

## Land Forum Meeting

### Meeting Notes

30<sup>th</sup> November 2017, 11.00am – 4.00pm

Location: NHBC Offices, 6<sup>th</sup> Floor, 1 Minster Court, Mincing Land, London EC3R 7AA

### FINAL



#### Present:

Lucy Thomas	Deputy Chair & House Builders Federation (HBF) & Society of Brownfield Risk Assessors (SoBRA)
Jane Thrasher	Environmental Industries Commission (EIC)
Angela Haslam	Environment Agency
Julia Reynolds	Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)
Frank Evans	Soil and Groundwater Technology Association (SAGTA)
Seamus Lefroy Brooks	Association of Geotechnical and Geoenvironmental Specialists (AGS)/chair of NQMS Steering Group
Nicola Harries ( <i>Secretariat</i> )	Contaminated Land: Applications In Real Environments (CL:AIRE)

#### By telephone:

Mark Edwards	Lancaster City Council
Paul Nathanail	SiLC

#### Apologies:

Paul Sheehan	Chair
Theresa Kearney	Department of Agriculture, Environment and Rural Affairs and the Northern Ireland Environment Agency (NIEA)
Andrew Williams & Richard Clark	Welsh Government
Matthew Llewellyn & Trystan James	Natural Resources Wales
Caroline Thornton	Scottish Environment Protection Agency (SEPA)
Anne Wood, Mide Beaumont & Lucy Seymour-Bowdery	Department of Communities and Local Government (DCLG)
Lisa Hathway	National House Building Council (NHBC)
Alex Lee	Society of Brownfield Risk Assessors (SoBRA) – Lucy Thomas attended on behalf of SoBRA
David Middleton & Nicola Riley	Defra
Richard Boyle	Homes and Communities Agency (HCA)
Tony Mulhall	Royal Institution of Chartered Surveyors (RICS)
Rachael Davies	Welsh Contaminated Land Working Group
Andrew Wiseman	UKELA & EP UK
Steve Manning	Wiltshire Council

Peter Witherington	Home Builders Federation (HBF) – Lucy Thomas attended on behalf of HBF
Rob Ivens	Mole Valley Council
Euan Hall	Land Trust (LT)
Neil Parry	AGS – Seamus Lefroy Brooks attended on behalf of AGS
Doug Laidler	SAGTA – Frank Evans attended on behalf of SAGTA

**Corresponding Members:**

Tony Lewis	Chartered Institute of Environmental Health (CIEH)
Julia Thrift	Town and Country Planning Association (TCPA)
Peter Johnson	UK Build/UK Strategic Forum for Construction
John Silvester	Planning Officers Society

**Agenda**

1. Welcome and Apologies
2. Introductions of represented organisations
3. Review of previous minutes & actions
4. Update from Government Departments and Environment Agencies
  - Welsh Government & Natural Resources Wales
  - Scottish Government & Scottish Environment Protection Agency
  - Department of Agriculture, Environment & Rural Affairs & Environment Agency Northern Ireland
  - Department for Communities & Local Government
  - Defra Soil and Contaminated Land Team
  - Environment Agency
  - Homes & Communities Agency
5. Update from Industry Groups including but not limited to:
  - SAGTA
  - SoBRA
  - SiLC
  - AGS
  - HBF
  - NHBC
  - EPUK, UKELA
  - CLAIRE
  - EIC
  - YALPAG

- CLOG
  - WCLWG
6. ISO/BSI Standards update: what's new
  7. NQMS Steering Group – update
  8. Discussion Topics
    - Asbestos in Soils – Brownfield skills Competency Framework Task Group
    - Lack of Resources for Contaminated Regulations in EA and LPA
    - Natural Capital
  9. AOB
  10. Date and location of next meeting

## Meeting Notes

### 1) Welcome & Apologies

Lucy Thomas (LT) welcomed everyone and apologies were given. It was noted many last minute apologies had been received due to illness. LT confirmed that she would be chairing the meeting in the absence of Paul Sheehan (PS) and as that would have been PS last meeting she conveyed the Land Forum's thanks for his chairmanship over the last two years. LT will now become the chair. Housekeeping and a health and safety awareness briefing was provided.

### 2) Introductions of represented organisations

Introductions were performed around the table and on the phone.

### 3) Review of Previous Minutes & Outstanding Actions

All actions were completed or are to be discussed as part of the meeting.

### 4) Update from Government Departments and Environment Agencies

#### Welsh Government

Richard Clark (RC) apologised for not attending, he was at a conference in Wales. He provided an update on the activities of Welsh Government (WG). A total of 15 bids were submitted to the 2017/18 Welsh Government Contaminated Land Capital Fund and 10 of these were successful following panel assessment. Seven of these are for Local Authority site investigation work and three are for NRW metal mine remediation projects. Work is now underway, and they anticipate the first claims / reports in January (the work needs to be completed during this financial year). WG are currently exploring future funding options for the programme.

### Natural Resources Wales (NRW)

Matthew Llewellyn (ML) apologised that he was unable to attend, he was attending a conference in Wales. He provided an update on the activities of NRW.

NRW was successful in receiving funding for 2 former metal mine sites from the Welsh Government's Contaminated Land fund 17/18. NRW had 3 successful bids, one capping works and two treatment trials at the two former mines. Capping works is progressing and they have just carried out tendering for the treatment trials. Whilst not formally determined as Contaminated Land special sites under Part 2A, the wider terms of the Welsh Government fund still allowed NRW to bid. NRW has received its first NQMS report via planning as a consultee. Comments will be fed through the NQMS steering group.

### Scottish Government & Scottish Environment Protection Agency

Caroline Thornton (CT) was unable to attend in person. Unfortunately, a report was not provided.

### Department of Communities and Local Government (DCLG)

Representatives from DCLG were unable to attend the meeting but sent a short report to be shared with the Land Forum. This is copied below.

### **Brownfield Register and Planning in Principle**

DCLG published planning practice guidance in relation to brownfield land registers and permission in principle in July 2017. See: <https://www.gov.uk/guidance/brownfield-land-registers> and <https://www.gov.uk/guidance/permission-in-principle>.

This was supported by a data standard for local authorities.

See: <https://www.gov.uk/government/publications/brownfield-land-registers-data-standard>.

Local planning authorities are required to publish their registers by 31 December 2017.'

### **Planning**

#### **Recent consultations**

The consultation *Planning for the Right Homes in the Right Places* closed on 9 November 2017 and officials are analysing responses. The Government intends to publish a draft revised National Planning Policy Framework (NPPF) early in 2018.

#### **Budget**

DCLG will support the delivery of 300,000 homes by ensuring enough land is made available in places where people want to live and the market can support more homes. This package will support and enhance our existing reforms from the housing

White Paper and will ensure that we plan for the right homes in the right places. Taken alongside our financial reforms and reforms to the agency, this package will directly increase housing supply by 2021 and beyond. These measures will:

- Help us plan more effectively for the homes that are needed – This includes: deallocating sites from plans if they are unlikely to be developed; intervening where there is a failure to progress local plans; boosting the housing opportunities of young people and first time buyers through a new ‘exception site’ policy; increasing densities in urban areas; making it easier to convert retail and employment land into housing; utilising space above shops for homes, going further on permitted development right, and supporting local authorities to use existing Compulsory Purchase Powers to assemble land.
- Ensure that planning permissions are built out faster – This includes: strengthening the Housing Delivery Test; going further to promote small sites to speed up the building of new homes and increase competition; removing exemptions from the deemed discharge procedure for planning conditions; launching a review of build out; and introducing a national database of planning permissions.
- DCLG need to ensure that the impact of these changes is seen at the earliest opportunity. Therefore this package will be taken forward in 2018, in particular through the review of the National Planning Policy Framework.
- These measures will be supported by reform of the system of developer contributions to ensure that new house building includes the affordable housing and infrastructure that are needed.

NH confirmed that better dialogue is now occurring with DCLG and it is hoped that a face to face meeting will be possible particularly to inform DCLG more fully on the NQMS and to offer its support to help make better guidance in relation to land contamination and brownfield activities. Those attended noted that DCLG plan to issue a revised NPPF in early 2018, therefore it is very important to try and arrange a meeting as soon as possible.

**ACTION: LT, SLB & NH to follow up with DCLG to try and arrange a meeting regarding the updating of the NPPF.**

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

Theresa Kearney was unable to attend and unfortunately a report was not submitted.

Defra Soil and Contaminated Land Team

Representatives from Defra were unable to attend the meeting but sent a short report to be shared with the Land Forum. This is included below.

- Willenhall: Inspector's Report on the appeal and on the costs award under an Environmental Information Regulations request has now been published. Details are available here:

<http://www2.walsall.gov.uk/PublicRegister/pollutioncontrollist.asp?sFolder=Contaminated%20Land%20Public%20Register/>

- The second case study for the Contaminated Land Expert Panel will be published shortly.

#### **Post Meeting Note:**

Case Study 2 has now been published and is available:

<https://www.claire.co.uk/component/phocadownload/category/1-publications-library?download=617:expert-panel-case-study>

Land Forum members asked that Defra are encouraged to continue its engagement with the Common Forum (European Regulatory Forum) even after Brexit, as it has a lot to offer with regards the UKs policy and practice for dealing with the remediation of contaminated land. The UKs processes and procedures for dealing with land contamination are a great exporting opportunity as their approach is world leading. Land Forum members would like to encourage Defra to help promote the UK expertise as other countries government departments do.

#### **ACTION: NH to discuss with Defra**

##### Environment Agency (EA)

Angela Haslam (AH) from Environment Agency attended and provided an update of their activities. She notified the Land Forum of the following:

**2013 Euratom Basic Safety Standards Directive (BSSD) (2013/59/EURATOM)** which lays down safety standards for protecting against the dangers arising from exposure to ionising radiation. This Directive has to be transposed by 6 February 2018, BEIS has responsibility for co-ordinating and reporting UK transposition to the European Commission and Member States. This directive also covers emergency exposure situations therefore there will be a need to make minor changes to the Radioactive Contaminated Land Regime (Regulations and Statutory Guidance) to implement Articles 73, 100, 101 and 102 of the 2013 Directive.

Consultation on the RCL statutory guidance and amendments to the RCL regime is likely to be launched in December/early January 2018.

An earlier BSSD consultation on the revised requirements for radiological protection: regulation of public exposures and the justification of practices gives some good background information.

<https://www.gov.uk/government/consultations/revised-requirements-for-radiological-protection-regulation-of-public-exposures-and-the-justification-of-practices>

### **Definition of Waste: Development Industry Code of Practice (DOW:CoP)**

AH confirmed that DoW:CoP v3 is currently being reviewed by their waste and legal team. Jonathan Atkinson is leading this role on behalf of the EA.

### **Updating Guidance**

As previously discussed, the EA are keen to update guidance with industry's help. They are looking to work with SAGTA regarding organising a workshop in Spring 2018 to discuss how best to update the Guiding Principles and potentially widening its scope.

### **National Quality Mark Scheme**

AH confirmed that they had republished their position statement supporting the NQMS in GP3 to bring inline with the .gov.uk publication guidelines. By republishing the position statement this has created additional exposure and promotion for the NQMS. AH confirmed that they will be raising the profile of the NQMS within their sustainable places teams and working with them to gather feedback on the quality of declarations. So far the feedback they have received on the quality of the reports is good however there have not been many reports submitted under the scheme yet to perform a proper audit. AH confirmed that they will be promoting the scheme more widely and will be referencing within their own procurement documents for capital works projects.

### **CLR11**

AH explained that her colleague is currently looking at how best to publish the key sections of CLR11 on gov.uk. AH confirmed that they are not looking at rewriting the document, the full document will still be linked to from the gov.uk to CL:AIRE's Water and Land Library (WALL) [www.claire.co.uk/wall](http://www.claire.co.uk/wall). There is a lot of repetition in CLR11 so it will only be the key messages and key flow charts looking to be reproduced onto gov.uk.

### **Capital Works**

Currently the EA are undertaking site inspections as part of their capital works on special sites. Six sites are actively being investigated. Progress is being updated on the new EA Geoscience twitter account:

Twitter: @GeoscienceEA

### **Homes and Communities Agency (HCA)**

Richard Boyle (RB) was unfortunately unable to attend the meeting. RB highlighted the Channel 4 Dispatches programme on the HCA. As a result of the programme HCA has produced a formal response which can be accessed here:

<https://www.gov.uk/government/news/hca-response-to-dispatches-programme>

## 5) Update from Industry Groups

### **AGS**

Seamus Lefroy-Brooks (SLB) provided an update of activities on behalf of AGS – Contaminated Land Working Group. He informed the Land Forum that AGS has recently issued an e-magazine which provides highlights of its different working groups activities. AGS are currently working on updating the following guidance documents:

- AGS Guidelines to Good Practice in Geoenvironmental Ground Investigation
- Guidance on the description of Made Ground
- Environmental Sampling Guidance
- AGS Cover Systems

SLB also informed the Land Forum that AGS are also preparing a Waste Classification - practitioners' guide.

Paul Nathanail (PN) asked whether AGS plans to update the Asbestos Guidance as there are a number of the references now out of date. SLB explained that this document has been moved to the Safety Working Group and therefore suggested that PN contacts the secretariat.

**ACTION: PN to contact the secretariat of AGS**

### **SiLC**

PN provided an update on behalf of SiLC informing the Land Forum that the new chair of the Professional and Technical Panel (PTP) is transitioning to Paul Burden who will be attending the Land Forum going forward. He reported since the launch of the NQMS there has been an upturn in numbers taking the SiLC exam which has been adapted to include the NQMS.

The next Annual Forum date has been set for Thursday 19<sup>th</sup> April 2018 at the Royal Society of Chemistry in London.

### **NHBC**

Lisa Hathway (LH) unfortunately was unable to attend the meeting but sent a report. This is copied below.

### **Statistics**

UK Monthly Housing supply update for October 2017 shows that the number of houses being built is up from the same time last year

### **Corporate issues**

NHBC new Chief Executive Officer, Steve Wood joined NHBC in June 2017. Further information is available:

<http://www.nhbc.co.uk/media-centre/articles/pressreleases/Steve-Wood-New-NHBC-Chief-Executive/>

### **Events**

NHBC Pride in the Job 2017: Regional Award ceremonies around the UK are now complete. The Pride in the Job Supreme Awards Ceremony will be taking place on

Friday, 26 January 2017. All the 2017 Quality Award, Seal of Excellence and Regional winners can be viewed on their website at:

<http://www.nhbc.co.uk/AwardsandEvents/Pride-in-the-job/>

NHBC Health and Safety Awards 2018 will be open for entries until 30 November 2017. Visit the website at [www.nhbc.co.uk](http://www.nhbc.co.uk)

### **Research**

NHBC Foundation published NF78 *'Windows – making it clear: energy, daylight and thermal comfort'* in September 2017

C4SL Phase 2 Project - NHBC is represented on the C4SL Steering Group.

### **Standards Update**

Standards 2018 is now available. The 2018 NHBC Standards will come into force for every new home registered with NHBC where foundations are begun on or after 1 January 2018. Standards 2018 will be the first printed edition in two years and includes:

- A new clause 7.2.24 'Spandrel panels'
- Chapter 6.11 'Render and rendering systems', which became effective in 2017, now incorporated into the printed version.

Hard copies are available to purchase from their online shop ([www.nhbc.co.uk/shop](http://www.nhbc.co.uk/shop))

Standards Plus 2018 is freely available online ([www.nhbc.co.uk](http://www.nhbc.co.uk))

### **Fire safety in apartment buildings**

NHBC has provided information on fire safety in apartment buildings to assist homeowners and builders, <http://www.nhbc.co.uk/media-centre/articles/news/builders-fire-safety-in-apartment-buildings/> and <http://www.nhbc.co.uk/media-centre/articles/news/homeowners-fire-safety-in-apartment-buildings/> respectively.

NHBC has recently published new guidance on the use of combustible materials within the external wall construction of buildings over 18m in height. The guidance is available via the web link

<http://www.nhbc.co.uk/cms/publish/consumer/media-centre/downloads/New-guidance-on-the-use-of-combustible-materials.pdf>

It was asked whether there were any records of how many of the new build houses are on brownfield land. NH explained that this information was not available on the data sheet but will ask.

**ACTION: NH to ask NHBC for data of new builds on brownfield sites.**

### **SoBRA**

Lucy Thomas (LT) provided an update on behalf of SoBRA. She confirmed that they are continuing to accredit risk assessment professionals. Due to the increase in workload that the accreditation scheme has brought, they have recently appointed an administrator.

SoBRA has had their Christmas conference with the Royal Society of Chemistry in early December titled "New development in risk assessment". Next year they are planning an

early careers event. The next application window for SoBRA accreditation is open until 28<sup>th</sup> January 2018. There are currently 47 registered (RSoBRA) or fully accredited (ASoBRA) risk assessors.

SoBRA is currently creating a vapour intrusion working group with the draft terms of reference currently being prepared. The asbestos in soil working group recently held a workshop to discuss some of the outstanding issues relating to asbestos in soil to look at how these could be moved forward. The Acute Generic Assessment Criteria (AGAC) working group is close to publishing a set of examples AGACs. Once published this working group will cease. The Standards working group is continuing to monitor activities where they can input in relation to risk assessment. A bursary has been awarded to Newcastle University who are researching biomonitoring. SoBRA is also currently looking into changing their constitution into charity status.

SoBRA supported the Geological Society Janet Watson conference with a series of presentations. The Geological Society Contaminated Land Special Interest Group welcomed SoBRA's support.

#### **EPUK, UKELA & Law Society England**

Andrew Wiseman (AW) was unable to join the meeting so unfortunately no update was available.

#### **CL:AIRE**

NH confirmed the following CL:AIRE activities were being undertaken.

#### **Definition of Waste Code of Practice (DoW CoP)**

Version 3 Draft remains with the EA & NRW legal teams. CL:AIRE still does not have a time frame for publication.

#### **Statistics Guidance**

Guidance on Comparing Soil Contamination Data with a Critical Concentration is moving forward with a first draft document presented to the steering group at the end of October. The Steering Group met at the end of October and discussed the changes. A request for case studies had been made to industry for good and not so good examples where statistics had been used.

The next draft is due at the end of January 2018 with a steering group call scheduled soon after. CL:AIRE is aiming for publication in the Spring 2018.

#### **Asbestos in Soil**

Continuing to work on the code of practice elements not covered by other guidance such as waste and transport. In addition, engaging with training providers to standardise syllabi and delivering training to support the publication of CAR-SOIL which has been downloaded +13,500.

#### **SuRF-UK**

SuRF-UK steering group met at the beginning of September. It has a new chair that is being shared between Paul Bardos and Hayley Thomas. Currently the group is prioritising how best to engage with stakeholders.

### **International SuRFs**

New sustainable remediation forums are forming with the newest addition being SuRF-China which was launched in October 2017. SuRF-UK is looking to support SuRF-China as much as possible.

PN welcomed SuRF-UK support for SuRF China and feels that this again is a great opportunity for the UK government to promote UK business and practices, as the UK is one of the leaders in sustainable land management. He feels China has recently changed their approach to land remediation and are now more receptive to the risk based land management approach the UK has followed since before the early 1990s. He sees this as a great opportunity to promote UK business.

### **ACTION: NH to relay PNs message to Defra**

### **Contaminated Land Expert Panel**

A new case study has been written up and is awaiting approval for publication.

Post Meeting:

The case study has now been published and is available:

<https://www.clare.co.uk/component/phocadownload/category/1-publications-library?download=617:expert-panel-case-study>

### **Training**

CL:AIRE is continuing to develop training in line with the suggestions of the training working group, this includes training to support CL:AIRE publications such as asbestos in soil, Definition of Waste:Development Industry Code of Practice as well as new online elearning modules to support their existing introduction to soil and groundwater risk assessment, remediation technologies and sustainable remediation. Recent tenders were sent out to develop further online training modules for introduction to site investigation.

### **EIC**

Jane Thrasher (JT) confirmed that Environmental Industries Commission (EIC) recently had a meeting where a mixture of presentations and topic discussions were had.

### **C4SL**

Simon Firth provided an update on the C4SL project that is now moving forward with EIC on the steering group.

### **NQMS**

EIC are represented on the NQMS Steering Group and report at each meeting.

JT explained that there was also a discussion around concerns of the quality of remediation of land contamination when being dealt with as part of the planning process. It is felt by their members that land contamination is not being addressed adequately and therefore there could be repercussions later for house owners. Currently there is anecdotal evidence of poor practice and EIC are going to be writing to their members to gather more evidence and then start to lobby Government.

SLB confirmed that this topic is going to be discussed later as a discussion topic as it had been raised from other groups as well.

### **SAGTA**

Frank Evans (FE) provided an update on behalf of SAGTA on their current activities, this includes:

#### **• C4SL Phase 2 project**

FE confirmed that the C4SL Phase 2 project has been reinvigorated and SAGTA are driving this project forward. Contracts and terms of references to appoint the Project Manager, Tier 1 toxicologists, Tier 2 toxicologists and exposure modellers are in the final stages. Workshops for the chosen toxicologists and exposure modellers were held on 28<sup>th</sup> and 29<sup>th</sup> November 2017. Twenty contaminants have been selected following consultation. A steering group has been meeting regularly to discuss governance and how the project will be delivered. It is made up of Land Forum members and PHE, demonstrating that the project is totally collaborative.

Updates for the project will be provide on a dedicated website [www.claire.co.uk/c4sl](http://www.claire.co.uk/c4sl) (not currently live) and at Land Forum meetings.

#### **• Steering Groups, initiatives and consultations**

- SAGTA has representation on: Comparing Soil Contamination Data with a Critical Concentration: Participation in Steering Group considering scope of revisions to current guidance
- EA Guiding Principles: Participation in EA's initial initiative to consider feasibility and approach to refreshing its Guiding Principles document. SAGTA is currently working with the EA to organise a workshop in the Spring.
- NQMS Panel: Ongoing participation

### **Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)**

Julia Reynolds (JR) confirmed that YALPAG had a recent training event where amongst others Chris Taylor of National Grid presented on their approach to stakeholder engagement. JR confirmed that YALPAG greatly appreciated this presentation along with all the presentations given on the day. JR confirmed that she was going to make enquiries with all the YALPAG members whether YALPAG would be willing to issue a position statement regarding the NQMS.

### **Lancashire Contaminated Land Officer Group (CLOG)**

Mark Edward (ME) explained that Lancashire CLOG was reconvening and is currently looking for speakers for upcoming events. He confirmed that they welcomed CL:AIRE's free local authority membership scheme recently launched.

### **Welsh Contaminated Land Working Group (WCLWG)**

Rachael Davies (RD) was unable to attend but provided the following update. The Group has a new Chair for 2018 – Rachel Thomas (Pembrokeshire County Council).

Following the submission of applications, 4 Local Authorities in Wales (Flintshire, Wrexham, Anglesey and Pembrokeshire) have been granted funding from Welsh

Government to carry out Part2A assessments. Multiple applications were made by 2 of the 4 LA's. The sites include landfills, historical metal mines and metal smelting works. Natural Resources Wales were also granted funding.

As one of its series of advisory booklets, the Group has reviewed its advice booklet on preventing leaks and spills from domestic heating oil tanks and it'll be available/distributed in the New Year.

The Group's updated guide for developers is now available.

#### 6) Standards

Mike Smith (MS) had sent details about the number of standards that are currently in preparation through British Standard. A summary list of these documents can be found here:

<https://www.claire.co.uk/component/phocadownload/category/26-landforum?download=622:land-forum-standards-update-november-2017>

It was suggested that with Brexit and the UK moving away from CEN, how are BSI going to engage more positively with ISO. Britain currently has not been providing support for the ISO secretariat, will this change going forward?

It was noted that there have been some changes made to the recently revised BS 10175 but there are still inconsistencies with sampling.

**ACTION: NH will forward the query to Mike Smith**

#### 7) National Quality Mark Scheme for Management of Land Contamination (NQMS)

SLB provided an update on the NQMS scheme. He confirmed that the NQMS Steering Group met recently and agreed Terms of Reference for the training provider (SiLC) and the disciplinary procedures for the SQP. The administrator confirmed that 84 SQPs are now registered and 20 declarations. The EA has prepared an auditing template for internal use and it was felt that this template could easily be adapted and used by local authorities. The steering group will be taking this forward as an action. The steering group also talked extensively about raising the awareness of the scheme. This includes within central government through DCLG. This has started. Publicity of the NQMS is also going to be made with the wider construction groups through the publication of a simple flyer to explain the benefits of using the scheme. This is also an activity that the steering group will be taking forward. The steering group has asked for feedback from regulators and SQPs. There is limited feedback at present but what feedback has been received is mainly positive.

#### 8) Discussion Topics

**Asbestos in Soils – Brownfield skills Competency Framework Working Group**

LT informed the Land Forum that the working group met and have drafted a terms of reference. This is currently in draft for sign off. The group discussed the best way to identify the competency of individuals in relation to different activities that are required under the CAR 2012 Regulations and to link to the National Brownfield Skills Development Framework. It was agreed that competencies will be mapped for each regulation as specific responsibilities sit under different regulations. It was agreed that regulation 2 & 3 would be tackled first in draft and circulated to other brownfield professionals in the steering group. Once the brownfield professionals are happy then these examples, these will be shared with the asbestos professionals to show the Land Forum's thinking. This activity will then be broadened out to other regulations. In the Spring it is anticipated to reach out to the asbestos industry. It was acknowledged that Piling Contractor Association and British Drilling Association are two important groups to work with to ensure competency frameworks are aligned.

### **Lack of Resources for Contaminated Regulations in EA & LPA**

SLB lead this discussion topic. He explained that this follows on from EIC discussions and was also raised at the last CL:AIRE TRG meeting. Anecdotally there is evidence of poor practice creeping into development such as gas membranes not being installed, conditions being signed off prior to work being carried out etc. SLB wonders whether others have noticed this and whether there is appetite to gather more evidence that could perhaps be presented to DCLG as evidence that due to lack of resources in EA & LPA that some unscrupulous developers are getting away with things that they should not.

There was discussion that perhaps it is lack of training of the planning departments to be able to identify potential more risky sites and the poor engagement of contaminated land professionals within LAs. Perhaps better clarity for Section 120 & 121 of the Planning Policy Framework could be written better and give more guidance. Could the Land Forum make recommendations to DCLG as they have acknowledged that the NPPF is going to be updated. Would this be a good opportunity for DCLG to signpost to the NQMS to help identify a competent person?

It was agreed as a matter of urgency to write to DCLG and ask for a meeting and offer to help drive standards in the brownfield sector.

### **ACTION: NH, SLB & LT – to try and arrange a meeting with DCLG**

#### **Natural Capital**

Paul Sheehan (PS) was unable to attend but informed the Land Forum that he is working jointly with NICOLE who have set up a working group on Land Stewardship. There is a good fit with the Natural Capital work and this will bring in international work as well. Terms of reference are currently being set for NICOLE's working group. PS will report back at the next meeting.

#### **AOB**

#### **Land Forum name change?**

There was a short discussion whether the Land Forum should change its name back to The National Brownfield Forum in light that brownfield now has a higher profile within government policies. The objective of the Land Forum, to promote the sustainable use of land, and its aims would remain unchanged. It was acknowledged several members

would likely disagree with a name change, many felt that going back to the original name would help external bodies understand the focus of the Land Forum.

It was agreed that members should be asked their opinion and a vote could occur.

**ACTION: NH to prepare a note for circulation to members and a voting mechanism.**

#### **Deputy Chair nominations**

NH reminded those that attended that now LT is chair a deputy needs to be appointed. It was asked if previous chairs can be nominated again. It was felt that this is possible. NH reminded people that the organisations represented on the Land Forum can nominate anyone within their organisation, it did not need to be the representative that currently sits on the forum. If there is more than one nomination, then a secret ballot will be performed. There is one vote per organisation

**ACTION: NH to write to all organisations asking for nominations**

AH highlighted an upcoming Chalk Hydrogeology conference being run by the Geological Society Hydrogeological Group). Day 2 has a focus on Land Contamination issues affecting Chalk groundwater quality.

<https://www.geolsoc.org.uk/HG-Hydrogeology-of-the-Chalk>

Deadline for abstracts is currently - 18th December 2017 which can be emailed to the following:

[abstracts@hydrogeologyofthechalk.org.uk](mailto:abstracts@hydrogeologyofthechalk.org.uk)

PN raised the Geological Society's wish to be a full member of the Land Forum because of the large number of chartered geologists that are currently NQMS SQPs. PN suggested that he could represent both SiLC and the Geological Society as a member of its Contaminated Land Specialist Group and liaison with the Engineering Group so there would not need to be an increase of numbers attending meetings. The suggestion was welcome. Angela Haslam also offered to represent the Contaminated Land Specialist Group. NH confirmed that Jane Dotteridge (chair of the Geological Society Contaminated Land Specialist Group) had also raised this point recently.

**ACTION: NH to write to the Geological Society inviting them to be a full member of the Forum.**

There were no further discussion points.

As there was no further discussion points, the meeting was drawn to a close.

#### **9. Date and location of next meeting**

NH confirmed the next meeting will be held in March/April 2018 at a venue to be confirmed.