation for creating sustainable places?

ACTION: ALL NBF members to send their thoughts directly to David Griggs and Angela Haslam

4. AOB

a. Census Themes

NBF members were thanked for their feedback on potential census categories. People were reminded the purpose of the census was to get a full picture of the key issues that NBF members felt were being faced by the brownfield/land contamination sector. The purpose of the census was to be impactful and hopefully to aid change.

AL explained that the themes have been grouped into:

- A. Regulation
- B. Policy & Practice
- C. Barriers
- D. Quality & Skills

To move this work forward we are now looking for volunteers to lead on the individual theme areas and to develop up to 10 questions per theme taking into consideration the sub sections within the themes.

The aim would be to get 2 to 3 groups to work collaboratively together to develop draft theme questions. The draft census would look to be developed for presentation at the next NBF meeting in November and launched towards the end of the year.

ACTION: NBF members to confirm to Nicola Harries which themes they wish to work on by 5th August 2022.

5. Date and location reminder of next meeting

The next NBF meeting is scheduled for 24th November 2022. The exact location is still to be confirmed.