

# National Brownfield Forum

## Meeting Notes

24<sup>th</sup> November June 2022, 11.00am – 3.00pm Teleconference



### FINAL

#### Present:

Alex Lee ( <i>Chair</i> )	WSP
Nicola Harries ( <i>Secretariat</i> )	CL:AIRE
Graeme Duggan	Department for Environment, Food and Rural Affairs (DEFRA)
Edward Lewis	Department of Agriculture, Environment and Rural Affairs (DAERA) and the Northern Ireland Environment Agency (NIEA)
Mark Williams & Michael Dunthorne	Homes England (HE)
Matt Llewellyn & Trystan James	Natural Resources Wales (NRW)
Angela Haslam	Environment Agency (EA)
Seamus Lefroy Brooks	Chair of NQMS Steering Group
Darren Beriro	British Geological Survey (BGS)
Tom Henman	Specialist in Land Condition (SiLC)
Simon Cole	Society of Brownfield Risk Assessment (SoBRA)
Tim Elliott	Royal Institution of Chartered Surveyors (RICS)
David Rudland	Environmental Protection UK (EPUK)
Stella Keenan	Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG)
Jane Thrasher	Environmental Industries Commission (EIC)
Jenny Lightfoot	Geological Society
Emma Tattersdill	UK Environmental Law Association (UKELA)
Rebekah Norbury	National Contaminated Land Officers Group (NCLOG)
Joanne Kwan	CIRIA
Joe Heath	The Land Trust (part of the meeting only)
<b>Apologies:</b>	
Rob Foers	Department for Levelling Up, Housing and Communities (DLUHC)
Andrew Williams & Joanne Smith	Welsh Government (WG)
Steve Edgar	The Society of Remediation Practitioners (REMSOC)
Paul Nathanail	LQM
David Jacob	National House Building Council
Frank Evans	Soil and Groundwater Technology Association (SAGTA)
Geraint Williams	Association of Geotechnical and Geoenvironmental Specialists (AGS)
Caroline Thornton	Scottish Environment Protection Agency (SEPA)
Hallan Sambrook	Staffordshire Contaminated Land Officer Group

## Agenda

1. Administrative:
  - a. Welcome and Apologies
  - b. Introductions of represented organisations
2. General Knowledge Share
  - a. Government and Regulatory Update
  - b. Opportunity for clarification on the industry updates as received in advance
  - c. Hot or emerging topics open session
  - d. NQMS Update
  - e. Standards
3. Specific Knowledge Share
  - a. Presentation: **“Biodiversity Net Gain Industry Survey Findings & Land Trust’s offer with BNG”** – Joe Heath :Development Manager – Environmental Lead, The Land Trust
  - b. Discussion
4. Census
  - a. Supporting Documentation
  - b. Questions
  - b. Timetable
5. AOB
6. Date and location reminder of next meeting

## Meeting Notes

### 1. Administrative

#### a) Welcome & Apologies

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

#### b) Introductions of represented organisations

AL welcomed everybody and gave a warm welcome to Mark Williams (MW) and Michael Dunthorne (MD) who are attending on behalf of Homes England and Joe Heath (JH) who is representing the Land Trust.

### 2. General Knowledge Share

#### a. Government and Regulatory Update

### Natural Resources Wales (NRW)

Matt Llewellyn (ML) provided an update on behalf of NRW. He confirmed that: NRW is currently undertaking a guidance review across all operational teams. From a Geoscience team perspective this will incorporate all legacy/produced/adopted guidance currently used for Land contamination and groundwater protection. ML confirmed that they are also working on a number of guidance updates with the Environment Agency and CL:AIRE on areas such as H5, Remedial Targets Methodology, MNA, Permitting requirements for land contamination. The review will highlight other guidance gaps for review/renewal.

In addition, NRW is updating the ‘Development of Land Affected by Contamination: A Guide for Developers’ which is due for publication in the next couple of months. It’s a document pitched slightly below Land Contamination Risk Management (LCRM) in terms of technical content but does contain useful checklists for submission of documents akin to the (now withdrawn) ‘Guiding Principles for Land Contamination’ EA document. The previous version was joint badged by the Welsh Local Government Association/NRW/Welsh Government and is hosted on the CL:AIRE WALL so as soon as published NRW will look to get the updated version on there. The introduction of LCRM was one of the reasons for the update.

ML also confirmed that following the DEFRA consultation on a [proposed landfill tax grant scheme for the remediation of contaminated land](#), as landfill tax is devolved to the Welsh Revenue, NRW has raised the consultation with Welsh Government. He understands it has been discussed with

DEFRA colleagues. There is a possibility Welsh Revenue may look at gauging interest in a similar Welsh scheme.

NRW staff will be supporting The International Mine Water Association 2023 conference. It will be held at the ICC in Newport Wales from 17 to 23 of July 2023 with the headline theme 'Sustainable Mine Water Management in a Climate Crisis'. The conference web page is currently under construction [IMWA 2023](#).

### **Welsh Government (WG) – Planning and Environment**

Joanne Smith and Andrew Williams were unable to attend the meeting but sent an update. They confirmed that the Coal Tip Safety (Wales) White Paper summary of the consultation has recently been released [Coal Tip Safety \(Wales\) White Paper | GOV.WALES](#). The white paper builds on the law commissions recommendations of setting up a new supervisory body for oversight of coal tip safety, including assessing the effectiveness of the current legislative framework

### **Department for Levelling Up, Homes and Communities (DLUHC)**

AL confirmed that Rob Foers (RF) and his team are unable to attend the meeting but confirmed that there has been a lot of political changes since the last forum meeting in June with a little uncertainty on the direction of planning policy, although with the former Secretary of State (SoS) Michael Gove now back in place, there is a more continuity than if DLUHC had a new in post SoS.

The Levelling Up and Regeneration Bill continues to work its way through parliament. The changes in the Bill will require a new National Planning Policy Framework (NPPF) for England. Therefore, the Government intends to publish a national planning policy prospectus setting out further thinking and direction of travel during passage of the Bill in advance of the new framework. RF is unable to confirm timescales for the revised NPPF. DLUHC is anticipating the prospectus will be published for public consultation in due course.

### **Department of Environment, Food and Rural Affairs (DEFRA)**

Graeme Duggan (GD) confirmed that there has been lots of change at ministerial level recently but is confident that manifesto pledges of 2019 are still the focus of delivery. Defra continues to work hard on the Soil Health Action Plan England (SHAPE).

GD made NBF members aware of the recent Landfill Tax Grant Scheme consultation that was carried out in the Summer 2022. The government response to the consultation will be published soon.

### **Environment Agency (EA)**

Angela Haslam (AH) provided an update on behalf of the EA. She confirmed that the EA and NRW are continuing to work on joint guidance which covers the Environmental Permitting Regulations aspects of land contamination which includes information on the most common types of remediation techniques. In addition, the EA is continuing to work on updating the H5 site condition report/baseline reporting guidance and preparing it in the same format as Land Contamination Risk Management (LCRM) for GOV.UK.

AH also confirmed that LCRM is having its annual update so she encouraged people to feedback on areas that industry think may need updating or are not working well.

**ACTION: ALL to respond to Environment Agency on areas of LCRM that may require updating.**

Following discussion with the pollution/spill response community, the Environment Agency will be updating the “new pollution” section to ensure continuity of approach to new pollution/contamination as well as historic contamination. In addition, the Environment Agency is hoping to work with CL:AIRE to update the Piling in Contaminated Land and Permeable Reactive Barrier guidance documents in 2023 as both documents are currently within the .GOV.UK archive. There was

discussion about whether the piling guidance could address turbidity as this can be an issue for consultants when carrying out risk assessment. AH confirmed that this can be fed in.

AH also confirmed that the Environment Agency has been very busy with PFAS work, with Phase 4 currently underway. The six work packages tendered are:

1. Embedding the GIS model into the EA system
2. Good practice guide
3. Detailed assessment on sites
4. Economic appraisal package
5. Landfill Assessment:  
Assessment of pre and post treated leachate to evaluate PFAS component  
Assessment of sludges produced and POPs component  
Assessment of POPs release into groundwater from older unlined facilities  
Study of PFAS in gaseous emissions
6. Background concentrations of PFAS in soils

A flyer has been prepared by BGS who are working on work package 6 which she will circulate to all NBF members.

**ACTION:** AH to circulate the flyer describing the background concentrations of PFAS in soils work.

AH also shared that she has been successful in securing a small amount of research funding to move forward the Remediation and Sustainability Tool that was presented at the last meeting.

AH confirmed that work with CL:AIRE on the Definition of Waste: Development Industry Code of Practice (DoWCoP) update is ongoing.

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

NBF members shared their frustrations with AH about the number of sites that are trying to move forward to development, but have been identified as former landfills by the Environment Agency, and therefore have been required to go through the permitting route although the sites have planning permission and previously would have been able to use DoWCoP and a treatment license. AH acknowledged NBF members frustrations, but explained that it is important the Environment Agency provides consistent advice. AH also acknowledged that this was an issue that has been ongoing for a number of years. NH confirmed that CL:AIRE has shared with Defra and the Environment Agency a number of projects that have public and private money secured but projects have stalled because of this issue. SiLC has also written to the Environment Agency with no success.

AH confirmed that all efforts were being made to finalise the internal guidance and will provide an update at the next NBF meeting..

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

Edward Lewis provided an update on behalf of DAERA and NIEA. He confirmed that a lot of resources have been spent on a former large illegal waste site which there has been a successful prosecution. The site is now moving forward to remediation and there is an early engagement invitation to industry stakeholders to put forward ideas of emerging remedial technologies or techniques that could be employed as part of the remediation of the site.

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

Unfortunately, no update was available.

NBF members shared that they understand that Scotland is looking to align drinking water standards with the European Union from 1 January 2023 and plan to develop its own guidance for PFAS.

[Protecting Scotland's water - gov.scot \(www.gov.scot\)](https://www.gov.scot)

It is also notes that there has been amendments to the Public Water Supplies (Scotland) regulations which covers PFAS in Scottish drinking water.

[The Public Water Supplies \(Scotland\) Amendment Regulations 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)

NBF members confirmed that industry is still waiting for Scottish Government and SEPA to publish the revised groundwater risk assessment guidance. This may have major ramifications for industry as it is believed the requirements to assess sites will be very different to others parts of the UK.

### **Homes England (HE)**

Mark Williams (MW) provided a brief update to the NBF. He confirmed that HE is currently out to tender for their multi disciplinary technical services framework. It is due to be in place from April 2023. Further information is on the proContract website.

### **National Contaminated Land Officers Group**

NCLOG has been quietly continuing with existing projects over the past few months. They have been working with the EA and the Planning Portal, aiming to develop some land contamination pages for their website so that developers can be better informed on requirements through the planning system. Once this is finalised, if they wish, Local Authorities may point to these pages on the Planning Portal from their websites. The cover systems guidance is also progressing well, it is nearing the stage where the document will go out to NCLOG members for their consultation, the working group is just settling on their final draft. Recently, the NCLOG Committee has announced a series of informative webinars for Contaminated Land Officers, the first will be in December and then running through the early part of 2023. CLOs are encouraged to sign up for these.

### **YALPAG**

Stella Keenan provided an update on behalf of YALPAG. She confirmed that YALPAG's Land Technical Group meet twice a year with the last meeting being held on 12 October 2022. She confirmed that YALPAG guidance documents on planning, verification requirements for cover systems and verification requirements for gas protection systems are continuing to be reviewed and updated as and when necessary. The Verification Requirements for Cover Systems (Version 4.1) was issued in June 2021. The Verification Requirements for Gas Protection Systems guidance and Planning guidance are currently in the process of being reviewed and updated.

### b. **Industry Update**

### **CL:AIRE**

#### **Projects/initiatives/publications**

##### **Aggregates from Inert Wastes Quality Protocol**

An initial scoping meeting of the Environment Agency's Task and Finish Group has now been set.

##### **Concawe Sustainable Remediation Case Study Project**

The 10 sustainable remediation case studies have been written and reviewed and are now being formatted into the CL:AIRE bulletin style. A cross comparison analysis is currently in preparation.

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

The new version of the Code of Practice is currently under technical review.

##### **EiCLaR (enhanced *in situ* bioremediation)**

CL:AIRE's involvement in the EC-funded EiCLaR project is ramping up, with most of our knowledge transfer activities due to take place in 2023 and 2024.

### Gas Protection Verification Accreditation Scheme (GPVS)

CL:AIRE is continuing to develop and promote the GPVS. The profile of the scheme is improving within the gas verification industry body "British Verification Council". New NHBC guidance will be signposting to the scheme. CL:AIRE is aware of some developers and site owners now making it mandatory to have SGPV to sign off all gas protection systems.

### ICEC - MCM

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

### Monitored Natural Attenuation (MNA) Guidance

The final draft edited report has been submitted to the Environment Agency and the technical steering group. CL:AIRE is now looking to get the report ready for publication. It is planned to publish the NSZD and MNA guides together and have some promotional activities to support the publications.

### National Quality Mark Scheme (NQMS)

The profile of the NQMS is continuing to grow slowly with the largest number of declaration purchases occurring in the last 3 months since the scheme was launched in 2017. Further update provided by Seamus Lefroy-Brooks on behalf of the NQMS Steering Group.

Template forms have now been prepared and uploaded onto the NQMS website for SQPs to use when carrying out a review of a land contamination report. From 1 October 2022, all SQPs reviewing reports are now required to complete the forms when reviewing a report under the NQMS. This will provide consistency of review process by the SQP and also assist auditors.

### Natural Source Zone Depletion (NSZD) Guidance

The first draft of the NSZD report has been reviewed by the Environment Agency, SEPA, NRW and the technical steering group. The review comments have been collated and the contractor is making the final amendments prior to TRG review. It is planned to publish the NSZD and MNA guides together and have some promotional activities to support the publications.

### P20/Remedial Target Methodology

CL:AIRE has submitted the updated P20/RTM spreadsheet and guidance. CL:AIRE is awaiting feedback from the Environment Agency.

### PFAS

Two PFAS focused bulletins have been reviewed by the TRG and the Environment Agency and are awaiting amendment by the authors.

### ReCon Soil

Work continues to support the Interreg-funded ReCon Soil project. On 5 December 2022 a project networking event will be held in Exeter, along with a Soils Task Force event and ReCon Soil site visits, all to coincide with World Soil Day.

### Sustainable Remediation

SuRF-UK has received great profile for its recently published bulletin on Resilience and Adaptation for Sustainable Remediation. It also successfully delivered a training course at Remtech Europe that had 200 attendees join virtually. At the recent steering group meeting the 2023 activities were planned which involve updating the SuRF-UK website, inviting new members to the steering group (following people retiring) and looking at the options to make more training available.

International Sustainable Remediation Alliance (ISRA) has finalised updating their terms of reference to include resilience. The meeting also shared updates across the world and are available on the dedicated website [www.claire.co.uk/surfinternational](http://www.claire.co.uk/surfinternational). SuRF-ANZ through ALGA will be hosting the next SustRem 2023 conference which SuRF International will be supporting.

### **Training and events**

The following training courses are currently being run and 2023 dates have been announced for all courses (except DoWCoP) :

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

## **UKELA**

Our working groups and regional groups remain active, with a variety of events and responses to consultations on legislation, guidance and policy. Consultation responses since the last meeting include a response, in June 2022, by our Governance and Devolution Group to DEFRA's Environmental Targets consultation.

All consultation responses are available on our website: [www.ukela.org](http://www.ukela.org).

UKELA is also recruiting for a new Executive Director, with closing date of 6<sup>th</sup> December 2022.

Forthcoming events include:

**28<sup>th</sup> November:** lunchtime webinar, run by our northern region group, on the important decision in Harris v Environment Agency, where – in the context of decisions relating to water abstraction licences - the High Court ruled that key European nature conservation laws remain enforceable against the Environment Agency (and by implication other public bodies), despite the UK having left the European Union.

**6<sup>th</sup> December:** evening event in London, run jointly by our Climate Change and Energy Working Party together with our Environmental Litigation Working Party, looking at trends in litigation – climate change and environmental challenges.

**15<sup>th</sup> February 2023:** evening event in London, chaired by the convenor of our waste working party, in which Chris Badger of 6 Pump Court and Libby Peake of the Green Alliance will discuss the implications of the resources and waste sections of the new(ish) Environment Act.

And – for those in the early stages of their careers:

**5<sup>th</sup> December:** Junior UKELA “fireside chat” hosted by Cornerstone barristers, comprising an interview between a junior practitioner and a more experienced practitioner where they answer questions and share insights about their professional experiences from their different perspectives.

Events are open to members and non-members. Full details are on our website.

## **British Geological Survey (BGS)**

1. BGS are conducting a research project with the Environment Agency to determine the feasibility of using soil samples archived from historical large-scale surveys to quantify the background concentrations of PFAS in English soils.
2. We have recently published a new '[climate and geohazards position statement](#)' outlining how our digital geohazard products are accounting for climate change scenarios.
3. BGS engineering geology staff have written a [geotechnical data report](#) relating mainly to linear infrastructure projects, concluding that there should be legacy data for each site being redeveloped and that this should be made use of.
4. Also led by our engineering geology team, is a report discussing the opportunities for [future 3D urban geology modelling](#), focusing on 42 towns and cities in Great Britain.

5. BGS groundwater have produced a new groundwater forecasting dataset called eFLaG (groundwater level and groundwater recharge projections). This is being used in SoBRA's Guidance on Assessing Risk to Controlled Waters from UK Land. Currently, recharge projections are only available at the "groundwater body" scale but, in response to feedback, we are in the process of producing a high-resolution assessment on a 2 km grid scale. This should be available via the UKCEH Environmental Information Data Centre (EIDC) in the new year.
6. BGS has spent the last year or so preparing an exciting new BGS strategy (2023-2028). We are inviting comments as part of the [BGS Strategy Consultation](#) consultation, for which we would value contributions.

### **Association of Geotechnical and GeoEnvironmental Specialists (AGS)**

The last Contaminated Land Working Group meeting was held on the 1st of November:

Recent successes of the working group:

- AGS's Annual Conference was held as a live event in July.
- AGS's magazine, published in September, included an article on contaminated land and biodiversity net gain as well as an article from SoBRA's controlled waters and climate change group.
- In November, the magazine included articles on DoWCoP and the regeneration of historic landfill sites as well as sustainable soil management and the future of soil reuse.

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

- Future articles are being prepared on clean cover systems, the Environment Act and research into coastal landfills, rising sea levels and implications for WAC testing in saline environments.
- An article has been submitted on sustainability in ground investigation.
- AGS's Client's Guide to Geoenvironmental Reports is currently being reviewed by the Loss Prevention Working Group.
- During the previous two CLWG meetings, presentations were provided on "CONCAWE's report on on-site analysis of TPH in soil" by Fred Coulon, Cranfield University and "Digital tools for brownfield redevelopment: Stakeholder perspectives and opportunities" by Ellis Hammond, PhD researcher at BGS.
- AGS are contributing to BDA's updated guidance on safe intrusive activities on contaminated or potentially contaminated land.
- Members of AGS's CLWG are represented both on CIRIA's PFAS project steering group and as contractors writing the guidance.
- The sustainability sub-group have identified key focus areas including use of rapid measurement techniques; the carbon footprint of ground investigation; and instrumentation and telemetry.
- AGS are at an early stage of exploring options for a data transfer format for field monitoring of permanent gases and vapours with the aim of improving consistency and standardisation.
- The Data Management Working Group is reviewing ERES codes with assistance from the CLWG and Labs groups.
- AGS's Labs Group are focusing on how coal tar analysis is carried out. There is currently wide variation in methods used.
- AGS Labs are also attempting to improve the quality of groundwater sampling and analysis following concern about the reliability of results where chemical preservation has not been used for metals, ammoniacal nitrogen, cyanide, sulphide and other unstable parameters. SoBRA may collaborate on a joint initiative to improve current methods particularly where data where data is to inform controlled waters risk assessment.
- AGS's Geotechnical Data Conference is being held on 1st December in Birmingham.



## **Geological Society Contaminated Land Specialist Group**

As part of the 2022 is the Geological Society Year of Sustainability, the Geological Society Contaminated Land Group convened a highly successful conference on **Climate Change and Sustainability: Impacts on Contaminated Land** held over the 19<sup>th</sup> and 20<sup>th</sup> October at Bristol City Hall Conference Rooms. We had around 70 attendees on both days, with nine excellent speakers on the first day and eight on the second covering a variety of topics related to impacts from climate change on our industry, and innovations to improve sustainability in our work. The presentations prompted lots of thought-provoking discussions and good feedback was received from attendees and presenters alike. The presentations were recorded and will be made publicly available in due course to facilitate wider knowledge sharing. Abstracts are available here: [Conference Programme and Abstract Book.pdf \(geolsoc.org.uk\)](#) and information on the innovative approaches implemented to make the conference as sustainable as possible is here: [PowerPoint Presentation \(geolsoc.org.uk\)](#)

## **RICS**

RICS doesn't have any specific activities that wish to share at present however felt that the market observations from the current and outlook would be useful to share with the National Brownfield Forum.

The RICS UK Construction & Infrastructure Monitor for Q3 2022 indicates that construction activity is expected to slow over the next 12 months. It reveals that while workloads are still rising, growth is starting to decline and expectations for the next 12 months are now also not as positive as were recorded in this survey in the previous quarter. The RICS also says that, significantly, there is now greater concern regarding how macro factors may impact the industry, specifically with respect to credit constraints. The deteriorating macro environment is clearly taking a toll on the construction industry with access to credit now being cited as a key challenge for businesses alongside the more familiar issues around building materials and labour. Indeed, the RICS metric capturing the extent of skill shortages in the sector has barely budged in recent quarters with quantity surveyors and a range of skilled trades in particular short supply.

Meanwhile, the impact of the shift in the economic outlook is most visible in the residential and commercial sectors where workloads are now viewed as likely to flatline over the coming year. Ongoing commitments to a number of big projects is, however, continuing to support activity in the infrastructure area.

## **CIRIA**

### Soil

CIRIA soil report to be published Dec 2022/Jan 2023

CIRIA Soil community of practice – web portal to be launched in Jan 2023 and third stakeholders meeting on 1 December. We are now busy sorting activities for next year.

### PFAS

PFAS on soil and water environment good practice guidance next PSG meeting at the end of Nov – progressing well and expected to finish around June 2023

PFAS Forum/Community of Practice to be launched end of Dec 2022/Jan 2023 – this will include a series of workshops and the development of some pages within the CIRIA web pages which will signpost research, events, organisations, etc, FAQ, short guidance, news and blogs/vlogs

### Microplastics

More stakeholder workshops to take place in Jan 2023

### Climate change

CIRIA extreme weather event and brownfield development project will start soon

## **Environmental Industries Commission (EIC)**

The EIC over the last 6 months has gone through a policy refresh to focus its activities around the Environment Act. EIC has established 4 new Policy Task Groups covering:

- Air Quality
- Water Resources
- Natural Capital
- Waste and Resources

These groups are further supported by our

- Contaminated Land Working Group
- Environmental Labs Working Group

And

- Climate Change Task Force
- Human Resources Task Force

Turning to the specific work of the EIC Contaminated Land Working Group. Group Members have supported and endorsed the desire to develop an client guide to asbestos in soil. EIC will seek to reach out to other external stakeholders and non EIC members alongside CL:Aire and JIWG. The aim is to have something published early 2023.

EIC have also been busy pressing Ministers (DLUHC) on maintaining Brownfield First policy. EIC is pleased to hear that the Prime Minister has publicly committed to Brownfield Policy. But EIC has identified that there is a still a preference by developers to build on greenfield sites so there is still more work to be done to help drive brownfield first policy.

The group will also be picking up discussions on DOWCoP for 2023, whilst the EIC Environmental Labs group will be pursuing a client guide for Asbestos in soil in conjunction with the JIWG and CL:AIRE and other stakeholders and interest groups.

EIC remains concerned that rumours circulating the NPPF might be scrapped in favour of Levelling Up Bill and EIA may be downgraded.

## **SILC**

The SiLC Professional and Technical Panel (PTP) is currently led by Dr. Tom Henman as Chair and Louise Beale as Deputy Chair. The PTP includes organisational and technical representatives from the constituent professional bodies and AGS, as well as a small number of co-opted members.

There are currently 195 SiLCs and 130 SQPs. We have five candidates going through the SiLC exam 2022 Round 2 (2022B). We recognise the need to increase the number of candidates going forward and have run two SiLC Introduction Days already in 2022 and have one planned for 10 January 2023. We are also offering all candidates to have a mentor through their application.

Current areas of SiLC activity include:

- Following the successful SiLC webinar on ‘Regeneration of Historical Landfill Sites – Views from Multi-Stakeholder Perspectives’ held on 30 June 2022 and the results from a SiLC produced survey on DoWCoP held over the summer, we published an article in the October / November AGS magazine. The key findings from the survey and proposed actions will be published in a later article.
- We have been working with the NQMS Steering Group on some improvements to the scheme, with launch of the Appendix 1 checklist, which was issued to all SQPs in August, and preparation of a NQMS ‘myth-busters’ document. The number of declarations being made continues to increase at a steady rate.
- The SiLC Equality, Diversity and Inclusion (EDI) sub-group has been re-established under the leadership of Carrie Rose. The sub-group is focusing on how SiLC attract a more diverse group of SiLC members to better represent society, recognising there is much work to do in this area. We successfully prepared and delivered a joint webinar and panel discussion with Environment Analyst on 8 November entitled ‘Perspectives on Tackling the

- Skills, Resource & Diversity Challenges in the Brownfield Sector’, which has received very positive feedback.
- We are developing a SiLC sub-group Sustainability & Climate related issues, focusing on upskilling SiLCs on relevant aspects in land condition assessments and contributing to existing initiatives being led by others.
  - The next SiLC Annual Forum is to be held as a virtual event on 29 March 2023. The content is currently being planned around two themes, including ‘Climate change and sustainability’ and ‘Looking into the future’.
  - SiLC has been approached to support BDA on an update of their Guidance Notes for the Safe Drilling of Landfills and Contaminated Land.
  - The next SiLC PTP meeting is scheduled for 13 December 2022.

### **Society of Brownfield Risk Assessors**

#### **Conferences:**

SoBRA’s summer workshop was held SoBRA’s at the Priory Rooms in Birmingham on the 22nd June. The title of the event was “A Climate Emergency: The Importance of Brownfield Risk Assessment” and the presentations and afternoon workshops focused on the impact of climate change on the common risk assessment subject areas of controlled waters, ground gas, vapour intrusion, and NAPL NSZD, and how such impacts can be accounted for in risk assessments. The output from the workshop is currently being written up and will be published as a workshop report in due course. The winter conference is scheduled for the 8<sup>th</sup> December at the Royal Society of Chemistry Burlington House in London and is our annual conference jointly held with the Toxicology Group of the RSC. It will be a hybrid event as it was last year, with the in-person event livestreamed to on-line participants to maximise the event’s accessibility. Further information on the event is available here [Upcoming Events - SoBRA](#).

#### **Sub-Groups:**

The active sub-groups are:

NAPL

Vapour Intrusion

Ground Gases

Early Careers

CSM and Statistics

The Controlled Waters & Climate change sub-group is now dormant following the publication of the sub-group’s report on controlled waters risk assessment and climate change in August.

#### **Publications:**

The controlled waters and climate change sub-group published their report in August and this has been promoted at a number of recent industry events.

The Vapour Intrusion sub-group published their guidance notes for the assessment of vapour intrusion in contaminated land scenarios in September. This follows on from the recommendations of the summer workshop in 2017 and the publication of the Groundwater vapour GAC in the same year. The guidance notes cover the topics of CSM development, the benefits of soil vapour sampling and VI data collection considerations.

Details of all recent publications are available here [SoBRA Reports - SoBRA](#).

#### **Accreditation Scheme:**

The second accreditation window for 2022 opened and closed in August and scrutineering interviews were held in October and November. There are currently 84 risk assessors on the accreditation register. The next window will be open in January – details are here [Accreditation - SoBRA](#).

#### **Other activities/events:**

The early careers sub-group organised another series of freely available webinars for this year. The current schedule has now closed for the year, but all previous webinars are available as

recordings to view for free. A big thank you to SCLF for allowing SoBRA to use their webinar platform to host these.

Access to and details of all the previous webinar recordings can be found here [Early Careers Webinars - SoBRA](#).

#### Research Grant:

A research grant has been awarded to the University of Greenwich to support the work of the NAPL sub-group and the development of experimental rig to provide data to support the choice of the fraction of the solubility of a hydrocarbon to indicate the presence of NAPL as well as wider information on chemical partitioning behaviour. Once built the rig will initially support a 4-month programme of MSc research.

#### c. Hot or emerging topics open session

##### ➤ **WM3**

NBF members asked about progress of updating WM3. It is understood that a consultation is being led by Welsh Government which closes 1<sup>st</sup> January 2023.

[Guidance on Waste Classification and Assessment \(WM3\) - User Survey 2022 - Natural Resources Wales Citizen Space - Citizen Space \(cyfoethnaturiol.cymru\)](#)

##### ➤ **Environmental Impact Assessments (EIA)**

NBF members also asked if anyone was aware whether DLUH plans to make changes to the Environmental Impact Assessment regime and whether there will be a consultation. It was noted that The Levelling Up and Regeneration Bill contains key provisions which will replace EIAs and strategic environmental assessment with Environmental Outcome Reports (EOR). EORs represent a switch to an outcome based approach allowing the Government to set clear and tangible environmental outcomes which a plan or project is assessed against. At present NBF members are unsure of any detail. It is believed the EOR will be more focused and shorter assessments? It was noted that this could also impact the Design Manual of Roads & Bridges that require EIAs, but it is not clear if these are being changed to reflect the new Bill. It was hoped once the Bill has completed through parliament, new regulations will be prepared and industry will understand more.

##### ➤ **Standard Sampling Suites**

AL shared with NBF members a query that was raised at the last AGS Contaminated land working group that was requested to come to the NBF about whether the “standard” contaminant sampling suites that are carried out for soil contamination are now fit for purpose if the origin of the site is unknown especially for madeground. It is believed the standard suite has been inherited from the old CLR8 document that summarised different historic land uses and what contaminants are typical. Should industry now work together to refresh and challenge the standard analyst suite? What else should be analysed? What is typical in building fabrics that should be analysed for? It was felt as practitioners we have a duty of care to test appropriately.

It was agreed that this would be a really useful exercise but the scope must be carefully managed as it could easily escalate. How could it be funded? Could this be a university project? What would be the vehicle for delivery? Who would like to be involved?

**ACTION: ALL to discuss within their own industry groups and come back to Nicola Harries by 6 January 2023 and a meeting could be set up.**

It was acknowledged that other groups outside of the NBF should also be involved who may have building material inventories. Groups such as International Commission on Radiological Protection (ICRP), Chemical Industries Association and Homes Builders Federation.

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

Seamus Lefroy Brooks gave an update on behalf of the NQMS steering group. He confirmed that there are 130 SQPs and 221 declarations. In the last 4 months the largest number of declarations have been purchased and the graph showing the SQPs against number of declarations purchased has been updated.

[NQMS \(claire.co.uk\)](https://www.claire.co.uk)

He explained that since October 2022, all SQPs are now required to complete a template form to demonstrate their review process of the report that they are signing off. This template is to remain with the report. This is to help the SQP with their review process and ensure things are standardised and demonstrate the review carried out if the SQP is audited.

[Overview of NQMS Scheme \(claire.co.uk\)](https://www.claire.co.uk)

A myth busting bulletin has been prepared to provide clarification to some of the general questions that are regularly asked or are misunderstood. This has now been made available to all SQPs who are encouraged to forward onwards.

<https://www.claire.co.uk/component/phocadownload/category/34-nqms?download=910:nqms-myth-busters-bulletin>

SILC is continuing to encourage SiLCs to upskill to NQMS SQPs and encourage more SQPs to prepare declarations.

Auditing will start again in 2023.

e. Standards

Nicola Harries (NH) shared the update that Mike Smith kindly provided outlining the new standards that are in preparation or out for consultation. Sincere thanks were given to Mike Smith for collating and sharing this information. Full details are provided <https://www.claire.co.uk/land-forum-2022?download=911:nbf-standards-november-2022>

### 3. Specific Knowledge Share

Presentation: “**Biodiversity Net Gain Industry Survey Findings & Land Trust’s offer with BNG**” – Joe Heath (JH) :Development Manager – Environmental Lead, The Land Trust

AL thanked JH for his really interesting and thought provoking presentation. It has certainly helped NBF members understand more about Biodiversity Net Gain and can see how Land Trust is well placed to support industry with their large land portfolio.

Presentation is available here: <https://www.claire.co.uk/land-forum-2022?download=912:the-land-trust-delivering-bng-and-social-value-for-nature-and-local-communities>

### 4. Census Themes

AL talked the NBF members through the draft documents and asked for initial thoughts. It was agreed that census was probably the wrong name, so could be renamed as the National Brownfield Forum - questionnaire. AL explained that there would be a series of questions and depending on the sector that people belonged to, depended on which questions were made available, so people didn’t face a lot of questions.

#### Feedback:

- It was felt by many that the timeframe is too tight, so it was agreed that feedback should be provided by 13<sup>th</sup> January 2023.
- Questions must represent the whole of the UK, eg not just referencing EA etc
- People should be able to answer on a personal or company basis
- Option to pause/skip or not answer

- Opening section needs to be engaging with some explanatory text what is the purpose.
- To acknowledge that there will need to be chasing emails
- Opportunity for some wishing to provide more information by adding free form text boxes
- It was felt that to ask Equality, Diversity and Inclusion questions is appropriate but to acknowledge that some people may not have data to answer the questions as it is captured by their companies

Just to remind all, that the purpose of the questionnaire is to be impactful and hopefully to aid change. AL would welcome feedback to the questions being asked and the style they are being asked.

**ACTION: NBF members to provide feedback on the documents and questions by 13<sup>th</sup> January 2023.**

## 5. AOB

### Environment Social Governance (ESG)

It was noted that as a result of COP 27, there is a greater emphasis on the financial sector on ESG. AL thought it was important to see how NBF members fit into the work of the task force on Nature-related Financial Disclosures (TNFD).

#### [TNFD – Taskforce on Nature-related Financial Disclosures](#)

It was felt that this is a great opportunity for the brownfield and land contamination sector to raise its profile. Many of the industry groups represented at the NBF now have special interest groups relating to the subject so it is important to acknowledge this work and not duplicate things.

SuRF-UK has also identified the ESG agenda.

It was suggested that perhaps a call could be set up between all the special interest groups to understand how the sector can optimise the NBF members contribution.

**ACTION: NBF members to confirm if they wish to be part of a call to discuss the ESG agenda and the work of the TNFD.**

AL felt a speaker that could inform NBF members more about TNFD and ESG at the next meeting would be advantageous.

**ACTION: AL to seek a speaker for the next meeting on ESG and TNFD.**

## 6. Date and location of next meeting

The 2023 meetings are 15<sup>th</sup> March 2023, 28<sup>th</sup> June 2023 and 30<sup>th</sup> June 2023.