



## Land Forum

Stephenson Harwood, 1 Finsbury Circus, London, EC2M 7SH

Wednesday 18<sup>th</sup> April 2012

Final Meeting Notes

Time: 11.00am – 3.00pm

Present:

Phil Crowcroft, (Chair)	Specialist in Land Condition Register (SiLC)
John Henstock (Secretariat)	Contaminated Land: Applications In Real Environments (CL:AIRE)
Jane Garrett	Contaminated Land: Applications In Real Environments (CL:AIRE)
Euan Hall	The Land Trust
Ian Heasman	The Soil and Groundwater Technology Association (SAGTA)
Trevor Howard	The Environment Agency
Seamus Lefroy-Brooks	Association of Geotechnical and Geoenvironmental Specialists (AGS)
David Middleton	Defra
Paul Sheehan	Environmental Industries Commission (EIC)
John Silvester	Planning Officers Society
Christopher Taylor	Brent Council
Mike Quint	Society of Brownfield Risk Assessment (SoBRA)
David Wilkes	Communities & Local Government
Andrew Wiseman	EPUK/UK Environmental Law Association
Peter Witherington	Home Builders Federation (HBF)

By telephone: Dr Helena Bird, Welsh Government.

Agenda

1. Welcome and Apologies
2. Introductions
3. Membership & Sub-Group Update
4. Legislative / Regulatory Discussion Topics:
  - Future funding round on the Capital Grants Fund / Funding Part 2a
  - National Planning Policy Framework
  - Better Regulation Sub Group
5. Sustainable Land Use
  - Sustainable Land Use Paper (Ian Heasman)
  - Open Mosaic Habitats (Dr Helen Pointier, Defra)
  - True Costs of Brownfield Land (The Land Trust)
6. Part 2a Ongoing Work
  - Part 2a New Statutory Guidance Open Discussion
7. Land Forum
  - Year 1 Review, how are we doing?

- New Chairperson
- 8. Summary of Meeting
- 9. AOB
- 10. Date of next meeting

### 1. Welcome and Apologies

PC opened the meeting by welcoming Dr Helena Bird of Welsh Government on the phone to her first Land Forum Meeting, and also to new faces around the table, David Wilkes (CLG), David Middleton (Defra) and Peter Witherington (Home Builders Federation). PC gave apologies for Richard Boyle (Homes and Communities Agency), Theresa Kearney (Department of Environment Northern Ireland) and Caroline Thornton (SEPA).

### 2. Introductions

### 3. Membership & Sub-Group Update

PC instigated the discussion on Membership and specifically that of Local Authority individuals based on comments from Local Authority individuals he had recently spoken to. PC referenced for discussion the model set by Defra's Water Group which has a Membership of 200, with the first 50 responding allocated places at their meetings with the other 150 being disseminated to as corresponding members. The following membership discussion concluded with the following points:

- Forum Membership is contentious to some Local Authority individuals;
- Any problem is primarily one of communication/perception: Minutes are freely available to all; Terms of Reference show who is represented (should any issue wish to be raised for discussion stemming from outside the immediate membership); All sub-groups have welcomed all who have approached wishing for involvement;
- Agenda items are suggested within the meetings and from e-mailing members between meetings;
- CT suggested creating a Land Forum Webpage on the Local Government Association's Knowledge Hub Website, which allows those interested to subscribe to be e-mailed all new postings and updates (i.e. meeting notes etc). **Action CL:AIRE.**
- JS indicated that the LGA would not be directly represented but that the Forum would provide feedback where relevant to LGA members.
- Formalise text on Land Forum webpages to enable those outside immediate Forum membership to propose Agenda items for discussion. **Action CL:AIRE.**
- Press Release proposed by JS to state the Forum's aims and involvement with the Land Sector. **Action Sustainable Land Use Sub-Committee** (see point 5 below) **/Chairman/CL:AIRE.**
- Noting above actions, it was concluded that the Forum should remain strategic and manageable with these new measures to ensure and communicate the Forums' openness and resolve perceived membership issues.

### 4. Legislative / Regulatory Discussion Topics:

#### *Future funding round on the Capital Grants Fund / Funding Part 2a*

TH & DM reported to the Forum on the new Capital Grants Programme, the bidding window for which had now opened and closes on 11 May. The Group agreed that the programme was beneficial and in previous years had stretched well to provide seemingly very cost-effective corrective action on a significant number of sites. CT cautioned that those applying

needed to do so at the start of the window and progress the bureaucratic stages quickly to allow for the spend and implementation to be carried out within the year of application. DM clarified that the programme still required spends within the year of application; improvements to the programme were being investigated, for example how to provide year-on-year continuity for sites requiring corrective action over more than one year.

#### *National Planning Policy Framework*

DW introduced the topic of the National Planning Policy Framework's publication. PC asked whether CLG felt supporting guidance would be issued, or whether the Forum should set up a sub-group to provide support whilst the NPPF gets embedded and in absence of the previous PPS's, particularly PPS23. DW indicated that Ministers had not yet reached a view on supporting guidance for the NPPF. DW suggested that PPS23 was still an openly available document, and although it had no longer had any status as Government Guidance, it could still be used by people should they so wish. Therefore additional measures may not necessarily be felt required. A discussion focussed on the requirement for Local Plans and that given the Localism Act there appeared no driver to create a level of consistency between Boroughs/jurisdictions. JS explained the role being taken by the RTPi in leading with other organisations to progress potential gap analysis and offered to share the RTPi's status on this work (**Action JS**). The discussion concluded that a NPPF subgroup would be established to write an open letter to the CLG Minister asking what, if any, additional support from the Land Forum was desirable. Those interested in this sub-group included: AGS, EIC, SAGTA, SoBRA, SiLC, CL:AIRE, EPUK/UK Environmental Law Association, and The Land Trust.

#### *Better Regulation Sub-Group*

PC, TH & CT led on discussing the outcome from the previous Better Regulation Subgroup Meeting with PC running through the previous meeting notes (available at [www.claire.co.uk/landforum](http://www.claire.co.uk/landforum)). TH announced the paper he put together to introduce Better Regulation, which will now be available on the Land Forum webpages. PC apologised if the SiLC Press Release stating intent to develop an audit scheme sounded as if it was not embracing a collaborative approach. JG shared the letter from Richard Benyon MP, stating his support for a form of better regulation which could be developed collaboratively through the Land Forum. JG also put forward the name of Jon Rouse, CEO of Croydon City Council, who would agree, subject to the Land Forum's approval, to become the new Chairperson of the Better Regulation Subgroup in the absence of an appointed Chair. The group discussed this proposition. PC noted that every member organisation of the Better Regulation group, with the exception of NHBC, was represented at the present meeting so it was agreed a vote could take place. Subsequently Jon Rouse was unanimously voted to be approached by JG (**Action JG**), to formally become Chairperson of this sub-group. It was fed back that the sub-group would soon have a paper to flesh out scope of a potential scheme and this would be discussed at the next meeting. MQ informed the Land Forum that SoBRA is currently exploring options for accrediting or otherwise recognising the competency of land contamination risk assessors, via its own Better Regulation Sub-Group.

## **5. Sustainable Land Use**

JH explained his discussions with Dr Helen Pointier of Defra regarding Open Mosaic Habitats who may be able to present at the next meeting. JH & EH introduced the concept of the Environment Bank who had also been contacted and may be able to present at the next meeting which would complement the scope of the Sustainable Land Use subgroup.

#### *Sustainable Land Use Paper*

IH presented the Sustainable Land Use Paper to instigate discussion and gauge appetite for better defining the 'the sustainable use of land', part comprising the Forum's principal aim, particularly acknowledging the context of traditional definitions such as the Brundtland Report, the new NPPF, and assuming that everyone's individual definitions are influenced by

their sectoral background. It was agreed that a 'Sustainable Land Use' subgroup would be established to look at this work and to help map/link to the other sustainable land use templates such as BREEAM, LEED, CEEQUAL, SuRF-UK. **Action IH** to set up the first subgroup meeting. Initial group tasks include: to provide a summary of the proposed 'sustainable land use thought leadership' to go into the Land Forum Press Release (**Action: Sustainable Land Use Sub-Group**); and to explore seed-funding for this work. Other participant groups wishing to be included were: The Land Trust, SiLC, CL:AIRE, EIC.

#### *True Costs of Brownfield Land*

EH introduced the concept behind the Land Trust 'True Costs of Brownfield Land' paper, on which a Manchester University PhD post-graduate is working and has progressed the paper to a second more developed draft. PC concluded that there was good synergy between this paper, the work proposed by Ian Heasman and the work to be discussed at the next meeting with the Environment Bank and Open Mosaic Habitats. The paper will be taken forward in the context of the 'Sustainable Land Use' subgroup.

A number of people mentioned ongoing work or recently published in sustainable remediation and redevelopment which should be included or acknowledged in the work of the Sustainable Land Use Subgroup. JH offered to send around the completed Defra 'Contaminated Land Report' which CL:AIRE had authored and which included development of SuRF-UK headline indicators for the assessment of remediation technology types (**Action JH**). Helena Bird offered to circulate 'One Wales: One Planet, a new Sustainable Development Scheme for Wales' and a copy of Welsh Government's Sustainable Development Bill consultation once launched (**Action HB**).

## **6. Part 2a Ongoing Work**

### *Part 2a New Statutory Guidance Open Discussion*

DM updated the group on the intention of Defra to let the Category 4 Screening Levels (C4SL) work confirming that there will be a high degree of stakeholder engagement built into the project. DM stated, as per the previous meeting, that there was an intention to establish a National Expert Panel group which would be available to offer advice to Local Authority Contaminated Land Officers on implementing the new Statutory Guidance and making decisions about sites, particularly those around the Category 2/3 border. It is anticipated that these decisions could then be written up as case studies and disseminated more widely to share best practice.

## **7. Land Forum**

### *Year 1 Review, how are we doing?*

PC asked the Forum how the group felt progress and direction if the group was going since inception. The general feeling was that instigating the Forum following on from the previous Brownfield Forum was highly worthwhile and was presently working well as a strategic focus group for supporting the wider sector. PW felt the group seemed well balanced and felt less encumbered than the previous Brownfield Forum. CT stated that he felt the Forum was highly worthwhile even if one single subgroup delivered on its mission and felt the Better Regulation Sub-group was well worthwhile and showed promise for development.

### *New Chairperson*

The anonymous voting system for the new chairperson, as e-mailed by JH, was discussed and decided as a fair way to establish the new Chairperson. PS asked the group whether it was possible for an individual from a Forum representative organisation to be put forward for Forum Chairperson. This was briefly discussed, concluding that was acceptable. PC also advocated allowing the Chairperson's representative organisation to have an additional place so that Chairing can be done effectively without neglecting the duties of participation for that

member organisation. This was also agreed by the Forum. **Action CL:AIRE:** Following the meeting JH will e-mail group asking for volunteers to put themselves forward. Then the Forum members will anonymously vote for the volunteered candidates, with PC as present Chair, having the deciding vote in the case of a draw. It is suggested that the second place candidate is appointed as Vice Chair.

#### **8. Summary of Meeting**

PC wrapped up the meeting thanking all for their time and particularly the new faces for having actively participated.

#### **9. AOB**

On behalf on the Land Forum, JG thanked PC for his adept stewardship as outgoing Forum Chairman which was wholeheartedly echoed by the group.

#### **10. Date of Next Meeting**

As the next meeting is scheduled for mid-July during the Olympics, PW offered office space in RSK's Coventry Office. **Action CL:AIRE** to liaise with PW in order to initiate a doodle poll of available dates.