



FINAL

Present:

Alex Lee (<i>Chair</i>)	HKA
Nicola Harries (<i>Secretariat</i>)	CL:AIRE
Rob Foers & Charlotte Airey	Department for Levelling Up, Housing and Communities (DLUHC)
Andrew Williams	Welsh Government (WG)
Madeleine Berg	Scottish Government
Matt Llewellyn & Trystan James	Natural Resources Wales (NRW)
Angela Haslam & Theresa Cory	Environment Agency (EA)
Caroline Thornton	Scottish Environment Protection Agency (SEPA)
Graeme Duggan	Department for Environment, Food and Rural Affairs (DEFRA)
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
Richard Boyle	Institution of Environmental Science
Stella Keenan	Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)
Jane Thrasher	Environmental Industries Commission (EIC)
Ruth Easterbrook	Geological Society
Rebekah Norbury	National Contaminated Land Officers Group (NCLOG)
Emma Tattersdill	UK Environmental Law Association (UKELA)
Tim Elliott	Royal Institution of Chartered Surveyors (RICS)
Paul Nathanail	LQM
David Crook	Local Government Association (LGA)
Darren Watson & Andy McCormack	Office of Environmental Protection (OEP)

Apologies:

Edward Lewis	Department of Agriculture, Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA)
Chris Taylor	Soil and Groundwater Technology Association (SAGTA)
Geraint Williams	Association of Geotechnical and Geoenvironmental Specialists (AGS)
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
 - Emma Tattersdill: Retained EU Law Bill
 - d. NQMS Update
 - e. Standards
3. Specific Knowledge Share
 - a. Presentation: "Office for Environmental Protection (OEP) and its role" – Darren Watson, Principal Environmental Analyst OEP.
 - b. Discussion
4. Industry Review Update
5. Deputy Chair nominations process
6. AOB
7. 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

Introductions were made to those new to the call, including David Crook of LGA, Madeleine Berg of Scottish Government, Darren Watson and Andy McCormack of OEP, Charlotte Airey of DLUHC and Richard Boyle representing IES.

c) Actions

Action: Rob Foers will continue to investigate what is the best way for the National Brownfield Forum to try and engage with relevant select committees.

Coastal Landfills Research: Angela Haslam confirmed that she has spoken to colleagues who work in coastal landfills, and can confirm that the procurement of the piece of work that Defra are commissioning was paused over the summer after the initial tenders went out earlier in the year. This work is due to commence in November 2023 with completion planned Autumn 2024. The project will review existing evidence, produce an updated national site prioritisation list and GIS maps of the sites. She confirmed that this research is aware of other research that is currently being undertaken by Newcastle University.

SEPA and Scottish Government position in relation to NQMS: SEPA is supportive of NQMS but doesn't require it, and there is no plan to treat reports it receives with this sign off with a 'lighter touch'. Scottish Government has re-established the Contaminated Land Advisory Group (CLAG) and it will be reviewing the use of LCRM guidance from a Scottish perspective.

Interim position on the use of LCRM in Scotland:

While LCRM is not currently formally adopted for use within Scotland due to an ongoing review of certain divergences in regulatory policy and terminology, SEPA consider it to present good practice guidance on the approach to the assessment of potential land contamination constraints. This guidance can be used where it is demonstrated to be appropriate for site specifics and the relevant regulatory regime(s). If you are unsure regarding the application of any aspects of this guidance, please refer to your regulator.

NHBC's clarification on potential conflict between NF94 and NHBC, 2007 publications:

NHBC confirms that there is a separate piece of ongoing internal work regarding its position on the NHBC, 2007 - Traffic Light Guidance, but that has not yet reached its conclusion. When it does, a separate industry communication piece will be issued to clarify NHBC's position. Although NF94 states that it supersedes the NHBC, 2007 - Traffic Light Guidance, NHBC have been clear that it has not been withdrawn and at present can still be used if suitable justification can be provided. A transition period for NHBC builder customers to adapt to any new guidance will be provided.

It is important to also note that NF94 itself is not prescriptive. It is a research and advisory publication, industry can look to use and consider with a hope, from NHBC side, to mitigate the use of ground gas precautions on sites that do not need them and reduce NHBC Buildmark Warranty Claims where NHBC has had moisture/water ingress issues about ground level due to poor construction and detail practices.

In this respect, the document can be referred to by external parties making submissions or by NHBC reviewers when commenting on such submissions, noting it is not intended to be used piecemeal just to suit a particular issue or point but by suitably qualified persons with an understanding of all the subject matter.

NHBC will be including reference to NF94 within NHBC Standards 2024 Chapter 4.1 but only as a further information reference. NF94 does require consideration by industry, and its use, and review by an extended audience is welcomed. Feedback from this will be considered as part of ongoing review towards standards adoption proper.

2. General Knowledge Share

a. Government and Regulatory Update

Natural Resources Wales (NRW)

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

- **Coal tips:** ML highlighted that the Welsh Government has recently published location data of coal tips. Maps of the highest risk category C&D tips are now available from the Coal tip safety taskforce after the assessments they've carried out. Alongside this, NRW continue to input to the contingency plans guide which will be a requirement for the high risk sites. The intention is streamlining the process of what's likely to be required in the event of a slip. i.e. permits, where Definition of Waste: Development Industry Code of Practice (DoWCoP) could potentially be used etc. (recent colliery spoil FAQ in DoWCoP). Further information is available here: [Data on Wales's disused coal tips published today | GOV.WALES](#)
- **Guidance updates:** After discussion with Environment Agency, H5 Site condition reports guidance is likely to require slightly altered Wales version on NRW website. This is not something NRW often does, for example for guidance like Land Contamination Risk Management (LCRM), NRW signpost directly to .GOV.UK version. However, with H5 it's looking like given it includes forms for applicants etc. NRW will need its own versions of these. Technical details are unlikely to change. NRW continues to provide input to guidance reviews where requested by Environment Agency such as monitored natural attenuation, natural source zone depletion and the updating of the piling guidance.
- On training, Last month with the Welsh Land Contamination Working Group NRW held a training event for local authority contaminated land officers. Primarily this was around the DoWCoP scheme and just building some awareness and knowledge of the scheme for local authorities. At the event NRW also received a presentation on the draft RemSoc Betterment guidance. NRW are aware that this is being discussed quite strongly across the industry. NRW broadly welcome guidance in the area (where it's previously been lacking) but NRW does intend to discuss with other UK regulators i.e. whether this is something that is likely to be signposted to in future.
- Also to note, NRW has recently contributed to CIRIA 'Climate change/Extreme Weather Events and brownfield redevelopment' project which should ultimately produce a piece of best practice guidance that NRW could signpost to. Again an area lacking in guidance

and something NRW are seeing evidence of being an issue. Particularly some of the historic remediation projects in south Wales valleys and Extreme Weather Events.

- ML also highlighted that NRW is working with Welsh Government on an emerging chemical threats to water group. As the group develops, NRW will provide further details.

Welsh Government (WG) – Environment

Andrew Williams (AW) provided an update on behalf of Welsh Government. He confirmed that WG has been supporting a research project that Nottingham University is undertaking in the metal mines of Wales. The project is looking at the human health impacts on people living in metal mine areas. The project is in the early stages. Nottingham University secured their own research money, WG is providing sites for analysis. AW will provide updates as the project progresses.

Department for Levelling Up, Housing and Communities (DLUHC)

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

DLUHC are busy looking at how best to enact various parts of the Levelling Up and Regeneration Act 2023. RF confirmed that national planning fees are increasing on 6 December 2023. This increase is to support planning departments and will result in increased investment in planning services. The fees are increasing by 35% for applications for major developments and 25% for all other applications.

The National Planning Policy Framework (NPPF) consultation that received over 26,000 responses in 2022, is aiming to be published imminently and will have significant changes, many supporting the development on brownfield land. This will then be followed by a suite of documents supporting the NPPF.

In light of the updated NPPF, other policy areas will need amending and there will be further consultations in the New Year to address these proposed changes.

RF will summarise the proposed changes at the next meeting.

Department of Environment, Food and Rural Affairs (DEFRA)

Graeme Duggan (GD) provided an update on behalf of Defra.

Land Remediation Pathfinder Scheme: GD confirmed that Defra has published details of the Land Remediation Pathfinder Scheme. This scheme was announced in the Autumn statement with £78M available to local authorities, mayoral and combined authorities in England only. The money is for projects that are not economic to remediate due to the cost of landfill tax. The fund can only cover the landfill tax element of a wider remediation/regeneration project. Defra and the Environment Agency are hosting a series of information workshops to share the outline of the scheme and to answer any questions. The final scheme will go live in the New Year with money being available in Spring 2024 to Spring 2025.

Soil Health measures in the Environmental Improvement Plan: Defra is continuing to work on a Soil Bank scheme. There is internal policy work being developed before being published.

The Environment, Food and Rural Affairs (EFRA) Committee enquiry into soil health: The EFRA committee will soon publish its report.

POST MEETING NOTE:

The EFRA report is available here: [Take soil as seriously as air and water to protect food supply and environment, MPs urge - Committees - UK Parliament](#)

Defra Code of Practice for the Sustainable Use of Soils on Construction Sites: This is progressing, and is currently being reviewed externally. The final document that Defra publishes on .GOV.UK has to comply with accessibility and plain English rules which are very strict. Therefore the text needs to be simplified significantly.

Local Government Association

David Crook (DC) provided an update on the Brownfield Land Release Fund 2 (BLRF). He explained that LGA is promoting the fund through the One Public Estate initiative. The BLRF is a cross-government initiative between the DLUHC and One Public Estate (OPE) which is delivered in partnership by the LGA and the Cabinet Office.

DC confirmed that DLUHC will be making the third and final round of the BLRF2 imminently, and this will be available to English councils only. There is £80M left of the fund and projects large and small can apply. The final round of Brownfield Land Release Fund 2 funding is being made available to local authorities across England who will be able to bid for a share of up to £80 million. The application window will be open until 14th February 2024 with successful projects expected to be announced in Summer 2024.

The funding awarded to local authorities can be used for land remediation and small-scale infrastructure work to make surplus local authority owned brownfield sites ready for housing that would otherwise remain derelict and a blight on local communities.

POST MEETING NOTE:

On 12 December 2023 **DLUHC made up to £80m of capital grant funding available to English councils** through the third and final round of the Brownfield Land Release Fund (BLRF2). The first two rounds of BLRF2 awarded almost £100m over 2022/23 and 2023/24 to release land for almost 8,600 homes by March 2027. Further details are available: [One Public Estate: Brownfield Land Release Fund \(BLRF2\) Round 3 – December 2023 | Local Government Association](#)

Environment Agency

LCRM

The New pollution section of LCRM has been expanded (updated July 2023). Climate change considerations incorporated into various sections of LCRM.

Updated H5

Drafting work is ongoing, full-time internal resource dedicated to this until end of March 24.

Refresh of Piling guidance

Draft guidance has been received from CL:AIRE for review.

Planning Portal Guidance

Planning Portal has partnered with the National Contaminated Land Officers Group (NCLOG) and the Environment Agency to provide new content around two crucial environmental planning considerations – [land contamination](#) and [groundwater protection](#).

The guidance is intended to help planning professionals and applicants fully understand their responsibilities with regards to land contamination and groundwater protection and indicate where some developments may be objected to in principle.

It's essential that land contamination and groundwater protection are considered before submitting a planning application. Failure to include appropriate information on either of these issues when making a planning application can lead to delays or rejection.

Providing the correct information the first time can avoid delays, reduce the chance of receiving objections, and/or reduce the quantity and scope of pre-commencement planning conditions.

Our guidance helps everyone learn about both subjects and details their importance. It also informs users on what information they should include and how they should provide it. The new content also includes information on how you can find competent persons to carry out any necessary work. Visit the website now to learn more about land contamination and groundwater protection.

Groundwater EPR Amendments

The groundwater amendments to the EPR came into force on 2nd October 2023. These amendments will provide a more proportionate, risk-based regulatory approach for protecting groundwater quality. They optimise the regulatory tools available, reduce unnecessary costs to business, and ensure that EA and other Government resources are being used most effectively to tackle the highest priority issues.

In particular, the amendments introduce some new exemptions from the requirement for a permit for [low risk cemetery developments](#) and [closed-loop ground source heating and cooling systems](#). We have published guidance on these exemptions.

The amendments are also “enabling” regulations in that they allow the EA to consider the use of Standard Rules permits for groundwater activities. We are looking to develop standard rules permits for certain groundwater activities and will be looking to consult with industry / the public on these Standard Rules in 2024.

Remediation of historic landfills

Still being reviewed by Legal, final adjustments being made.

PFAS

All work packages progressing as planned. The EA is recruiting for an MoD Liaison officer to work in partnership with the MoD to help them carry out more detailed site-specific assessments to understand and manage risks from potential high risk PFAS source sites to groundwater and to help develop their PFAS strategy.

[Senior Advisor - Ministry of Defence Liaison - 28222 - Environment Agency Jobs \(tal.net\)](#)

Scottish Government (SG)

Madeleine Berg (MB) provided an update on behalf of Scottish Government. She confirmed:

- The Contaminated Land Advisory Group (CLAG) was reconvened for the first time since the pandemic in August 2023, with its second meeting on 4 December. The group is a forum for dialogue and discussion between Scottish Government and representatives from the contaminated land community. The first meeting minutes are due to be published online shortly on the group web page: [Contaminated Land Advisory Group \(CLAG\)](#).
- A key priority identified by CLAG, focuses on the application of Land Contamination Risk Management guidance in Scotland. The aim is to have a working group review LCRM from a Scottish perspective in the coming year. The following intermediate statement has been agreed by SEPA and Scottish Government for purposes of a recent National Contaminated Land Officers Group document: *“While LCRM is not currently formally adopted for use within Scotland due to an ongoing review of certain divergences in regulatory policy and terminology, SEPA consider it to present good practice guidance on the approach to the assessment of potential land contamination constraints. This guidance can be used where it is demonstrated to be appropriate for site specifics and the relevant regulatory regime(s). If you are unsure regarding the application of any aspects of this guidance, please refer to your regulator.”*
- The updated Scottish Groundwater Directions are likely to be published before the end of the financial year, there will be a lead-in time incorporated and SG are working with SEPA to ensure a smooth transition.

Scottish Environmental Protection Agency (SEPA)

Caroline Thornton (CT) provided an update on behalf of SEPA. She confirmed that a consultation on the Integrated Authorisation Framework in relation to waste permits and exemptions is due to be published shortly and will be flagged to NBF members when it's published. An area considered in the consultation, which may be of particular interest to this group, is in relation to WML Paragraph 9 or 19 exemptions. These are sometimes registered for movement of soils from or to development sites (many of which may have contamination issues) . At the moment – these soil movements are simply registered (ie they are not applications), with fast turnaround requirements (21 days), and where the information provided often has to be taken at face value. Therefore, this can be open to abuse. Changes are proposed in order to address some of these issues. These include:

- Fit and proper person requirements
- Changing to two levels – permit level and registration level. Registration level would be capped at 100,000 tonnes with anything over this requiring an application.
- Deadline for putting on public register would be increased to 28 days with option to extend if further information /evidence is required.
- Introducing requirement for a waste recovery plan (at both permit and exemption level)

In addition, SEPA is working jointly for a wide roll out of a digital waste tracking system.

POST MEETING NOTE:

Scottish Government EA(S)R 2018 consultation (on the integrated authorisation framework) is now live. It has been published here: [Environmental Authorisations \(Scotland\) Regulations 2018: proposed amendments - Scottish Government consultations - Citizen Space](#)

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

No update was available from DAERA and NIEA.

Homes England (HE)

MW confirmed that HE has recently re-tendered its Technical Due Diligence Panel, for wide ranging consultancy support to inform site acquisitions, and this will be in place from the beginning of January 2024. This will run for 4 years and is for direct call-offs from the main Development and Regeneration Technical Services (DARTS) Framework. For information, other public bodies may use any of Homes England's Frameworks (for example, if they do not have a Framework in place and wish to accelerate their procurement programme) and they will need to sign a Framework Access Agreement to do so, see link for further details [Homes England technical and professional frameworks - GOV.UK \(www.gov.uk\)](#)

National Contaminated Land Officers Group (NCLOG)

NCLOG held their AGM and training event on the 22nd June, this was well attended by over 70 local authority officers across the country. As part of the training, we had updates from the EA and Defra, and a presentation from RSK on climate change considerations in land contamination risk assessments.

The collaborative project involving NCLOG, the EA and the Planning Portal on improved web content is now complete, and the information pages on land contamination and groundwater protection for developers are now live and available to view here:

[Why do you need to know about land contamination? - Land contamination - Planning Portal](#)

[What you need to know - Understanding groundwater protection - Planning Portal](#)

Information about these new pages has also been circulated to Chief planning officers via the DLUHC Chief Planners September 2023 newsletter.

NCLOG is collaborating with MidLE (Midland Land Events) and midlands based regional contaminated land officer groups to provide a training and networking event for brownfield sector regulators at the National Brownfield Institute in Wolverhampton. This event will focus on soils reuse, ground gas protection measures verification and innovative bacterial remedial solutions.

The committee is organising another webinar for NCLOG members, to be held in the new year, on sustainability and climate change.

NCLOG will be doing a short update for the Joint SoBRA/RSC December 2023 Conference, including an update on the NCLOG Cover Systems Guidance which is nearing finalisation. This is always a good event and we are looking forward to taking part.

YALPAG

YALPAG's Land Technical Group meet twice a year with the last meeting being held on 18 October 2023. YALPAG guidance documents continue to be reviewed and updated as and when necessary. The Verification Requirements for Cover Systems (Version 4.1) was issued in June 2021. The Planning guidance was reviewed, updated and issued in July 2023. The Verification Requirements for Gas Protection Systems guidance is currently in the process of being reviewed and updated.

b. Industry Update

CL:AIRE update

Projects/initiatives/publications (listed alphabetically)

Aggregates from Inert Wastes Quality Protocol

The Environment Agency has confirmed that the revision of the quality protocol and the development of a third-party certification scheme will begin shortly. There are now three partners that are interested in participating. It is hoped that this work can progress at speed now all parties have agreed to support it.

Category Four Screening Levels Project

CL:AIRE is continuing to work on the C4SL project with the two latest reports (cis-1,2-DCE and trans-1,2-DCE) moving forward to publication. An additional report (on naphthalene) has been reviewed by the steering group and is currently being amended.

CL:AIRE has fast-tracked the preparation of the interim PFAS C4SL and it is currently being reviewed by the Environment Agency and UK Health Surveillance Agency. It is hoping to be moved forward to the steering group for review shortly.

Concawe Sustainable Remediation Case Study Project

The Concawe final report and 10 sustainable remediation case studies will be published very soon. A summary of the project was presented at AquaConSoil in Prague.

POST MEETING NOTE:

The 10 case studies and summary report are now publicly available at: www.claire.co.uk/concawe

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

The final version was submitted to Defra earlier in the year. There are ongoing discussions on the best option for publishing a simplified document on .gov.uk and a separate technical guide on the CL:AIRE website.

DoW CoP

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

DoW International has been launched to allow projects using the DoW CoP outside of England & Wales to formally submit Declarations only where they have approval from the local relevant regulators.

DoW Insight Service - a new paid-for service where CL:AIRE can help implement the DoWCoP on large projects, following its use on HS2.

Auditing – whistleblower audits; ongoing audits; paid for audits are ongoing.

QP Renewals – 5 year QP tests are due in 2024 in addition to a new professional report requirement to give an opportunity for candidates to demonstrate understanding on the DoW CoP without the time pressure of the test.

EiCLaR (enhanced in situ bioremediation)

CL:AIRE's involvement in the EC-funded EiCLaR project continues with a range of knowledge transfer activities due to take place between now and the end of 2024. A project newsletter and podcasts are currently being worked on.

Gas Protection Verification Accreditation Scheme (GPVS)

CL:AIRE is continuing to develop and promote the GPVS. CL:AIRE has started the new application window system for the accreditation scheme and there were seven candidates that applied (six TGPV and one SGPV) in this window that closed at the end of July 2023. CL:AIRE has finalised the audit process and is currently reviewing documentation sent to CL:AIRE. The next accreditation application window will begin in January 2024.

ICEC - MCM

CL:AIRE continues to support the Interdisciplinary Circular Economy Centre for Mineral-based Construction Materials (ICEC-MCM), led by University College London with the annual network meeting being held at the end of November.

Legacy Wastes in the Coastal Zone

This research project, led by Newcastle University, aims to provide a multi-scale assessment of the risks posed by municipal and mineral-rich legacy wastes in the coastal zone and provide a framework for their effective future management. The project ends in mid-2024 and CL:AIRE will produce a research bulletin to summarise the key messages of the research.

Monitored Natural Attenuation (MNA) Guidance

The MNA guidance will be submitted to the Environment Agency very soon for final approval.

National Quality Mark Scheme (NQMS)

The planning portal was recently updated with guidance to help planning professionals understand their responsibilities with regards to land contamination and groundwater protection. Reference is now made to the NQMS on the Environment Agency's land contamination web pages directly. The broadening of the NQMS use for environmental permitting will follow once the Environment Agency associated web pages are updated.

Currently 138 SQPs on the register and 285 declarations have been purchased.

Natural Source Zone Depletion (NSZD) Guidance

The NSZD guidance is being updated with very recent research before being passed to CL:AIRE for final review and submission to the Environment Agency. It is planned to publish the NSZD and MNA guides together.

Piling Guidance

The updating of the Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination guidance is progressing well.

Sustainable Remediation

SuRF-UK has published its latest bulletin summarising what sustainable remediation is and signposting to the key resources available. The steering group has been moving forward its mapping exercise of published guidance that supports the SuRF-UK indicators. In addition, SuRF-UK steering group members presented its work at AquaConSoil in Prague and at SustRem 2023 in Melbourne, and delivered virtual training at Remtech Europe on undertaking a sustainability assessment.

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
- 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

A new training course on practical aspects of ground gas, vapour and water monitoring and sampling is scheduled to begin in Q1 2024.

A calendar of 2024 courses will be published in the CL:AIRE ealert at the end of the month.

NHBC

NHBC Standards 2024 has circa 2000 changes to them, with minor tweaks throughout the guidance elements of our Standards. There are no new performance standards in this years edition, with the exception of the new chapter - Chapter 4.6: Engineered Fill.

NHBC produces an overarching video that goes through the key updates to our Standards, and links will be available on our website. With the inclusion of the new Chapter 4.6 to our Standards, we are producing a standalone video. We encourage everyone to watch these videos and make use of Standards Plus on our website.

Environment Industries Commission

EIC continue to hold quarterly meetings for a range of working groups including Contaminated Land, Laboratories, Nature and Biodiversity, Waste and Resource Efficiency, Water, Air Quality, Climate Change. These are held as hybrid meetings with good in-person attendance by members.

Issues discussed at recent Contaminated Land working groups include:

- Ongoing member concerns over the functionality and scope of DoWCoP
- Context and background of UKAS laboratory accreditation, and UKAS withdrawal of accreditation for laboratory analyses
- Asbestos in soil and Asbestos in Construction Products (Recycled Aggregates) ongoing work with Joint Industry Working Group
- September 2023 presentation from Joe Dale DLUHC on National Development Management Policies
- November 2023 presentation from Coal Authority on their work in general and particular Opportunities Around Hydrous Ferric Oxide as a sorbent in remedial treatments.

EIC are working on a forward programme of activity for 2024 which is also progressing many of the items published under the EIC Manifesto in July 2023 <https://eic-uk.co.uk/policy-campaigns/eic-manifesto/>

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. We have several new representatives of professional bodies on the PTP, including new representatives from CIEH. We are currently exploring developing closer links with UKELA, NCLOG and BSSS. We will soon be seeking nominations for the next PTP Deputy Chair to be in post from April 2024 and we have been interviewing candidates for the Recent SiLC Representative role.

The last SiLC PTP meeting was held on 19/09/23 and the next meeting is due on 4/12/23 Current areas of SiLC activity include:

- The SiLC PTP wishes to encourage all SiLCs to become SQPs. There will be no fee up to the end of the year for completing the SQP conversion course and a flat rate for all SiLC/ SQP renewals from 2024.
- The SiLC CPD policy is being reviewed to ensure that it does not adversely affect SiLCs who remain active in areas relating to land condition but do not necessarily review land contamination reports as part of their role.
- SiLC is currently finalising an Employers' Scheme as part of profile raising and seeking additional sources of funding to support our activities as a non-profit company, including the development of a new website.
- Unfortunately due to a clash with an Environment Analyst webinar and a Yorkshire contaminated land forum meeting, and a resulting low level of registrations for our 'Maximising Natural Capital Benefits for Brownfield and Sustainable Development' webinar planned in September, we had to take the difficult decision to cancel this event. We are seeking to include some of the planned content at the next Annual Forum, to be held on 20 March 2024. We are also planning some SiLC webinars for 2024 relating to sustainability/ net zero and EDI-related topics.
- We had a good response rate for our summer survey of SiLCs and SQPs with 86 respondents. We are currently assessing the findings with more details to follow.
- There has been a lot of interest in the newly established SiLC Climate & Sustainability sub-group and a press release was recently released about this – see link.
- The next NQMS audit is due to be completed in Autumn 2023.

UKELA

- Consultation responses:
 - In June 2023, UKELA submitted a response to the Department for Levelling Up, Housing & Communities consultation: Environmental Outcomes Report: a new approach to environmental assessment.
 - In August 2023, UKELA Scotland submitted a response to the Scottish Parliament's Circular Economy Consultation.

- In September 2023, UKELA submitted a response to DEFRA's consultation on protecting hedgerows. The response was led by the Nature Conservation Working Party.
- Copies of UKELA's consultation responses are available on UKELA's website.
- On 22nd November 2023, UKELA held the annual Garner Lecture – presented this year by Chris Stark, Chief Executive of the Climate Change Committee, on the topic of the Climate Change Committee, climate change and the law. The Climate Change Committee is the independent authority on tackling climate change under the UK's Climate Change Act
- Upcoming events:
 - 5th December 2023 4.45pm – 7pm: Natural Capital (Nutrient Neutrality/Biodiversity Net Gain) and the Agricultural Context – hosted by UKELA East Region, in Cambridge and online.
 - 11th January 2024 5.15pm – 7pm: Junior UKELA Fireside Chat – hosted by Landmark Chambers, London (in person event). The “fireside chat” series entails an informal interview between a junior practitioner and a more experienced practitioner, in which they answer questions and share insights about their professional experiences from their different perspectives.

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

CIRIA

Managing extreme weather events risk for land development projects – a good practice guide just started in November.

CIRIA delivered a very successful PFAS forum on 8 Nov and PFAS Forum will enter Year 2 in 2024. We are looking for case studies, research and development on PFAS. PFAS guidance will also published in early 2024

Soil COP is also entering year 3 in 2024 – also looking for case studies, news and other forms of involvement

Association of Geotechnical and Geoenvironmental Specialists

The last Contaminated Land Working Group meeting was held on 3 October:

Recent successes of the Working Group

- Articles on 'surface emission surveys for measuring ground gas' and 'mitigating the risk from asbestos when using vacuum excavators in made ground' were published in the September issue of the AGS Magazine.
- An article on 'requirements for chemical preservation – the importance of quality in sampling and analysis' was also published in the same edition.

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

- Members of the CLWG are represented 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 along with article on forecourt drilling.
- AGS are contributing to the BDA's updated guidance on safe intrusive activities on contaminated or potentially contaminated land.
- Volunteers from the CLWG are willing to assist the Data Management Working Group in their future initiative to review ERES codes.
- Members of the CLWG provided comments to NCLOG on their cover systems guidance.

The topics / projects the Working Group will be looking at in the future:

- An article on BS10175 is being written – members of the CLWG make up most of the panel involved in the re-draft.

- An article on the Environment Act.
- After the publication of the CIRIA PFAS guidance, two of the authors plan to write a summary covering the key points.
- NHBC article on the disconnect in geo-environmental investigations.
- Article on new SuRF UK Guidance.
- Marine Management Organisation (MMO) guidance on sample plans for dredged sediment.
- The Business Practice group is writing internal guidance on breach of copyright to support those members who deliver presentations or write articles on behalf of the AGS.

Institution of Environmental Science (IES)

Recent activities for the Land Condition Community include:

- The Land Condition Community held their last meeting on the 16th November. Discussions from this meeting will feed into a workplan for the Community in 2024.
- Early Career Network – a new Steering Group has been established to drive forward Network activities.
- EPUK has joined the IES family as the Environmental Policy Implementation Community, focussed on environmental policy implementation at the local level.
- Publications
 - A special edition the Environmental SCIENTIST's journal was published in June: [Unearthing global megatrends in land condition](#)
 - EPIC have republished EPUK's: [What's beneath your feet? Garages and filling stations – a guide for developers](#)
- Understanding skills and resource needs in the sector – Earlier in the year the IES ran a survey looking into the skills and recruitment issues facing the land condition specialism. Findings from this survey will be used to inform activities in 2024. The survey findings include insights on the types of technical skills gaps in the sector.
- Events
 - The IES's annual Land Condition Symposium will be taking place on the 28th November.
 - A number of webinars have been held:
 - [Vapour intrusion risk assessment in the UK](#)
 - [A day in the life: Jonathan Atkinson](#)
 - [ED&I: Atkins' approach to ED&I on site](#)
 - [Emerging soil and water contaminants in land contamination risk assessment](#)
 - [Sustainable soil management and reuse](#)

SoBRA

Conferences

Bookings are now open for the RSC Toxicology Group / SoBRA joint Winter Conference (and SoBRA AGM) on Tuesday 12 December at Burlington House, London, and online. The full speaker list is available at <https://sobra.org.uk/events/>. SoBRA are currently offering any regulator / not-for-profit attendee a 50% discount for online attendance (all 50% discounted tickets for in-person attendance have now gone).

Sub-groups

The active sub-groups are:

- NAPL
- Ground Gases (with a new radon working group)
- Early Careers
- CSM and Statistics
- The Executive Committee are currently discussing completing a review of previous sub-group outputs (asbestos and GWvap) with a view to identifying any updates that are needed since their publication.

Publications

- Top Tips from the Ground Gas sub-group.
- NAPL mobility screening tool – Version 1.1.
- Summer 2022 workshop (The Climate Emergency: Practical Considerations in Brownfield Risk Assessment) outputs published.
- AGS / SoBRA – sample preservatives article published in September edition of the AGS magazine
- A final draft of the report from the CSM & Statistics sub-group has now been fully reviewed by the Executive Committee and is scheduled for publication before the Winter Conference in December.. Details of all recent publications are available at [SoBRA Reports](#).

Accreditation scheme

The second window was open during August 2023. There were 6 applicants 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 five webinars so far in 2023. The next is scheduled for 16 November - Practical Considerations in Vapour Intrusion Risk Assessment. 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.

Brownfield briefing awards – 2 November 2023

We won! The controlled waters and climate change subgroup submitted an entry to the Brownfield Briefing Awards 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](#). The entry won ‘Best Research, Innovation or Advancement of Science in the Brownfield Sector’ and also the Judges’ Choice Award.

British Geological Survey (BGS)

Future of the subsurface

This is a collaborative project led by Government Office for Science by Holger Kessler who is currently seconded to the GO-Science.

This project is looking at the range of current and future uses of the subsurface, including infrastructure, sustainable water management, geothermal energy, use of finite space, and climate adaptation. Initial work will include detailed stakeholder analysis and systems mapping of the physical system, external drivers, and the institutional systems at different scales. Final outputs will be developing an evidence base, methodologies, and tools to explore the future uses and long-term trends regarding the subsurface and its functions. Further information can be found [here](#).

New peer-reviewed publications

Peer-reviewed publications by BGS and partners that may be of interest to the NBF include:

Hammond *et al.* 2023. From data to decisions: Empowering brownfield redevelopment with a novel decision support system. <https://doi.org/10.1016/j.jenvman.2023.119145>

Hammond *et al.* 2023. The development of a novel decision support system for regional land use planning for brownfield land. <https://doi.org/10.1016/j.jenvman.2023.119466>

Williams-Clayson *et al.* 2023. Characterisation of former manufactured gas plant soils using parent and alkylated polycyclic aromatic hydrocarbons and Rock-Eval(6) pyrolysis. <https://doi.org/10.1016/j.envpol.2023.122658>

These papers were able to be written thanks to funding from the Natural Environment Research Council, in particular the CENTA Doctorial Training Partnership (DTP) and Envision DTP. Both PhD projects were also supported by generous industry contributions (National Grid Property Holdings, WSP, Groundsure). Further details of partners and funding are included in the papers.

We would encourage those interested in applied brownfields research to reach out to University and research organisation contacts to explore opportunities for collaborative research projects.

Coal Mine gas risk screening tool

BGS is working in collaboration with WSP UK and North Lanarkshire Council to design and develop a spatial decision support tool to characterise the risk screening zones presented in CL:AIRE's Good Practice for Risk Assessment for Coal Mine Gas Emissions. For further information contact Dr. Darren Beriro, darrenb@bgs.ac.uk.

BGS support of the Association of Geotechnical & Geoenvironmental Specialists (AGS) application programme interface (API) project

BGS is supporting the AGS data management working group are making progress on a standard JSON encoding of AGS data and an AGS API standard for delivery of data on the web.

The following link includes recommended standards for encodings, web services and use of UPRN and USRN identifiers for properties and streets.

<https://www.gov.uk/government/publications/uk-geospatial-data-standards-register/national-geospatial-data-standards-register>

RICS

The RICS manifesto Empowering a Sustainable Future which was launched in September 2023 notes that Commercial real estate contributes over £60 billion in GVA £15 billion in tax revenue and employs over 1 million. Construction accounts for £110 billion in GVA 7% of GDP and employs over 2 million. The Manifesto also promotes brownfield objectives for political and other policy makers:

- Unlocking capital investment to enable economic growth: Define a national real estate roadmap that is attractive to inward Investment Create a national value proposition that sets out a holistic real estate development strategy for the UK rather than a focus on independent regional projects. This will attract and deploy inward foreign investment on a national scale, benefitting the whole economy, environment and society.
- Incentivise remediation of brownfield sites ensuring their investment viability: Focus on removing barriers to development that hinder capital flows or create uncertainty of outcome for brownfield sites. Barriers include contamination or infrastructure deficiencies, which, without clear remediation or connectivity plans, can deter investment. Expand locations for funding brownfield development delivering greater regional growth.
- Home England's Brownfield, Infrastructure and Land Fund needs to be accessible across a broader range of locations to unlock more employment floorspace than the initial 200,000sqm in scope in the Greater London Authority, West-Midlands Combined Authority and Greater Manchester Authority.
- Incentivise long-term investment for social value by creating a stable regulatory environment: Incentivising and supporting investors who are willing to back developments that create environmental and social value requires a stable regulatory environment with transparent, predictable policies and tax and grant incentives.
- Reform local authority funding ensuring more considered local decision-making: Reform how local authorities are awarded funding for community development to ensure local needs assessments inform funding decisions. A more flexible and collaborative approach should be adopted to ensure that local authorities work together to identify common goals, pool resources and define longer-term needs across regions.
- Appoint Regional Regeneration Tsars to improve funding outcomes: To enhance funding outcomes and promote better coordination between central and devolved authorities, the appointment of Regional Regeneration Tsars is recommended. These individuals would be responsible for improving the integration of regional spatial plans with central investment strategies and enhancing the links with regional plans.
- Boost the planning workforce to secure holistic community Development: Local Authorities' Planning Departments require full and proper resourcing to tackle backlogs, staff turnover and ensure a properly functioning enforcement apparatus. The £24 million funding for a new model of 'super planners', as announced in the summer of 2023 for unlocking housing developments, should also be increased and expanded to cover commercial real estate.

A headline summary from Q3 (November 2023) RICS UK Construction Monitor which is widely reported in press and media:

Workloads show a dip as housing activity weakens and financial challenges grow. Industry feedback is a little more cautious than recent iterations of the survey, reflecting both the impact of further interest rate increases and the related ongoing macro challenges. Infrastructure is still expected to post solid growth despite scaling back of HS2. Financial concerns are now the key factor constraining the sector. Shortages of surveyors are still highlighted by respondents.

c. Hot or emerging topics

Emma Tattersdill of Bexley Beaumont provided a presentation on the Retained EU Law Bill. Her presentation is available to download here:

<https://www.claire.co.uk/land-forum-2023?download=974:the-retained-eu-law-act-2023>

AL thanked Emma Tattersdill for her really interesting and useful presentation. It is certainly an area that the NBF members will need to keep abreast of.

d. 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. There continues to be an upward trajectory of purchases of declarations, however in light of the SiLC survey and National Brownfield Survey, there is now evidence that greater awareness of the scheme and its benefits needs to be better communicated. The steering group feel that it is now a good time to raise the profile of the NQMS even further by developing a campaign to present to senior planners and government departments as to the benefits of the NQMS and the importance of engaging competent professionals that work in land contamination. It was acknowledged that there are some authorities that are well-staffed with competent land contamination practitioners working in them, however there are also many local authorities that do not have internal staff and often work is outsourced.

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=975:nbf-standards-november-2023>

3. Specific Knowledge Share

Presentation: "Office for Environmental Protection (OEP) and its role" – Darren Watson, Principal Environmental Analyst OEP.

AL thanked Darren Watson for his very informative presentation. It has helped NBF members to understand the role and breadth of aspects that the OEP work in.

<https://www.claire.co.uk/land-forum-2023?download=976:introduction-to-office-of-environmental-protection>

4. Industry Review

AL provided an update on the industry review. The plan is now to prepare a short narrative report, providing some synthesis. It is intended to provide a balanced unbiased view of the results. The raw data will also be available in an excel spreadsheet so NBF members will be able to access and analyse. This data will be anonymised. A draft report is aiming to be prepared in draft by Christmas. The final product will be published by CL:AIRE and made available on the NBF web page along with the anonymised raw data. As it is going to be a CL:AIRE publication it will be reviewed by CL:AIRE.

5. Deputy Chair nominations process

NH informed the NBF members that nominations for a new deputy chair is now open as this is AL last meeting as chair and Darren Beriro will be taking over in the Spring 2024. Any member

of the NBF can nominate an individual as chair. If we get more nominations, NH will ask members to vote. One vote per NBF member. Can all nomination be sent to NH by **31st January 2024**. Can all candidates support their nominations with a 100 word summary about themselves. The deputy role will be for two years, followed by chair for two years.

Action: All members to discuss internally and nominate candidates for deputy chair role.

AL will remain on the NBF as former chair and Paul Nathanail will now be stepping down.

6. AOB

None.

7. Date and location of next meeting

The 2024 dates are:

- 18 April 2024
- 4 July 2024
- 28 November 2024