

National Brownfield Forum

Meeting Notes

21st June 2023, 11.00am – 3.00pm Teleconference



FINAL

Present:

Alex Lee (<i>Chair</i>)	HKA
Nicola Harries (<i>Secretariat</i>)	CL:AIRE
Rob Foers & Amy Price	Department for Levelling Up, Housing and Communities (DLUHC)
Matt Llewellyn & Trystan James	Natural Resources Wales (NRW)
Edward Lewis	Department of Agriculture, Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA)
Angela Haslam	Environment Agency (EA)
Mark Williams	Homes England (HE)
Seamus Lefroy Brooks	Chair of NQMS Steering Group
Darren Beriro	British Geological Survey (BGS)
Tom Henman	Specialist in Land Condition (SiLC)
Joanna Wilding	Society of Brownfield Risk Assessment (SoBRA)
Joanne Kwan	CIRIA
Christopher Fry	Environmental Protection UK (EPUK)
Stella Keenan	Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)
Paul Shelley	Environmental Industries Commission (EIC)
Ruth Easterbrook	Geological Society
Rebekah Norbury	National Contaminated Land Officers Group (NCLOG)
Chris Taylor	Soil and Groundwater Technology Association (SAGTA)
Geraint Williams	Association of Geotechnical and Geoenvironmental Specialists (AGS)
Paul Nathanail	LQM

Invited:

William Upton Six Pump Court (presentation)

Apologies:

Caroline Thornton	Scottish Environment Protection Agency (SEPA)
Graeme Duggan	Department for Environment, Food and Rural Affairs (DEFRA)
Andrew Williams & Joanne Smith	Welsh Government (WG)
Emma Tattersdill	UK Environmental Law Association (UKELA)
Tim Elliott	Royal Institution of Chartered Surveyors (RICS)
Steve Edgar	The Society of Remediation Practitioners (REMSOC)
David Jacob	National House Building Council
Hallan Sambrook	Staffordshire Contaminated Land Officer Group

Agenda

1. Administrative:
 - a. Welcome and Apologies
 - b. Introductions of represented organisations
 - c. Actions
2. General Knowledge Share
 - a. Government and Regulatory Update
 - b. Opportunity for clarification on the industry updates as received in advance
 - c. Hot or emerging topics open session
 - d. NQMS Update
 - e. Standards
3. Specific Knowledge Share
 - a. Presentation: "Nutrient Neutrality and Biodiversity Net Gain" – William Upton KC - Barrister at Six Pump Court
 - b. Discussion
4. Questionnaire Update
5. AOB
6. Date of next meeting

Meeting Notes

1. Administrative

a) Welcome & Apologies

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

b) Introductions of represented organisations

Everyone introduced themselves.

2. General Knowledge Share

a. Government and Regulatory Update

Natural Resources Wales (NRW)

Matt Llewellyn (ML) provided an update on behalf of NRW.

Shortly after the last meeting NRW published its corporate plan to 2030. In short it outlines the challenges, vision, mission, values and well-being objectives of the organisation up to 2030. [Natural Resources Wales / Our corporate plan to 2030 - Nature and People Thriving Together](#)

- NRW is currently in the process of responding to the Interim Environmental Protection Assessor for Wales (IEPAW)(which is equivalent of the Office for Environmental Protection OEP in England). The request from IEPAW is in relation to concerns around PCB contamination in Wales and whether the existing legal framework is functioning correctly. NRW will be providing what information it can and also engaging with local authorities to provide similar. ML understands IEPAW will then make a decision with regards to whether the issue warrants a full report to Welsh Government ministers. This will be interesting as to a certain extent it will focus on the effectiveness of the Part 2A regime which historically when independent reviews of Part 2A have been carried out haven't always been favourable.
- In terms of guidance, NRW has been working with the Welsh Land Contamination Working Group to produce an update to the 'Developer's Guide to Land Contamination'. NRW had hoped it would have been published earlier in the year but there's been a couple of delays. NRW is hoping it will now be available later in the summer. It will be pitched at a slightly lower level than Land Contamination Risk Management.

- Further to the guidance updates NRW has also signed up to the Environment Agency 'Piling on land affected by contamination' guidance being developed by CL:AIRE. NRW will be looking to make a contribution to its delivery as well as reviewing drafts during development.
- Wales and NRW staff are hosting the International Mine Water Association conference next month from the 17th to the 23rd of July. It will be held at the ICC in Newport (with site visits across Wales) [IMWA 2023](#).

Welsh Government (WG) – Planning and Environment

Joanne Smith and Andrew Williams were unable to attend the meeting and confirmed there was no update with respect to planning and brownfield.

Department for Levelling Up, Housing and Communities (DLUHC)

Rob Foers (RF) provided an update on behalf of DLUHC.

- Infrastructure Levy – the technical consultation is now closed. The consultation was to look at reforming the existing system of developers contributions – section 106 planning obligations and the Community Infrastructure Levy in England. An update will be available in due course.
- The National Planning Policy Framework (NPPF) consultation received over 26,000 responses, which has impacted when the updated framework is going to be published.

RF was asked if he was aware of the recent Built Environment Select Committee call for evidence on “The impact of environmental regulations on development”. This would have been of interest to the National Brownfield Forum members but nobody was aware of the call for evidence. When CL:AIRE found out about it, the call for evidence had closed. CL:AIRE did enquire if late evidence could be submitted and let people know. RF was unsure of the process, but will enquire how groups are contacted to help promote the calls for evidence.

ACTION: RF to enquire about select committee calls for evidence process and will share with CL:AIRE.

Department of Environment, Food and Rural Affairs (DEFRA)

Graeme Duggan (GD) was unable to attend in person but sent a written update. He confirmed that the topics recorded in the minutes from the last meeting in March are Defra's main workstream. GD provided the latest update on these topics below.

- **Soil Health measures in the Environmental Improvement Plan** – An initial feasibility study into how a Soil Bank scheme may work in the UK has been commissioned by the Environment Agency. Defra will assess the outcomes of this study and provide a further update in due course.
- **The EFRA Committee enquiry into soil health** – there have been four oral sessions so far, transcripts and videos of the sessions can be found on the following page: [Soil Health - Committees - UK Parliament](#) Any further sessions will be advertised on the same page.
- **The Landfill Tax Grant Scheme for Remediation**. An announcement was made about the grant scheme at Spring Budget and the Government Response to the Call for Evidence was published coincidentally on the same day as the last NBF. Defra is working at pace on developing the grant scheme and will provide further updates in due course. As noted previously, the purpose of the grant scheme is to provide financial relief to local, combined and mayoral authorities and their development corporations for the cost burden incurred by landfill tax within land remediation projects.

Environment Agency

Angela Haslam (AH) provided an update on behalf of the Environment Agency. She confirmed that the Environment Agency 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 Environment Agency is continuing to work on updating the H5 site condition report/baseline reporting

guidance and preparing it in the same format as Land Contamination Risk Management (LCRM) for GOV.UK. This is now in the final stages of review and is currently with the publishing team.

AH also confirmed that LCRM is having its annual update and following discussion with the pollution/spill response community, the EA is updating the “new pollution” section to ensure continuity of approach to new pollution/contamination as well as historic contamination.

AH confirmed that the senior leaders within the Environment Agency are providing evidence to the Select Committee on the Built Environment on 27 June 2023.

[27 June 2023 - The impact of environmental regulations on development - Oral evidence - Committees - UK Parliament](#)

AH confirmed that the Environment Agency is working with CL:AIRE, other regulators across the devolved administrations and a technical group to update the Piling in Contaminated Land guidance. A public consultation was recently circulated asking for people’s views on which aspects of the guidance needed updating.

AH confirmed that her colleagues were working with Lancaster University who have been carrying out a feasibility study looking at how other countries manage soil hubs/hospitals. Grondbank in Belgium has been visited.

AH made National Brownfield Forum members aware of a consultation and call for evidence of seeking to eliminate biodegradable waste to landfill.

[Call for Evidence: Near elimination of biodegradable waste disposal in landfill from 2028 - Defra - Citizen Space](#)

AH explained that she was unable to provide an update on landfill remediation internal guidance, this was still under review.

AH was asked about the work that the Environment Agency is carrying out on historic coastal landfills and their erosion due to climate change. AH confirmed that there is a team within the Environment Agency working on this and so will ask for an update and provide this for the next NBF meeting.

ACTION: AH to provide an update on Environment Agency work on historic coastal landfills.

It was acknowledged that there has been a lot of research carried on climate change and effects on historic coast landfills. A number of papers have been prepared by James Brand whilst carrying out his PhD research. These are accessible at www.jamesbrand.com

Another ongoing research project is being led by Newcastle University [Legacy Wastes in the Coastal Zone | Legacy Wastes in the Coastal Zone | Newcastle University \(ncl.ac.uk\)](#)

AH confirmed that the PFAS research work is ongoing with a number of the work packages starting to report.

POST MEETING NOTE:

The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023

Nine amendments have been made to the Environmental Permitting Regulations (EPR) 2016. These amendments together will provide a more proportionate, risk-based regulatory approach for protecting groundwater quality. The Amendment Regulations were ‘made’ into Law on the 13th June and SI No. 2023/651 is now published on the GOV legislation website ... [The Environmental Permitting \(England and Wales\) \(Amendment\) \(England\) Regulations 2023 \(legislation.gov.uk\)](#). The legislative amendments do not come into force until 2nd October 2023.

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 the review of the Minamata Convention on Mercury has now been finalised and should be published in the next few months. It was acknowledged that this may create publicity due to a number of historical industries that may have used Mercury in some of its processes.

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

Caroline Thornton (CT) was unable to provide an update on behalf of SEPA but sent a written update.

- Contaminated Land Advisory Group re-start

After a long hiatus the Scottish Government chaired Contaminated land Advisory Group is anticipated to re-start sometime in August. This group serves as a forum for a mix of public and private sector bodies to raise and discuss land contamination issues.

- National Planning Framework 4, Scotland.

SEPA is continuing to liaise with Scottish Government and Local Authorities on ensuring there are no inadvertent impacts on the contaminated land regime from the progression of NPF4 and the review and revision of existing planning guidance. In Scotland the key driver for ensuring that land contamination is assessed and addressed through planning is via Planning Advice Note 33. This guidance outlines the principles of the contaminated land regime and details the considerations required in establishing 'suitable for use'. It also sets out that land should not be capable of being formally identified as contaminated land post – development. Therefore, it's crucial that this guidance must either be retained or replaced appropriately to ensure the links and requirements in relation to land contamination going through planning, are retained.

- Scottish Government Groundwater Directions

Publication of the Groundwater Directions by Scottish Government is still awaited. Anticipated date currently unknown.

NH was requested to ask CT for confirmation whether SEPA & Scottish Government are supportive of National Quality Mark Scheme for Land Contamination Management (NQMS).

ACTION: NH to ask CT whether SEPA and Scottish Government are now supportive of the NQMS.

Homes England (HE)

Mark Williams (MW) provided a update on behalf of HE. MW confirmed that HE recently published its strategic plan (2023 to 2028) which sets out a greater emphasis of brownfield first approach. HE is now known as the Housing & Regeneration Agency and have a new key performance indicator to measure the amount of brownfield land reclaimed.

Further information is available here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1159274/Homes-England-strategic-plan-2023-to-2028.pdf

MW confirmed that the £880M has been allocated to the brownfield and infrastructure fund to support projects to deliver new housing.

National Contaminated Land Officers Group (NCLOG)

NCLOG held another successful training session from the webinar series on the 27th April, this was themed around 'Interesting Sites and Funding'. It was very well attended by the membership, and the presentations were considered to be useful and interesting.

The NCLOG Committee is currently finalising the annual AGM and training event, with a date set for the 22nd June. Sign-up information has been sent to the membership, and it will be a good event as usual with some interesting presentations lined up.

NCLOG's work with the EA and the Planning Portal is nearing completion, and we are hopeful that the Planning Portal's webpages will be updated soon with land contamination information

YALPAG

Stella Keenan provided an update on behalf of YALPAG. She confirmed that YALPAG's Land Technical Group meet twice a year with the last meeting being held on 15 March 2023. She confirmed that 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 and Planning guidance are currently in the process of being reviewed and updated.

b. Industry Update

CL:AIRE Update

Aggregates from Inert Wastes Quality Protocol

CL:AIRE attended an initial scoping meeting of the Environment Agency's Task and Finish Group late last year. CL:AIRE is waiting for a copy of the minutes of the meeting and the slides that were presented by the Environment Agency.

Category Four Screening Levels Project

CL:AIRE is continuing to work with the wider project team to move the publication of a number of the C4SL reports forward. To support this project, Defra through the Environment Agency has provided a small amount of seed funding to help with the project management costs.

In addition, Defra has provided funding to CL:AIRE to develop an interim PFAS C4SL. CL:AIRE is working with industry experts to deliver a draft interim C4SL for the project steering group to review. As this has been funded separately, this C4SL is being fast tracked.

Concawe Sustainable Remediation Case Study Project

The Concawe cross-comparison report has been written and is with Concawe for review. It is expected that the report and 10 sustainable remediation case studies will be published later in 2023.

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

CL:AIRE continues to work with Defra on this project.

DoW CoP

The Environment Agency continues its work rewriting the DoW CoP. No proposed draft has been submitted to CL:AIRE for review.

The Environment Agency has recently presented to several industry groups and presented a proposed timeline for publication of the document. It is not possible for CL:AIRE to confirm a timeline until the draft document has been released. CL:AIRE currently has no way of knowing how acceptable to industry the changes will be.

EiCLaR (enhanced in situ bioremediation)

CL:AIRE's involvement in the EC-funded EiCLaR project is ramping up, with most of the knowledge transfer activities due to take place in 2023 and 2024. A newsletter and podcast have been created and will be published shortly.

Gas Protection Verification Accreditation Scheme (GPVS)

CL:AIRE is continuing to develop and promote the GPVS. The next stage of development is to create two windows of applications to help with administration, invite additional assessors to join the pool of existing assessors and design and roll out an auditing process for Autumn 2023. The new NHBC guidance has recently been published and extensively signposts to the GPVS.

ICEC - MCM

CL:AIRE continues to support the Interdisciplinary Circular Economy Centre for Mineral-based Construction Materials (ICEC-MCM), led by University College London.

Landfill Remediation

Unfortunately no progress has been made on this. CL:AIRE is awaiting the Environment Agency's feedback on when their internal guidance is likely to be published.

Monitored Natural Attenuation (MNA) Guidance

The MNA guidance has completed its review cycle and CL:AIRE is now preparing it for publication. It is planned to publish the NSZD and MNA guides together and have some promotional activities to support the publications.

Natural Source Zone Depletion (NSZD) Guidance

The NSZD report has been reviewed by the CL:AIRE Technology and Research Group. The minor comments have been addressed and the next version is with CL:AIRE to review and prepare for publication. It is planned to publish the NSZD and MNA guides together and have some promotional activities to support the publications.

NQMS

CL:AIRE continues to provide administrative support to the NQMS. There are currently 128 SQPs on the register and 262 declarations have been purchased to date.

PFAS

A PFAS bulletin on the uses of PFAS to assist with identification of sites of concern was published at the end of March.

<https://www.clare.co.uk/component/phocadownload/category/17-technical-bulletins?download=920:tb22-an-overview-of-the-uses-of-pfas-to-assist-with-identification-of-sites-of-concern>

An additional bulletin on the implications of PFAS on management of excavated materials is currently with the authors for amendments.

Piling Guidance

CL:AIRE has received seed funding to update the Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination guidance. CL:AIRE is working with The Environmental Protection Group Ltd and a small technical working group with representatives from regulators (across the UK), water companies and industry groups to ensure full engagement. CL:AIRE is aiming for the draft guidance to be completed in the Autumn 2023 for

review. The first stage of the project was to prepare an industry-wide questionnaire asking for thoughts about what should be covered by the update. This was circulated at the end of May and responses were due back 16 June 2023.

ReCon Soil

Final publication of ReCon Soil outputs will be completed by the end of June. This will include CL:AIRE's first podcast and an improved Register of Materials which will now be available on phone and tablet.

Sustainable Remediation

SuRF6 bulletin was published in March 2023 titled: How sustainable remediation concepts align with ISO 14001:2015 environmental management systems

<https://www.clare.co.uk/component/phocadownload/category/16-surf-uk-bulletins?download=917:surf-6-bulletin-sustainable-remediation-concepts-align-with-iso-14001>

A new bulletin has been prepared in draft "Introduction to sustainable remediation" that will sit between the animation and link to all the guidance that is available. The bulletin introduces the concepts of sustainable remediation and some of the main guidance and tools available on the subject. It has been prepared for anyone with an interest in applying sustainability principles to land contamination risk management. This is with the CL:AIRE TRG for review. In addition, a small sub- group is carrying out a mapping exercise to highlight sustainability indicator specific guidance that could assist practitioners in the future. The first stage of work is looking to identify and map key specific guidance that exists from the UK, EU and USA.

In addition, SuRF-UK is preparing training at Remtech Europe virtually and presenting at international conferences.

Training and events

The following training courses are currently being run:

- Definition of Waste Code of Practice (DoW CoP) - classroom
- Non-Licensed Work including NNLW - for Land Professionals - classroom
- Asbestos in Soil and Construction & Demolition Materials CAR-SOIL™ - classroom
- Verification of Gas Protection Systems - classroom
- Introduction to Controlled Waters Detailed Quantitative Risk Assessment – classroom
- Introduction to Human Health Quantitative Risk Assessment – classroom
- Statistics for Comparing Soil Contamination Data to a Critical Concentration - virtual
- Good Practice for Risk Assessment for Coal Mine Gas Emissions – virtual
- Soil and Groundwater Risk Assessment – eLearning
- Sustainable Remediation – eLearning
- Introduction to Brownfield Site Investigation – eLearning
- Asbestos Awareness for Land Professionals – Full & Refresher – eLearning

Conferences and Events,

CL:AIRE will be participating at the following events:

AquaConsoil 11-15 September 2023 (Prague, CZ)

Contamination & Geotech Expo 13-14 September 2023 (Birmingham, UK)

RemTech Europe, 18-22 September 2023 (Ferrara, Italy)

SoBRA Update

Conferences

The RSC Toxicology Group / SoBRA joint Winter Conference (and SoBRA AGM) is scheduled for Tuesday 12 December at Burlington House, London. SoBRA is currently seeking speakers and topics.

Sub-groups

The active sub-groups are:

NAPL

Vapour Intrusion (this will be closed in July as the work is now complete)

Ground Gases

Early Careers

CSM and Statistics

Publications

None since the previous meeting. Details of all recent publications are available at [SoBRA Reports](#). The Top Tips report from the Ground Gas sub-group (aligned to support the recent NHBC publication) has been finalised and is awaiting upload to the SoBRA website. A final draft of the report from the CSM & Statistics sub-group is due to be reviewed by the Executive Committee in July. The workshop reports from the Summer Workshop/Conference on "A Climate Emergency: The Importance of Brownfield Risk Assessment" are currently in progress and nearing completion.

Accreditation scheme

The first window was open during January 2023. There were 16 applicants for either RSoBRA or ASoBRA. 15 applicants were successful in one or more disciplines for either RSoBRA or ASoBRA. Currently there are 106 accredited members, of which 52 are ASoBRA for one or more disciplines.

Other activities/events

The early careers sub-group are organising another series of freely available webinars for this year, and have delivered three webinars so far in 2023. The next is scheduled for 28 June. The schedule of events is available on the SoBRA website at <https://sobra.org.uk/events/>. Access to and details of all the previous webinar recordings can be found here [Early Careers Webinars – SoBRA](#). The early careers group has recently put out a call to SoBRA member for more participants.

The controlled waters and climate change subgroup have submitted an entry to the Brownfield Briefing award in Category 2 'Best Research, Innovation or Advancement of Science in the Brownfield Sector'. This is for their 2022 publication [Guidance on Assessing Risk to Controlled Waters from UK Land Contamination Under Conditions of Future Climate Change](#).

NHBC Update

NHBC Foundation published NF94: Hazardous ground gas - an essential guide for housebuilders on 15 May 2023. NHBC hope that for low-risk scenarios users of NF94 may potentially benefit by not necessarily having to install protective measures to the extent commonly seen when a 'conservative' approach is adopted.

NHBC also want to take this opportunity to clarify that NHBCs 2007 publication: 'Guidance on evaluation of development proposals on sites where methane and carbon dioxide are present' remains available for use within the context of this document. Currently, NHBC do not have any plans to withdraw it, albeit, note that the approach is dated.

Should anyone have feedback on NF94 please send these to nhbcfoundation@nhbc.co.uk.

As David Jacob was not present, it was requested that clarification is sought from NHBC about the conflict between NF94 published in May 2023 and NHBC 2007 publication. NF 94 states that this guidance supersedes 2007 publication. It was felt that this is creating confusion for industry especially as NF94 is looking to raise standards. If both guidance documents are valid. It was felt that industry may follow the guidance that is less stringent.

ACTION: NHBC to clarify the potential conflict between NF94 and NHBC, 2007 publications.

UKELA update

- Consultation responses:
 - The Nature Conservation Working Party is providing submissions to the call for evidence by the Office for Environmental Protection on protected sites.
 - The Environmental Assessment Working Party (EAWP) has made written and oral submissions to the OEP in relation to its review of the EIA, SEA and HRA regimes. It followed this up with meetings exploring some of the points raised.
- Post-Brexit Legal Frameworks for Environment and Trade

Published in March 2023, UKELA's briefing paper discusses how environmental protection is safeguarded as the UK negotiates new trading relationships post-Brexit.

Copy available here: <https://drive.google.com/file/d/1L3H37BDUEDanTvNr3T9FNLplk-6wjmh/view>

- Mentoring scheme to improve access in the environmental law sector.

UKELA has launched a scheme of mentoring opportunities to help enable access for all in environmental law, working alongside the Environment Agency, Environmental Standards Scotland, Natural England & The Office for Environmental Protection. Applications are invited from anyone over the age of 18 (as at 30 April 2023) who identifies with coming from an under-represented background in either the environmental field or legal field.

More details here: <https://www.ukela.org/mentoring>

Applications close at midday on Monday 19th June.

- Annual Conference: 27 June 27 – 1 July (hybrid, University of Reading):

The Annual Conference will again take place as a hybrid event, with some sessions fully online across the week. Two days of plenaries, keynotes and legal updates will take place at the University of Reading on the Friday and Saturday, together with plenty of networking and social interaction. UKELA will cover many facets of environmental law but the thread that runs through the conference is, "How is environmental law addressing the big environmental issues facing society, and how do we, UKELA members active in environmental law, use this knowledge in our own professions".

Events are open to members and non-members. You can sign up on UKELA's website.

- Annual Scottish Conference: 5th October 2023

Save the date! Details to follow

CIRIA Update

CIRIA will hold its next soil conference on 19 July. More can be found on https://www.ciria.org/CIRIA/Navigation/Events/Event_Display.aspx?EventKey=E23301. The soil report will be out any day now.

Soil Community of Practice Year 2 has started and the web portal www.ciria.org/SOIL_COP/ is seeking feedback – please fill in the feedback form when reviewing. CIRIA is also looking for new case studies and news for the web portal.

PFAS forum - has also started and the first stakeholders meeting will be in July – if people wish to be involved, contact Joanne Kwan directly. CIRIA PFAS report will be out later in the year.

SiLC Update

The SiLC Professional and Technical Panel (PTP) is currently led by Dr. Tom Henman as Chair and Louise Beale as Deputy Chair. The PTP includes organisational and technical

representatives from the constituent professional bodies and AGS, as well as a small number of co-opted members. SiLC has several new representatives of professional bodies on the PTP which is increasing diversity in its approach. Emma Tattersdill of Bexley Beaumont has also joined the PTP as legal sector representative and will help us to build stronger links with UKELA.

There are currently 194 SiLCs and 135 SQPs with 6 candidates completing the on-going 2023A application round. SiLC recognise the need to increase the number of candidates going forward and have run one SiLC Introduction Day already in 2023 and have two planned for later in the year.

The last SiLC PTP meeting was held on 7/03/23 and the next meeting is due on 13/06/23 (i.e. after preparation of this update). Current areas of SiLC activity include:

- The SiLC Annual Forum was held as a virtual event on 29 March 2023 with content developed around two themes, including 'Climate change and sustainability' and 'Looking into the future'. There were over 150 attendees with good representation from the regulatory sector for whom SiLC has offered free attendance for the last three years. Feedback was very good with 94% rating the event as excellent or good.
- NQMS: SiLC is currently working with the Environment Agency and CL:AIRE on expanding NQMS, and in particular the assessment criteria in Appendix 1, to cover site condition reports prepared in relation to Environmental Permitting Regulations (EPR) requirements. This is intended to be implemented alongside publication of revised guidance on gov.uk in summer 2023. SiLC is also preparing a survey for SiLCs/ SQPs to improve its understanding about their engagement with NQMS and possible barriers to this.
- DoWCoP/ landfill regeneration initiative: Since the last meeting, SiLC has presented to the AGS contaminated land working group on the results of the SiLC 2022 survey and prepared an article on it for the AGS Magazine for publication in the next issue. SiLC has issued further letters to DEFRA and the EA asking for update and engagement (see link). SiLC also attended a meeting with CLAIRE to discuss the survey findings and how SiLCs can support DoWCoP related issues going forward. SiLC attended the EIC contaminated land group meeting on 10 May as Karen Andrews from the EA was presenting about EA views and programme for DoWCoP update and EA internal guidance about landfills. SiLC is discussing the next steps to take at the Professional Technical Panel meeting on 13/06/23.
- There has been a lot of interest in the newly established SiLC Climate & Sustainability sub-group which held its first meeting on 31 March 2023. This was attended by 20 SiLCs who bring a broad range of expertise and experience from across the brownfield development community with links to organisations such as CIRIA, SuRF-UK, British Society for Soil Science and the BSi EH04 Soil Quality Committee. The sub-group's terms of reference and objectives were agreed, included building capacity and capability in relevant skills in the land condition sector, and signposting and supporting the development of good practice. The next meeting is scheduled for 26 June. The subgroup is currently planning a webinar on 27 September entitled 'Maximising Natural Capital Benefits for Brownfield and Sustainable Development' with speakers from a range of sectors and providing diverse perspectives. Further details can be found here: <https://www.silc.org.uk/webinars/maximising-natural-capital-benefits-for-brownfield-and-sustainable-development/>
- SiLC is working with CL:AIRE on the update to the EA guidance 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination' (2001).
- As a non-profit professional body and Limited Liability Company (LLC), SiLC is seeking funding to upgrade its website since this is approaching end of life and SiLC is struggling to afford this within its current income and expenditure constraints. SiLC is currently exploring the potential for a SiLC Employers' scheme.

Association of Geotechnical and Geoenvironmental Specialists (AGS) Update

The last Contaminated Land Working Group meeting was held on 25 April:

Recent successes of the working group:

- AGS's magazine, published in May, included an article on SiLC's Affiliate Scheme and the release of AGS's 4.1.1 data transfer format. The Safety Working Group wrote a short news article on 'Driving for work – a look at the guidelines'.
- The previous edition of the magazine included articles on clean cover systems, coal tar analysis and COP 27.

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

- Future articles are being prepared on SuRF UK guidance, the use of on-site analysis for TPH in soils, forecourt drilling, assessing turbidity risks from piling, the disconnect in geo-environmental investigations and the Environment Act.
- Two presentations were delivered during the last meeting – 'Update on Piling Guidance' (Steve Wilson) and 'SiLC's Landfill Regeneration Survey' (Louise Beal). A write-up on the survey is also being prepared for publication.
- Members of AGS's CLWG are represented both on CIRIA's PFAS project steering group and as contractors writing the guidance.
- A mind map of standards relating to site investigation is being finalised.
- AGS are contributing to the BDA's updated guidance on safe intrusive activities on contaminated or potentially contaminated land.
- AGS have formed a new sustainability working group – the group will tie all the other working groups together and ensure of a single, co-ordinated point of contact for sustainability. Their first meeting was in June.
- During the last CLWG meeting, the issue of two laboratories having their accreditation suspended was discussed. The Loss Prevention group and the CLWG are considering the possible liabilities for consultants, contractors and other users of the data, where results might be compromised.
- AGS CLWG and Labs groups are also attempting to improve the quality of groundwater and surface water sampling following concern about the reliability of results where chemical preservation has not been used. SoBRA is collaborating on this joint initiative to improve current methods, particularly where data is used to inform controlled waters risk assessment.

AGS's 'Ground Risk Conference: Are you managing risks or taking risks' is being held on 22 November in London. This will include topics such as cognitive bias and changes in environmental legislation and policy.

Environmental Industries Commission

EIC is currently preparing a manifesto on behalf of its Members in preparation of a new incoming Government. This covers a wide range of issues which Members are concerned about. This will be used in discussion with policy teams across the 3 main political parties.

Contaminated Land

EIC had a good meeting with Karen Andrews, Environment Agency on DOWCOP and EIC are currently compiling a list of issues which Members are keen that the DOWCOP addresses.

Brownfield First

EIC remains committed to these policies but have concerns over a slow down of local authorities to have the expertise to respond to discharge of planning conditions which is causing slowing down of projects. Some projects are reported to be 6 to 12 months delays.

Permitting delays

This has been long standing issue, and one issue which does not appear to be resolved. EIC will continue to raise concerns of the EA processing and management of permits which is causing significant delays and costs to projects. Also concerns over inconsistency of EA decisions across different offices.

Asbestos in Soil

EIC continue to push for the development of a client guide.

Environmental Protection UK

Christopher Fry (CF) confirmed that EPUK Land Quality Committee met for the last time on 6th June 2023 after being in existence for 125 years. EPUK will continue its mission on land quality

ACTION: A meeting is to be set up between IES and AL representing NBF to discuss who would be the most appropriate person from IES should attend NBF meetings going forward.

through a new community within the Institution of Environmental Sciences (IES) to be known as the Environmental Policy Implementation Community (EPIC). It will work closely with the IES existing Land Condition Community, some Members of whom are already represented on the NBF. The intention is for existing EPUK LQC members to apply to be admitted as Full IES Members, and continue to work with professional colleagues in the IES Land Condition Community. It is hoped that NBF will agree to IES being represented in the future.

CF confirmed that the EPUK publications are likely to move across to IES to ensure that they remain accessible. The “Developing Garage Forecourts” is an important one that should not be lost. It was suggested to CF that it could also be linked to CL:AIRE’s Water and Land Library so it is accessible for all.

CF also confirmed that an article about the publication will be appearing in an upcoming AGS magazine.

c. National Quality Mark Scheme for Management of Land Contamination (NQMS) Sub Group

Seamus Lefroy Brooks (SLB) gave an update on behalf of the NQMS steering group. He confirmed that there are 128 SQPs and 262 declarations. There continues to be an upward trajectory of purchases of declarations. SLB confirmed that work is being carried out to adapt the Appendix 1 check list for Environmental Permitting to align with the updating of the Environmental Agency Environmental Permitting work. CL:AIRE will also be updating the NQMS declaration in light of feedback from regulators and SQPs. Once work is completed communications will be shared with SQPs and the wider industry.

Auditing will be starting in Autumn 2023.

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:

<https://www.claire.co.uk/land-forum-2023?download=950:nbf-standards-june-2023-final>

3. Specific Knowledge Share

Presentation: “Nutrient Neutrality and Biodiversity Net Gain– William Upton KC, Six Pump Court

AL thanked William Upton (WU) for his really interesting and thought provoking presentation. It has certainly helped NBF members understand these two very live issues and the impact that they are having on the brownfield community.

The presentation is available here: <https://www.claire.co.uk/land-forum-2023?download=951:biodiversity-net-gain-and-nutrient-neutrality-presentation>

4. Questionnaire Update

AL provided an update on the preparation of the industry questionnaire. AL explained that CL:AIRE has brought all the questions together into a Microsoft Form, to make it as easy as possible for people to complete and for the results to be easily presented. The problem has been there were too many questions with quite a lot of duplication. AL and NH have worked hard to slim the sections down and to try and remove the duplication. AL explained that the sections on waste, climate change and National Quality Mark Scheme have been removed as

