

National Brownfield Forum

Meeting Notes

24th November 2020, 11.00am – 3.00pm Teleconference



FINAL

Present:

Paul Nathanail (<i>Chair</i>)	GHD
Nicola Harries (<i>Secretariat</i>)	CL:AIRE
Caroline Thornton	Scottish Environment Protection Agency (SEPA)
Harriet Cooper & Rachel Boulderstone	Department for Environment, Food and Rural Affairs (Defra)
Alan Scott	Ministry of Housing, Communities & Local Government (MHCLG)
Brian McVeigh	Department of Agriculture, Environment and Rural Affairs and the Northern Ireland Environment Agency (NIEA)
Matthew Llewellyn & Trystan James	Natural Resources Wales
Simon Cole	Society of Brownfield Risk Assessment (SoBRA)
Ian Evans	Specialist in Land Condition (SiLC)
Angela Haslam	Environment Agency (EA)
Seamus Lefroy Brooks	Chair of NQMS Steering Group
John Cleland	Geological Society
Tim Elliott	Royal Institution of Chartered Surveyors (RICS)
David Rudland	Environmental Protection UK
Stella Keenan	Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)
Rebekah Norbury	National Contaminated Land Officers Group
Jane Thrasher	Environmental Industries Commission (EIC)
Vivien Dent	Association of Geotechnical and Geoenvironmental Specialists (AGS) (part of the meeting)
Steve Edgar	The Society of Remediation Practitioners (REMSOC)
Frank Evans	Soil and Groundwater Technology Association (SAGTA)
Lucy Thomas	Home Builders Federation (HBF)
Joanne Kwan	CIRIA

Invited:

Mohammed Arif	University of Wolverhampton-National Brownfield Institute (afternoon only)
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Apologies:

Emma Tattersdill	UK Environmental Law Association (UKELA)
Richard Boyle	Homes England
Lisa Hathway	National House Building Council (NHBC)
Andrew Williams & Joanne Smith	Welsh Government (WG)
Paul Sheehan	Chair of Land Stewardship/Natural Capital Working Group
Rachael Davies	Flintshire Council & Welsh Contaminated Land Working Group
Hallan Sambrook	Staffordshire Contaminated Land Officer Group
Max Tolley	Royal Town Planning Institute
Darren Beriro	British Geological Survey
Eddie Tuttle & David Philp	Chartered Institute of Building
Julia Thrift	Town and Country Planning Association (TCPA)
Philip Ridley	Planning Officers Society
Euan Hall	Land Trust

Agenda

1. Welcome and Apologies
2. Introductions of represented organisations
3. Scottish presentation
4. Review of previous minutes & actions
5. Update from Government Departments and Environment Agencies
6. Brief Roundtable Update from Industry Groups
7. Standards Update
8. National Brownfields Institute – Presentation and Questions
9. Sub Group – National Quality Mark Scheme Update
10. Sub Group – Land Stewardship/Natural Capital Working Group Update
11. AOB
 - a. UKAS
 - b. Gasworks Communities United
12. Date and location of next meeting

Meeting Notes

1) Welcome & Apologies

Paul Nathanail (PN) welcomed everyone and apologies were given. PN reminded attendees that this meeting was supposed to be hosted by SEPA and Scottish Government in Edinburgh but sadly due to COVID-19 this was not possible. Hopefully, the National Brownfield Forum (NBF) will be able to travel to Scotland in 2021.

2) Introductions of represented organisations

Introductions were performed.

3) Scottish Vacant and Derelict Taskforce Presentation

Caroline Thornton (CT) provided a presentation on the Scottish Vacant and Derelict Land (VDL) Taskforce and shared the results and recommendations of the task force. CT confirmed that currently there is 11,000 hectares of VDL, which is felt to be diverse in nature but often fragmented. The taskforce has acknowledged that this is a large amount of land that has huge potential. The taskforce aims to transform Scotland's approach to tackling VDL and has developed 13 recommendations to implement this change. These are outlined in the following presentation and available to download here:

https://www.claire.co.uk/component/phocadownload/category/68-2020?download=757:nbf_scottish-vacant-derelict-land-presentation

The NBF attendees felt that Scotland's approach was very inspirational and welcomed its long term vision. It felt that other parts of the UK could learn from their approach.

4) Review of Previous Minutes & Outstanding Actions

Outstanding actions were addressed within the meeting.

5) Update from Government Departments and Environment Agencies

MHCLG

Alan Scott (AS) was welcomed. AS confirmed that currently MHCLG has not moved forward the development of the online brownfield mapping tool referred to in previous meetings due to other work streams. He confirmed that the recent Planning for the Future consultation closed on the 29 October 2020. MHCLG received in excess of 40,000 responses which they are currently reviewing.

AS also confirmed that the Home Building Fund has been increased to £4.5 billion to increase the number of new homes being built in England.

- The **£4.5 billion Home Building Fund** provides loans for new housing in two ways:
 - the **£2 billion long-term fund** supports delivery of larger sites, mostly brownfield, through loans for infrastructure and site preparation;
 - the **£2.5 billion short-term loan fund** (a further **£450m** will be made available as announced by the Prime Minister in June) supports small and medium enterprises, custom builders and construction innovators to build housing, including some on brownfield.

Further information is available: <https://www.gov.uk/government/publications/home-building-fund>.

- Revised **Permitted development and Use Class** rules allow 2 new storeys for new homes on top of purpose-built blocks of flats; new space on top of houses in certain circumstances; and conversion or replacement of disused commercial, industrial and other buildings with residential, if well-designed and sustainably located.
- The **£1.3 billion Land Assembly Fund** enables Homes England and the Greater London Authority to work with developers on strategic sites for housing, including new settlements and urban regeneration schemes.
- The **Local Authority Accelerated Construction Fund, Small Sites Fund and Land Release Fund** are helping to unlock stalled public sector sites for housing through remediation and infrastructure investment.
- The **£400 million Brownfield Fund** allocated to 7 Mayoral Combined Authorities - West Midlands, Greater Manchester, West Yorkshire, Liverpool City Region, Sheffield City Region, North of Tyne, and Tees Valley - will enable around 26,000 new homes on brownfield land.
- The **Housing Infrastructure Fund** has allocated nearly £4.1 billion for provision of infrastructure for housing projects, including some on brownfield.
- **Land Remediation Relief**: a deduction of 100% from corporation tax, plus a deduction of 50%, for qualifying expenditure incurred by companies cleaning up contaminated land acquired from a third party. (HM Revenue and Customs is responsible for this policy.)
- Government has announced a £30 million boost to the **Land Release Fund and the One Public Estate** programme, to help release surplus land for housing and support local economies hurt by Covid-19. The money is to be allocated by 31 March 2021. The Land Release Fund focuses on small sites and supporting SME builders. Councils will be able to bid for a share of £20 million to help pay for remediation and infrastructure so that unused surplus land can be used for new homes where they are needed most. The fund is supporting 73 council projects, potentially enabling more than 6,000 homes. The One Public Estate programme will provide a further £10 million to support the earliest stages of these developments. Partnerships can bid for a share of this money, to go towards practical support for property programme.

Statistics

- The most recent land-use change figures (2017-18) show that 53% of new homes delivered were on brownfield land (source: *Land use change statistics in England: 2017-18* (31 May 2019)).
- In 2017-18, 32% of the area changing to residential use was brownfield.
- MHCLG estimate that, at 1 April 2018, 8.3 per cent of England is in a developed use. 91.5 per cent is non-developed, with 0.2 percent vacant.
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/900910/Land Use in England 2018 - Statistical Release.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/900910/Land_Use_in_England_2018_-_Statistical_Release.pdf)
- All local authorities in England now publish registers of brownfield land suitable for housing. Brownfield registers include data on sites, numbers of dwellings, area, etc:
<https://data.gov.uk/search?q=Brownfield+registers>
- MHCLG's analysis of data from local authority websites suggests that there are over 28,000 hectares of developable brownfield land across England; enough for at least a million dwellings. But not all are located where people are keen to live.

DEFRA

Rachel Boulderstone (RB) from the soils team introduced herself and gave an update of activities on behalf of DEFRA. RB confirmed that they are working on soil health and how best to measure and monitor it to meet government targets. RB confirmed that she would share the outcomes of their research at the next NBF.

RB also confirmed that they are keen to understand how well the Part 2A legislation is working.

Environment Agency (EA)

Angela Haslam (AH) provided an update on behalf of EA. She confirmed that Land Contamination Risk Management guidance (LCRM) was published on the 8 October 2020 and CLR11 has now been officially withdrawn. All searches for CLR11 will now automatically be redirected to LCRM on .GOV.UK. So far LCRM has been well received and is a very popular web page. AH confirmed that the EA plan to only carry out periodic updates but now it is web based these changes can be made more easily. There are always opportunities to provide informal feedback through the website.

AH confirmed that the next guidance that the EA will be looking to update and make more accessible on .GOV.UK are the Remediation Position Statements and permitting requirements for remediation.

AH confirmed that phase 2 of the PFAS research work has now started and has been awarded to Jacobs. This phase will be extending phase 1 work which was a desk based study identifying potential sources of PFAS and creating an inventory of typical sites and their risk profile in relation to the environment. Phase 2 is now looking at testing the decisions matrix on real sites to help create a hierarchy of risk profiles across England. In addition, phase 2 will be delivering a series of internal training courses for EA officers to raise the awareness of PFAS across the soil and groundwater business. The PFAS project is also being shared with Natural Resources Wales and SEPA.

Welsh Government – Environment

A representative from Welsh Government was unable to attend the NBF meeting but confirmed that there were currently no updates to share.

Natural Resources Wales (NRW)

Matthew Llewellyn (ML) and Trystan James (TJ) provided an update on behalf of Natural Resources Wales (NRW). ML confirmed the following:

- NRW is working to take LCRM through the series of internal approval boards so that it can be formally adopted by NRW. In the interim before that formal adoption happens (and now that CLR 11 has been archived) NRW have been making more reference to guidance such as the Welsh guidance document 'Land contamination: A developer's guide' but looking to adopt LCRM as soon as possible.
- PFAS: ML explained that NRW is conscious of the work being done by Environment Agency to develop their strategy. He confirmed that NRW is some way behind but starting to put heads together to develop a strategy which will give NRW an initial understanding of the problem (adding LC-MS semi-quantitative scan to GW quality network) and also implementing new knowledge around potential sources into how NRW regulate via planning/permitting etc.
- Remediation position statements (RPS) replacement (regulatory controls for land contamination remediation): NRW has been working with the EA and collaborating on the work they're doing revising RPSs. The main aim which NRW is confident that they can achieve is to keep that common approach to how NRW regulate and permit soil and groundwater remediation across England and Wales.
- Preparatory work IMPEL Project to develop 'A green transition regulatory strategy to support the management of end of life towards a satisfactory transition or closure'. The projects start in January 2021. NRW has been looking at sites which may be relevant to the project
- Ongoing refinement of Brexit risk register is in preparation for the New Year. Short/medium term changes to land use practices are a focus for NRW in Geoscience.
- Welsh Land Contamination Working Group has been running a series of virtual training this Autumn as opposed to their usual get together in Mid Wales. It's about half way through and the theme is 'Ground & Mine gas monitoring, risk assessment and protection'.

TJ updated the NBF that the upcoming International Mine Water Conference that is to be held in July 2021 in Newport is likely to be a hybrid event, details are still being worked through. Welsh Government, NRW, Cardiff University and Coal Authority are jointly hosting it. Further information is available here:

<https://www.imwa.info/imwaconferencesandcongresses/imwa-symposia/308-imwa-2021-announcement.html>

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

Brian McVeigh (BMc) provided an update on behalf of NIEA and DAERA. He confirmed that he continues to cover Theresa Kearney's role while she is on secondment. BMc confirmed the following:

- Part 3 of the Waste and Contaminated Land Order (1997) risk assessment report was published on the DAERA website in September 2020. The purpose of this report is to address the Public Accounts Committee recommendation with Local Councils in assessing the financial, environmental and health risks associated with having a Contaminated Land regime that falls short of that in place in other parts of the UK. This risk assessment report can be found at the following link <https://www.daera-ni.gov.uk/publications/assessment-ascertain-financial-environmental-and-health-risks-associated-not-having-specific>
- LCRM is now the referenced technical guidance for land contamination by NIEA and they are in the process of updating the developers guide to reflect this and remove old references to

CLR11. The NIEA developers guide like LCRM will be moving to a web-based format in the coming months so it is more user friendly and easier to update.

- A DAERA groundwater awareness leaflet has now been completed and recently published on the DAERA website. This leaflet is to raise awareness on groundwater to the public and relevant stakeholders. The link to the leaflet is:

<https://www.daera-ni.gov.uk/publications/groundwater-northern-ireland>

- Regulatory Transformation Programme (RTP) a programme of work ongoing within NIEA, with one work package within the programme that relates to the development of new proposed Environmental Permitting Regime for Northern Ireland. This work package is currently on hold however DAERA policy resource is due to be brought back online by the end of 2020 to resource this and move this piece of work forward.

Scottish Environment Protection Agency (SEPA) & Scottish Government (SG)

Caroline Thornton (CT) provided an update on behalf of SEPA and SG. She confirmed that LCRM is currently being internally reviewed before formally adopting it.

- Consultation on Groundwater Directions – SG will be consulting on changes to the legislation that regulates groundwater. The consultation is proposing:
 - Revised environmental standards
 - Updated list of groundwater hazardous substances
 - Greater clarity about the circumstances where remediation is required and an improved approach to prioritising areas of land contamination for remediation action.

In addition, to align with the SG proposals, SEPA is consulting on revised guidance associated with the SG consultation:

- Land contamination and impacts on the water environment
- WAT-PS-10, on assigning groundwater assessment criteria for pollutant inputs.

The consultation documents are available here: <https://consultation.sepa.org.uk/circular-economy/protecting-scotlands-groundwaters-from-pollution/> and consultation closes on 12th February 2021.

- PFA Substances – SEPA has been involved in the cross agency working group and has been kept informed of the work that the EA are doing. At present SEPA is behind the EA and has not been reviewing potential sources of PFAS across Scotland.

Homes England (HE)

Richard Boyle provided an update on behalf of Homes England. More information on Homes England can be found at <https://www.gov.uk/government/organisations/homes-england>. What follows is a selection of information on our recent activities.

Homes England Annual Report & Financial Statements 2019/20

Our Annual Report and Financial Statements from Homes England covering 1 April 2019 to 31 March 2020 have been released.:

See <https://www.gov.uk/government/publications/homes-england-annual-report-financial-statements-201920>

Infrastructure work at York Central given the go ahead

Construction can start at York Central after City of York Council gave planning permission last night (12 November 2020) for infrastructure works backed by £77m of government funding.

The York Central development includes 2,500 new homes; up to 1.2 million square feet of commercial development and improved visitor access to the National Railway Museum. The area has enterprise zone status, with around 6,500 new jobs are expected to be created and a £1.2 bn boost to the local economy.

This is a major step forward in the development of one of the largest brownfield sites in England following the formation of the York Central Partnership in 2016 by Homes England, Network Rail, the City of York Council and the National Railway Museum. Homes England and Network Rail have supported the development of the site through land acquisition and master planning, and they will now oversee the infrastructure projects.

See <https://www.gov.uk/government/news/infrastructure-work-at-york-central-given-the-go-ahead>

Draft housing guarantee scheme rules: Affordable Homes Guarantee Scheme 2020

Draft scheme rules were released in October for the new £3 billion Affordable Homes Guarantee Scheme 2020. Final scheme rules will be published when the scheme opens for business.

The scheme will make loans available to Registered Providers to support the delivery of new-build affordable homes. The scheme will provide cost-effective and long-term finance to maximise the number of new affordable homes Registered Providers are able to deliver.

See <https://www.gov.uk/government/publications/housing-guarantee-scheme-rules-affordable-homes-guarantee-scheme-2020>

Homes England and Invest & Fund launch 7-year lending partnership to support small builders

Homes England and Invest & Fund, a leading development finance lending platform, have today announced a seven-year partnership to increase the amount of finance available to SME developers to help them grow and deliver more homes at pace.

The collaboration will create a £25m revolving fund to allow Invest & Fund to support small builders with construction loans of between £400k and £2.5m, funding schemes of two homes and upwards, at up to 80% Loan-To-Cost. Applications are now being accepted.

See <https://www.gov.uk/government/news/homes-england-and-invest-fund-launch-7-year-lending-partnership-to-support-small-builders>

6) Update from Industry Groups

National Contaminated Land Officers Group (NCLOG)

Rebekah Norbury provided an update on behalf of the NCLOG.

Background

The National Contaminated Land Officers Group (NCLOG) has been established to give Contaminated Land Officers (CLOs) a confident role in helping to shape the future of land contamination in the United Kingdom]. 'Contaminated Land Officers' may include technical officers, Environmental Health Officers, scientific officers or others who have responsibility for dealing with land contamination within their local authorities.

The purpose of NCLOG is to enable the CLO voice to be heard nationally at government and industry level and be seen as the 'go to' organisation when people want to reach Local Authority CLOs on national contaminated land matters. NCLOG will provide a focus for working towards consistency in how CLOs deal with land contamination issues and will also provide peer support to individual CLOs, who may be the sole individual dealing with land quality in their Council. NCLOG will aim to provide a focus for consultations, establish links with government departments along with other relevant bodies, with a view to co-operating on improving standards and developing best practice.

NCLOG is a voluntary organisation separate from, but working closely with, the existing regional Contaminated Land Officer groups and those working within the devolved administrations.

Membership of NCLOG comprises Contaminated Land Officers working within Local Authorities and is on an individual basis rather than employer focussed. NCLOG is free to join, with no subscription fees proposed at the moment.

The Steering Group comprises: Co- Chairs – Anita Metelko and Ann Barker, Secretary - Sally Shaw, Treasurer – Rebekah Norbury, Data protection coordinator - Heather Foster, Membership secretary – Sally Shaw and Heather Foster, Technical groups coordinator - Chris Culley, Regional representatives' coordinator - Lucie Watson.

Activities

Recently, NCLOG has surveyed its members and provided a comprehensive response to the Government's 'Planning for the Future' White Paper consultation.

A series of Sub groups will be established to work through various tasks and respond to consultations. There will be an Annual Meeting and training event.

NCLOG activities will also be disseminated via the Contaminated Land Officers jiscmail discussion group.

Lucie Watson, CLO at York City Council and NCLOG Steering Group member, recently discussed NCLOG as a panel member for the Environmental Analyst Panel Discussion 'Improving Stakeholder Communication & Collaboration in the Risk Assessment-Remediation-Development Process'.

The Brownfield Research and Innovation Centre is kindly hosting an initial NCLOG webpage which can be accessed via <https://www.wlv.ac.uk/schools-and-institutes/faculty-of-science-and-engineering/school-of-architecture-and-built-environment/bric/>.

YALPAG

Stella Keenan (SK) provided the update on behalf of YALPAG. She confirmed that the Land Technical Group meet twice a year with the last meeting on 7th October 2020. There are also 3 sub-regional groups. She confirmed the following:

- YALPAG guidance documents on planning, verification of cover systems and verification of gas protection measures are continuing to be reviewed and updated as and when necessary.
- YALPAG provided a response to the recent MHCLG consultation on Planning for the Future – White Paper August 2020
- The training sub-group continue to meet and are looking at options around arranging webinar training.

EPUK

David Rudland provided an update on behalf of EPUK. He confirmed that COVID-19 has had a dramatic effect on the EPUK Regional Seminars programme. The Government's medical advisers warn that the pandemic may last into spring 2021 and since this would continue to impact on actual face to face meetings, EPUK is considering offering these as virtual seminars presenting them as webinars. At the Annual Conference in November 2019 EPUK proposed to offer a programme of three Regional seminars but owing to the national lock-down imposed by the Government to halt the spread of COVID-19 only the North Wales event was held on the 15 January 2020. ALS Global generously hosted the entire event. The speakers and their presentations can be viewed on the EPUK website.

EPUK decided to run its annual conference Annual Conference as a virtual event this year on 18/19 November 2020. Although the UK left the EU on 31 January 2020 after Parliament ratified the withdrawal agreement, we have yet to decide the form of our future relationship and what exactly will replace European environmental law. EPUK has been following the debate and commenting regularly, yet there remains much to be played for – this being a theme of the event.

Keeping with the virtual theme the Land Quality Committee of EPUK last met on 16th September.

As the UK has formally left the EU, it follows that the European Court of Justice which ensures that EU law is interpreted and applied the same in every EU State will no longer oversee the enforcement of environmental protection in the UK. EPUK is, therefore, responding to Government proposals in the Environment Bill for an Independent Regulator in the new Office for Environmental Protection to hold the Government to account in place of the European Court of Justice.

SoBRA

Simon Cole provided an update on behalf of SoBRA. He confirmed the following:

December 2020 conference

Bookings open to members – online event. Joint with RSC on 2nd December (10am). Two speakers: Nigel Marriot (Comparing soil contamination data with a critical concentration – what's changed in the new professional guidance and why) and Martin Rose, (Revised EFSA TWI for PFAS – rationale and consequences) and the AGM.

NAPL Sub Group

This group is moving forwards with agreed deliverables which have been agreed and assigned – TOR are on the SoBRA website. A collection of advisory notes are in draft/review status and we are working on an effective solubility calculator with guidance. As reliant on volunteers, giving timescales with certainty is challenging with no immediate sign of change.

Vapour Intrusion Sub Group – whilst there was renewed momentum with a new project manager appointed the covid situation has impacted this. TOR have been updated. Our current Aim/Objectives is to prepare a series of technical guidance summary notes covering: “CSM development for VI linkages”, “When soil gas vapour sampling is beneficial”, “Data collection options available”, “Modelling tools available”. A review of what modelling tool could be used should follow – delivery impacted by volunteer availability. Both “When soil gas vapour sampling is beneficial”, “Data collection options available” are in late stages of review. Scope likely to be extended to support the C4SL project outputs. TOR have been adjusted to reflect the Energy Institute project.

Standards subgroup – open to all SoBRA members, but members are overwhelmed by the number of consultations and SoBRA struggle to get constructive feedback.

Asbestos Subgroup progress is limited by volunteer availability. Two white papers – lab methods and air quality values are being developed, as is a ‘top tips’ document in risk assessment (perhaps a flow chart) and an excel version of a revised modelling approach.

Permanent Gases – New subgroup set up, TOR being finalised.

Others – Discussions are being held re. filling the gap on CSM and its role in statistical assessments (using text in an early draft of the recent guidance).

Acute GACs Report – Revised document on the SoBRA website. Sub-group closed.

Early Careers Risk Assessment workshop from June 2019. Top tips document for early careers published ‘Improving Risk Assessment Field to Desk’.

Accreditation: Two application windows per year – one in January and one in August. Not everyone is passing on first application. We are still assessing ways to make efficiencies. Next window in January 2021 but applicants can download paperwork and start preparing now. Interviews are being held online during Covid.

2021 Conferences: SoBRA is considering two early careers conferences in summer 2021 (depending on Covid) to replace those proposed for summer 2020 [with RemSoc; one in Birmingham and another in Scotland (also joint with SCLF)]. We are also planning a summer conference – ‘Tackling the emerging contaminant time bomb’ in Birmingham. We have been discussing how well this will work if held online given the usual breakout discussions and networking. Winter conference and AGM on 8th December 2021, at the RSC, in London.

Scholarships and Bursaries: The Executive Committee has been discussing a third category a ‘research grant’ – which would enable someone/a group to apply for a larger sum of money than allowed by a bursary (c. £500) and a scholarship (c. £3000). Will advertise to members when ready (optimistically in early 2021).

CIRIA

Joanne Kwan provided an update on behalf of CIRIA. She confirmed that CIRIA will publish a new guidance document on retrofitting ground gas protection measures for existing buildings in December 2020 with training to follow.

New projects are as follows:

- Sustainable management of surplus soil and aggregates
- Site guide for hazardous ground gases
- CIRIA contaminated land and climate change

UKELA

Emma Tattersdill provided an update on behalf of UKELA. She confirmed that UKELA has continued its work on the Environment Bill (particularly in relation to the role of the Office for Environmental Protection) and Agriculture Bill, as reported in previous meetings. They have also been busy responding to major consultations, submitting a written response to the planning white paper and responding to a call for evidence by the Independent Review of Administrative Law Panel on the effectiveness of judicial review.

UKELA also held their annual Garner lecture online on 4th November, discussing what environmental lawyers can do to address and promote diversity in environmental law. Their working parties and regional groups have also maintained virtual meetings and they are continuing their “Basics” seminars, aimed at UKELA members in the early stages of their careers. The next Basics seminar, to be held on 25th November 2020, and is on Energy and Renewables “Energy for the Future”.

SiLC

Ian Evans provided an update on behalf of SiLC. He confirmed the following:

- Tom Henman has been confirmed as Deputy Chair of the SiLC Professional Technical Panel
- There are currently 196 SiLCs of whom 116 are also SQPs.
- Three SiLC/SQPs were added to the list following the 2020A exam round in June.
- SiLC has eight candidates taking the 2020B exam round, those who pass will be added to the list in January.
- As of September there were 127 NQMS declarations.

Scottish Contaminated Land Forum (SCLF)

John Cleland provided an update on behalf of SCLF. He confirmed the following:

The Scottish Contaminated Land Forum is a membership organisation which aims to encourage and promote the effective and sustainable reuse of brownfield land in Scotland, particularly land affected by contamination. SCLF seek to positively contribute to future economic growth and improved quality of life for people and communities whilst protecting and enhancing the environment. Their aims are therefore closely aligned with those of the NBF. SCLF believe that the NBF could benefit from strengthening the links with devolved administrations and with a membership of over 400 from a wide range of professions, as well as a 25 year history, SCLF are well placed to provide this link. SCLF would be pleased to nominate a member of their Executive Committee to represent SCLF at the forum or if that is not possible, to become a corresponding member.

Recent change of guidance (CLR11 to LCRM) and the use of CLEA or C4SLs for example has brought into focus the difference in the regulatory regimes between Scotland and England, and SCLF and NBF hope to be able to work together to provide some clarity about this issue and other concerns within the Contaminated Land Sector in Scotland .

SCLF are hoping that this may be achieved by hosting joint meetings between both groups once the current COVID restrictions have been resolved.” SCLF and NBF are pleased to look at establishing a working relationship aimed at the promotion of Scotland specific issues in the field of brownfield land regeneration.

NHBC

Lisa Hathway provided an update on behalf of NHBC.

Key highlights include:

- NHBC Standards for 2021 have been released and are applicable for new homes registered with NHBC after 01 January 2021. It was released with a supporting Special Edition Technical Extra. These will be available digitally only. More information can be found at www.nhbc.co.uk.
- Whilst there has been an impact from Covid-19 this year, there were encouraging signs in the third quarter, as builders returned to site. New home completions recovered significantly with 33,440 in the third quarter, just 4% below the same period last year, with this reflecting the strong sales demand that has persisted for new build homes.
- NHBC welcomed the first cohort to its Construction Site Supervisor (CSS) apprenticeship, which has been designed with industry-leading employers to reflect their specific needs. The CSS apprenticeship aims to support the sector as it faces an ongoing skills shortage.
- In September 2020, the NHBC Foundation published: 'The Future For Home Heating – life without fossil fuels', which explores the implications of designing and building low-energy homes without gas boilers.

British Geological Survey (BGS)

Darren Beriro provided an update on behalf of BGS. He confirmed the following that BGS felt would be of interest to the NBF membership.

1. Dermal bioavailability of soil PAH: ongoing research part funded by National Grid and NERC Doctoral Training Partnerships (2 x PhD students hosted at BGS, partnered with University of Nottingham with CASE funding and support by National Grid, WSP and Paul Nathanail). Research builds on a systematic review (<https://www.sciencedirect.com/science/article/pii/S0304389415302107?via%3Dihub>) and has also resulted in paper on sebum-soil partition coefficients (<https://www.sciencedirect.com/science/article/pii/S0304389420306221>). Looking forward to results of dermal exposure experiment in 2021. **Impact:** uncertainty reduction in human health risk assessment.
2. Brownfield Ground Risk Calculator: we are currently finalising the Gateshead BGR_calc, including a distilled publicly available version that will be used by Gateshead Council in their web-based digital planning platform (The Gateshead Site Information Tool). More information about BGR_calc is available at: <https://storymaps.arcgis.com/stories/d9a6caa9b2b34377980e80faf7b4fffa>. BGR_calc was also shortlisted for a 2020 Brownfield Award under Category 2 (best scientific/digital/ technical advance) [post note: BGS won this award] (<https://www.brownfielddevelopmentfestival.com/shortlist>). **Impact:** reducing early stage planning uncertainties, informing viability and contributing to the digital planning and housing agenda.
3. The Big Borehole Dig (BBD): We are encouraging geologists to digitise our PDF borehole scans so we can enhance the number of digital logs publicly available for 3D geological modelling and other similar uses (<https://www.bgs.ac.uk/news/join-our-big-borehole-dig/>). We initiated and released the BBD 4 weeks ago, and we've had some good engagement with over 400 boreholes being digitised and deposited already. I've also had several emails from people that would like to engage in different ways (such as a dad who wants to use the project as a teaching mechanism in his kids' school to talk about geology and engineering). **Impact:** helping people better understand the subsurface and contribution to the digital agenda.
4. Infiltration SuDS workshop: BGS is hosting an Environment Analyst workshop on barriers and opportunities for infiltration SuDS on brownfield sites on 25th November (<https://events.environment-analyst.com/106154/exploring-the-barriers-and-opportunities-for-infiltration-suds-on-potentially-contaminated-brownfield-land>). The aim of the event to understand where BGS and others may contribute to enhance knowledge and understanding on the topic. **Impact:** knowledge exchange between industry, regulatory and research stakeholders.

Royal Institute of Chartered Surveyors (RICS)

Tim Elliott (TE) provided an update on behalf of RICS. He confirmed that finalisation of the previously mentioned RICS Guidance Note on Asbestos – best practice for RICS members and Regulated firms and their clients- has been somewhat hindered by COVID, but is likely to go out to wider consultation in the near future; also in preparation is the forthcoming The Guidance Note on Waste with its focus on waste leases for sites where there is a waste related activity taking place (with the aim of improving industry practice in this area), which will be going to consultation very shortly, before the end of the month.

The RICS Annual Environment and Waste Conference will take place virtually, in April 2021 and RICS would be happy to hear about any relevant subject matter which the Forum feels ought to be included at the Conference.

In addition, TE shared data from RICS Commercial Property sector relating to the demand-side outlook for commercial space as a potential influence on re-development. The survey was carried out in October 2020 (done quarterly) from 500 RICS firms respondents UK-wide. In brief, there is some positive outlook for industrial space, and for data centres and aged facilities; but a negative outlook for retail (-80%), offices (-58%) and hotels (-83%). Investor enquiries and capital value expectations also show a downwards trend, probably not at their bottom, yet. Obviously, patterns of occupation have had a major upheaval during COVID, and there are mixed views on the likely permanent effects, which may also vary between sectors.

RemSoc Update

Steve Edgar provided an update on behalf of RemSoc. He confirmed that RemSoc remain primarily focussed on 4 activities via our working groups:

- Supporting Career development
- Early Career Practitioners
- Our Remediation Framework
- Facilitating training

RemSoc are currently preparing for their 2021 conference which will be held online. It will be a number of technical and interactive sessions over a period of 6 weeks or so. It is based around the Risk Assessment to Remediation process aiming to highlight shortcomings and enable discussion about what's great and what's not so great about the process that members all work through on a day to day basis. Broadly as follows

- Session 1: Introduction / update
- Session 2: Beginning the Journey
- Session 3: Planning for Risk and Uncertainty
- Session 4: Remediation strategies
- Session 5: Verification – state of practice

RemSoc will, as always, be looking to get some debate going and are hoping for some thought-provoking conversations.

RemSoc have also been expanding on the work they did with SOBRA and at their 2019 conference around supporting ECPs and have prepared an "ECP Top 10 Tips" presentation and learning tool to help share experience. It is available on RemSoc's website and will be disseminated on LinkedIn <https://www.remsoc.org/2020/10/23/top-10-tips-for-remediation/>

RemSoc's Training Working Group has completed a compilation of what training (to support CPD etc.) there is available out in the industry loosely linked to remediation. They have also conducted a survey (not a huge response but a valid one) looking at what people think about the scope of what's available and if their needs are met etc. not how good training is. This will be disseminated through RemSoc's website. Link to the survey is here if you wish to partake. <https://www.surveymonkey.co.uk/r/7XGT9QW>

Finally, RemSoc is working on updating some of the technical elements of the CL:AIRE remediation training.

CL:AIRE Update

Nicola Harries provided an update on CL:AIRE activities. She described the following:

Definition of Waste Development Code of Practice

An updated draft version is currently with the EA and NRW for review. CL:AIRE continues to carry out audits on submitted schemes.

NQMS

Update proved by SiLC and Seamus Lefroy Brooks. CL:AIRE continues to act as the administrator for the scheme.

Sustainable Remediation

SuRF-UK is currently updating its Sustainable Management Practices document and the Tier 1 qualitative assessment spreadsheet with the support of AECOM. In addition it has recently had published a peer reviewed paper "Sustainability Assessment Framework and Indicators Developed by SuRF-UK for Land Remediation Option Appraisal" in Remediation Journal which is Open Access. <https://doi.org/10.1002/rem.21668>

International SuRF

The international SuRF groups continue to meet and the notes being made available at www.claire.co.uk/surfinternational

Published Guidance: Comparing Soil Contamination Data with a Critical Concentration

CL:AIRE has now published the updated guidance "Comparing Soil Contamination Data with a Critical Concentration". This has been really well-received by industry in the UK and abroad.

Category 4 Screening Level Project

Three reports are now with CL:AIRE for moving to publication phase. This include TCE, Vinyl Chloride and PCE.

Gas Protection Verification Accreditation Scheme (GPVS)

The GPVS scheme is now moving ahead at a pace with potential assessors following through the application process and now undertaking assessments on each other. As soon as this is completed and we have a pool of assessors, CL:AIRE will be officially launching the scheme and invite applicants.

Post Meeting Note:

GPVS launched on 7/1/21. Further information available www.claire.co.uk/gpvs

Monitored Natural Attenuation (MNA) Guidance

CL:AIRE is continuing to work with a small group of industry experts and regulators across the UK to update the MNA industry guidance.

AGS

Vivien Dent provided the update on behalf of AGS. She confirmed that the AGS executive meeting was being held on 24th November, so there is a limited update since the last AGS report.

- The AGS Guide to asbestos is still to be finalised.
- UKAS accreditation in relation to the inspection of land for contamination by asbestos: The Contaminated land working group agreed at its last meeting to create a poll on the proposed accreditation. The poll will be presented to members via the AGS magazine. The AGS are also taking the matter to the Ground Forum.

- The AGS CLWG will shortly be publishing an overview document on Standards relating to investigation, assessment, remediation and development of potentially contaminated and contaminated sites.
- The safety group have published a number of updated guidance documents including
 - Cable percussion supervisors check list,
 - Comment on the approach for classifying sites into green, yellow or red,
 - Dynamic sampling supervisors check list.
- Upcoming webinars:
 - AGSi – Wednesday 25th November
 - AGS4.1 – Tuesday 8th December

GEOLOGICAL SOCIETY

John Cleland (JC) provided an update on behalf of the Geological Society. JC confirmed that the ability for the Geological Society group to do very much has been limited by Covid restrictions, but in summary:

The Geological Society Contaminated Land Group (CLG) have been looking at opportunities to engage with young people in education, linking the practice to STEM subjects and also supporting young contaminated land practitioners in developing their career.

In plan at the moment is the development of STEM related educational materials that can be provided to schools across the UK for use in lessons. The scope of these materials is in planning at the moment and we have engaged with a specialist who will work with some of our members to create packs for teachers. The process is in an early stage, but we are hoping that early in 2021 we will see some initial materials being created.

The group has agreed to fund this initial study and material development, the scope will tie into another facet of our work planned (not in early 2021 due to travel restrictions) for the creation of a series of videos of practitioners at different stages of their careers talking about their work. That plan is summarised as:

“To create 4 short videos (3-5 min) with each one aimed at providing a snapshot of a particular career path within the industry i.e. Regulators, Consultants, Academia, Contractors. The videos will take the form of ‘talking heads’ intercut with footage of work in action, the videos will be created by a professional production company and be available for upload to the Geological Society website and social media (linkedin, youtube etc.) and possibly more widely as required.”

The link is a plan to have a “day in the life of” series of videos that can be used by schools in STEM subjects as well.

The early careers focus continues at the CLG, the inability to hold in person sessions/conferences has put a serious constraint on their ability to have focussed contact with members, but the plan at this stage is to look to 2021 as recommencing presentations/conferences for members. In respect of events, they have been looking at the following:

November 2020

BSI and ISO standards plus update on sampling for VOC standard. Organised by Chris Swinton and Mike Smith. Possibly ask Geraint Williams to speak.

January/February 2021

Application of sustainable development goals. Organised by Amy Juden and Angela Haslam with a possible link to SuRF-UK.

April 2021

Chartership with respect to contaminated land. Organised by Harriet Wood and Anna Hitchmough. Offers to speak from Chris Swainston (how to give a good presentation). Amy Juden (recently achieved chartership). Other potential links Alex Sarnie and Sean Richardson from Geol Soc

GeolSoc are in the process of establishing final dates for these sessions and JC will update the Forum when the dates come through.

SAGTA

Frank Evans provided an update on behalf of SAGTA. He confirmed that due to the increased difficulty of effective networking and collaboration during the covid-19 restrictions, limited progress has been made with SAGTA's administrative and support functions following the sad death of secretary Doug Laidler in late 2019. Options for this remain under review. Members continue to support initiatives such as NQMS steering group and SuRF-UK, and SAGTA was pleased to support publication of the Guidance on comparing soil contamination with critical concentrations. Progress is being made on the C4SL project with final reports for 3 substances (PCE, TCE and Vinyl Chloride) now with the CL:AIRE TRG for pre-publication review. There are also two final draft reports for two other substances (cis 1,2 DCE and 1,2 DCA). Work on other substances is in progress.

EIC

Jane thrasher provided an update on behalf of EIC. She confirmed the following:

Core aspects of EIC activity discussed at the last quarterly working group meeting held on the 2nd September 2020 included:

- EIC looking at Brexit/end of transition period and knock-on impact on contaminated land regulations. EIC are particularly keen to pick this up at the upcoming Contaminated Land meeting on the **3rd December 2020**.
- Engagement campaign with Ministry of Housing, Communities and Local Government with reference to the Planning White Paper. Members of the EIC Contaminated Land working group have provided feedback specifically on the zoning proposals outlined in the white paper as little emphasis on brownfield first.
- To consider the implications of a net zero agenda on the construction industry and the wider supply chain including EIA. (However, this is likely to be carried over to 2021 as COP26 has been carried over).

ROYAL TOWN PLANNING INSTITUTE (RTPI)

Max Tolley was unable to attend this meeting but confirmed that RTPI wishes to attend subsequent meetings. MT confirmed that RTPI responded to MHCLG Planning White Paper and their response is available on their website at:

<https://www.rtpi.org.uk/policy/2020/october/pwpessay/>

7) 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/component/phocadownload/category/68-2020?download=758:nbf-standards-november-2020>

8) National Brownfield Institute presentation

Professor Mohammed Arif (MA) of the University of Wolverhampton provided a presentation on the establishment of the National Brownfield Institute (NBI). He provided the NBF an overview of how the university are establishing a Centre for Sustainable Construction and Circular Economy of which the National Brownfield Institute will be a part of at the new Springfield site. The NBI's vision is to "Create a world-class brownfield regeneration industry cluster through multi-sector

partnership". The presentation is available:

<https://www.claire.co.uk/component/phocadownload/category/68-2020?download=756:nbf-national-brownfield-institute-presentation>

Following the presentation there was discussion on what does the NBI want the NBF members to share with the bodies that they are representing? MA explained that the NBI will be establishing an advisory board soon so would welcome the opportunity to work together. MA confirmed that they do not want to duplicate activities that are already successfully being delivered. MA would welcome to hear from people their ideas and thoughts of what the NBI can deliver to support the brownfield industry.

ACTION: ALL to speak to their members about NBI.

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

Seamus Lefroy-Brooks (SLB) provided an update on the NQMS. He confirmed that the steering group met on 3rd November 2020. He summarised the outcome of the recent EA audit which was positive with some feedback points for SQPs. There were three main points:

- There did not appear to be sufficient evidence that the SQP was being self-critical and clearly include any information that was missing. Any identified areas of weakness and options of a way forward should be highlighted to the regulator.
- Lack of awareness by some LAs about the NQMS and what it meant for a report being issued under the scheme.
- Not obvious that the report has been prepared under the NQMS.

As a result of finding 1, SiLC plan to write to all SQPs to remind them of their obligations when preparing a declaration. For finding 2, SLB confirmed a short letter will be prepared to local authority planning departments summarising the NQMS and requesting help to promote the scheme to help raise the awareness across LAs. It was acknowledged that this letter would be shared with the National Contaminated Land Officers Group as well to ensure that it is not seen to undermine their role in reviewing land contamination consideration in planning. For finding 3, SLB confirmed that a letter is going to be prepared to MHCLG to flag the issue of the LPA application form with respect to contaminated land and the encouragement to link to whether a report has been prepared in line with the NQMS and benefitting from a SQP declaration. In addition, to ask MHCLG to include a reference to the scheme in their monthly updates to heads of LA planning authorities.

SLB also shared that CL:AIRE presented data on graphs based on the scheme so far. The graphs showed:

- Number of declarations that have been made against the number of SQPs – this shows a really positive upwards trajectory of declarations being made. The number of SQPs is also increasing.
- Number of declarations per consultant – this shows that there are three consultants clearly making the most declarations, which are RSK, AECOM and Atkins. It was acknowledged that this may be as a result of their clients' request. It was also noted that there are a range of sizes of consultants making declarations.
- Number of Declarations and SQPs per Company – this graph showed that some smaller consultancies have decided to prepare all their reports to the NQMS standard and provide declarations.
- Clients- This graph demonstrated that the clients identified on the declaration are mainly land-owners/ problem holders however there are also a number of property developers and regulators identified as clients which is very encouraging.

SLB also confirmed that SiLC and CL:AIRE are working to prepare the audit plan and will be rolling this out next year. In addition, they are looking at opportunities to promote the NQMS more widely.

10) Land Stewardship/ Natural Capital Sub Group

No progress has been made on this sub-group. PN and Lucy Thomas offered to meet to scope up what this group could work on and present at the next meeting.

ACTION: PN to talk with Lucy Thomas to revitalise the working group.

11) AoB

UKAS Paper

The NBF members discussed the invitation from UKAS to assist in the preparation of an accreditation that UKAS are considering taking forward in relation to the inspection of land for contamination by asbestos. Members were dismayed that this is still proceeding following the feedback that the NBF members provided at the last meeting. It was felt that it was very clear that the brownfield industry does not feel it is warranted or supported, and the proposal demonstrates a lack of understanding of the existing capability of the brownfield industry. There was also concern that if UKAS proceeded with developing an accreditation scheme without the input from the brownfield industry this could be extremely detrimental to UKAS' reputation within the industry.

Members are requested to take the invitation back to their industry groups to discuss whether there are any individuals willing to apply to be an independent expert for UKAS in taking this forward.

<https://www.ukas.com/careers-with-ukas/independent-technical-assessing-for-ukas/how-to-apply-assessor/>

It was acknowledged that even though the brownfield industry felt that this scheme was not needed, if it was to go ahead against their wishes it was important that technical experts fed into the process. PN confirmed that he will make enquiries as to what the technical expert's role will be.

ACTION: All to discuss with their industry groups to ask for individuals willing to support UKAS.

ACTION: PN to engage with UKAS

Gasworks Communities United Letter

PN explained that Gasworks Communities United (GCU) had asked NH to circulate a letter to NBF members inviting them to speak and attend at a conference that they are organising on 1 December 2020. GCU are concerned about remediation and redevelopment of former gasworks in their vicinity and are looking for guest speakers who can present to a non-technical audience that would be sympathetic to their concerns. GCU are an alliance of a number of community action groups across the country opposed to unsafe gasworks remediation and they had approached a number of industry experts to speak at their conference.

Frank Evans in his National Grid employee role, noted that GCU were an important stakeholder group that they were involved with. He also noted that the statement in the letter about the serving of an abatement notice on National Grid by Tower Hamlets Council was a misleading and inaccurate statement.

WHO Brownfield Case Studies

PN let the NBF know that the draft report is now in preparation. He stated what was interesting was the considerable misunderstanding of health professionals in relation to actual, potential and perceived health impacts of contaminated land and the risk based approach to managing land contamination.

IMPEL Project

PN also wished to make NBF members aware of the European Union Network for the Implementation and Enforcement of Environmental Law (www.impel.eu) are seeking information and case studies on ISCO and SVE. The closing date is 31st December 2020. <https://www.impel.eu/projects/water-and-land-remediation/>

12) Date and location of next meeting

NH confirmed that 2021 dates are:

March 23rd 2021
July 15th 2021
November 23rd 2021