
Number Two - August 2017

Welcome to the second edition of our new style NewsLetter. We are planning three each year with, perhaps, ad hoc special editions from time to time.

EPUK 2017 Annual Conference is on Thursday 9 November, Aston University, Birmingham. Our theme this year is **“The Future of the UK Environment: delivering health and wellbeing over the next 25 years”**.

Two momentous challenges form the backdrop to this year’s EPUK National Conference: meeting them effectively will be crucial for the future of the UK environment.

Firstly, the Government brings forward its Great Repeal Bill, intended to bring all existing EU legislation, including environmental legislation, into UK law. This could be a great opportunity to strengthen environmental protection and secure the future health and wellbeing of all in the UK. However, here are dangers that this may weaken environmental protection in the UK; fast track repeal powers may be used to remove regulations seen as burdensome red tape.

At our National Conference, to be held on 9 November at Aston University, our President, Lord Whitty, will address these concerns in his opening speech, assessing how we might avoid weaker legislation and deliver a better environment in the current political climate
<http://www.environmental-protection.org.uk/events/epuk-events/autumn-conference-2017/>

Secondly, the Government has now published its new National Plans for NO₂. The general reaction has been one of disappointment. EPUK’s response is at <http://www.environmental-protection.org.uk/epuk-statement-governments-national-plan-no2/>

The plan is piecemeal and under-resourced. It fails to deliver the comprehensive plan that is so urgently needed to deliver health protection to millions. The burden of delivering solutions to local air pollution falls on local authorities, but without necessary new powers and, crucially, money.

The UK Supreme Court has warned that the final plan could well be open to legal challenge if it does not deal with concerns expressed about the effectiveness of measures and the timetable for achieving compliance with EU norms. <https://www.clientearth.org/high-court-judgment-air-pollution-shot-across-bows-government/>

This year's conference will give an early review the action around the new Plan, the measures it proposes and the funding available to support local authorities in delivering them. It will be an opportunity to consider the message EPUK should take to Government in response.

John Murlis, Chair, EPUK Executive Committee

Environmental Protection UK - 2017 Annual Conference
Thursday 9 November - Aston University - Birmingham
to register visit

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Air Quality News

Before the election (March 2017) four Select Committees (Environmental Audit Commission, Environment, Food & Rural Affairs, Health and Transport) announced an unprecedented joint inquiry into air quality. Unfortunately, the election put paid to this exercise which, if the statements of the then Chairs were to be trusted, promised to increase the pressure on HMG to deliver a credible Air Quality Plan.

Following the general election elections were held for the new Chairs of the various Select Committees and the results were announced in July. Of these three are the previous incumbents with Lilian Greenwood (Lab, Nottingham South) replacing Louise Ellman (Lab, Liverpool, Riverside) on the Transport Committee. Following this announcement EPUK wrote to all four Chairs congratulating them on their success and, more to the point, urging them to revive the joint inquiry. To date only one response has been received and that, whilst containing seeds of hope, only goes so far as to say that the business of Select Committees will not be determined until the full Committees are appointed after the summer recess. Needless to say we will be continuing to urge the reinstatement of this type of joint working.

HMG has at long last, even if a few days before the High Court deadline, published its Air Quality Plan for addressing the problem of NO₂ in our towns and cities. Initial impressions are not encouraging (to put it mildly). A great play has been made of the apparent intention of the Government to phase out petrol and diesel engined vehicles by 2040 but at least some mainstream motor manufacturers are well ahead of the game although SMMT is complaining that it has not been consulted in this respect. 2040 is also a lot less ambitious target than Norway's 2025 even allowing for Norway's smaller population and ample hydro-electric power.

Two main points stand out as big shortcomings. The first is the continued insistence that local authorities must do all the hard work and get all the brickbats from angry motorists and assorted petrol-heads. The second is the insistence that the only areas that seem to really need attention are the 81 stretches of road identified by modeling.

The first of these is exacerbated by the inadequacy of funding available and the availability of the necessary expertise in local authorities. There are also several groups, including the All Party Fair Fuel Group in Parliament who are questioning the contribution of road traffic to air pollution by selectively quoting emissions inventory data for power stations to suggest that road traffic in central London only accounts for 11% of NO₂ there. They are also suggesting that the health data are "zombie statistics" because of the way they are presented to make them readily understood by the general public.

The second seems to totally ignore the vast amount of work carried out by local authorities in the LAQM process and all the monitoring that has been carried out in support of that process. It is surely questionable whether data that have undergone QA/QC to either the LAQN or Calibration Club standards and that clearly show exceedences of one or both the hourly and annual average standards for NO₂ should be "overlooked".

David Muir, Vice-Chair, EPUK Air Quality Committee

Brownfield Registers

Last year the Government invited local authorities to take part in pilot trials to set up brownfield registers. Some 73 authorities took part, with many publishing their findings

in some detail. In April 2017 it became law for English local authorities to prepare and publish registers of brownfield suitable for residential development and to select sites that will be granted permission in principle for redevelopment. Authorities have until 31 December 2017 to have completed compiling these registers.

There are two sets of new legislation:

- The Town and Country Planning (Brownfield Land Register) Regulations 2017 - the regulations require local authorities to prepare and maintain registers of brownfield land that is suitable for residential development.
- The Town and Country Planning (Permission in Principle) Order 2017 - the Order provides that sites entered on Part 2 of the new brownfield registers will be granted permission in principle.

The Government's stated aim for the Brownfield registers is to "provide up-to-date, publicly available information on brownfield land that is suitable for housing". The register will be in two parts. Part 1 of the brownfield registers will be a comprehensive list of all brownfield sites in a local authority area that are suitable for housing, irrespective of their planning status. The register will also be a basis for granting permission in principle for suitable sites where authorities have followed the relevant procedures. If the authority considers that permission in principle should be granted for a site the local authority will then enter that site in Part 2 of their register. Part 2 is entirely compiled from sites in Part 1 and will include only those sites for which permission in principle has been granted. The sites in Part 1 will not necessarily be placed in Part 2, this depends on the authority completing a publicity and consultation programme for individual sites, at the end of which it must still be clear that permission in principle is appropriate. Some sites will not be placed on Part 2 of the register and this includes sites where development would conflict with existing statutory environmental requirements. So a site would not be included on Part 2 of the register and thus not granted permission in principle through being placed on the register where development of the site would:

- fall within schedule 1 of the Environmental Impact Assessment Regulations;
- has been screened as Environmental Impact Assessment development; or
- development would be prohibited under habitats protection legislation.

Once the permission in principle is granted this is not the trigger to commence development. Permission in principle will provide surety of the number of homes that would be allowed but development can only commence once "technical details consent" has been obtained. The technical details consent will be concerned with the appearance of the development and mitigation as with other forms of planning application, and at this stage it would be expected that contaminated land assessment and treatment measures can be approved.

The exact format of the registers and the information that will be included on them will be set out in new statutory guidance, to be issued in the Summer. This doesn't give local authorities much time to get the information in place before the statutory deadline. Some authorities will have a head start including the 73 pilot authorities. One such is Swindon Borough Council, which published a considerable amount of information on the process of compiling the pilot registers, as shown on the link below.

https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/647/monitoring_and_evidence_base/3

House of Lords Air Quality Debate

Our President, Lord Whitty, spoke in a House of Lords debate on 3 July called by Lord Borwick on the topic of air quality in London. Lord Hunt, an EPUK Vice President, also spoke. The debate can be seen on Parliamentary TV at:

<http://parliamentlive.tv/Event/Index/8bc0b18e-6fb4-4020-9b0e-254e54060185> starting at 19.24.

Lord Borwick noted the great harm done to the health of communities and individuals where air quality was bad; a burden he said fell disproportionately on the poor. He said that although much had been done since the clean Air Acts of the 1950's considerably more action was needed. He referred to the many measures that reduced air pollution but said that in his opinion cycling lanes increased pollution by causing congestion as road space for motor vehicles was squeezed.

Lord Whitty referred to the role played by the National Society of Clean Air, EPUK's successor, in the making of the first Clean Air Acts and said that this had transformed the air of London. He noted that although the act was initially resisted by the government of the day it became accepted by them and finally became one of their most notable achievements. He said that action locally was essential but that it had to be supported by national action and that a new Clean Air Commission could match the achievement of the Beaver Committee on Air Pollution in ensuring that, as a first step, action across government and the implementing bodies was effectively coordinated and, then, to pave the way for a new Clean Air Act.

Lord Hunt noted the importance of road traffic and in particular diesel vehicle in air pollution and said that the excessive number of minicabs and delivery vehicles was a major factor. Much investment in the available alternatives, including in EV charging infrastructure, was needed together with R&D to ensure that understanding of air pollution and its effects was advanced

Several participants called for a new Clean Air Act but Lord Gardiner, responding for the Government said that there was already extensive legislation in place to support action on air quality and that the Government had invested heavily in incentives for cleaner vehicles. A revised plan for NO2 would be published on 31 July.

John Murlis, Chair, EPUK Executive Committee

Life on the front line of old landfill management . . . 2

Click-hiss-hum- silence. Again: click-hiss-hum - nothing. Hummm.

The landfill control hut was silent. Too silent, and in complete contrast to the normal near deafening sounds of compressor, dehydrator and other equipment producing the compressed air to drive the leachate and landfill gas pumps and assist the smooth operation of the gas flare. The clicking sound was me trying to restart the compressor. The hiss was air escaping to atmosphere via the pressure relief valve. The hum developed as the system shut down. Not good.

What's this piece about? If you saw the last newsletter you'll recall the report from that seldom visited corner of local government - the closed landfill site. It described some of the challenges of managing the festering and sometimes unpredictable biosystems which we know locally as landfill Alpha and landfill Beta.

Back to the control hut. We couldn't make any sense of it. Nothing had apparently changed since our last visit to the landfill just yesterday. We called out the compressor engineer. The compressor was serviced and all was well. Except that it wasn't and the system failed to pressurise as before. The Engineer suggested an electrical fault. We called an electrician. After about half an hour's wait he pronounced his verdict: a solenoid switch was faulty and stuck in the closed position. It controlled the distribution of compressed air to each section of the landfill, a job duplicated by a manual lever on each leg of the air supply lines. He simply isolated the switch and all was well. The solenoid was there to ensure timed amounts of air were sent to each leg but in fact this was an unnecessary complexity as the air is needed continuously. It's so often the tiniest of items that brings the whole system to a halt.

Whereas I have commenced on a tale of a small part of our system self-destructing we are also sometimes at the mercy of things beyond our control. As anyone who has anything to do with old landfill sites will know, the practicalities of perimeter environmental monitoring always intensify at this time of year. Our landfill complex, sites Alpha and Beta, are typical disused landfill sites that require constant attention and like others of their kind will take every opportunity to sneak emissions past the turned back of the operator. This is why perimeter monitoring is important.

Perimeter environmental monitoring is what you do at the edge of the waste or more likely the boundary of the property to ensure nothing is getting out to cause nuisance to the neighbouring land. The perimeter monitoring might focus on what is happening below ground and commonly be in the form of sampling wells that allow measurement of groundwater quality or detect gases escaping sideways through the ground. The difficulty is making these accessible continuously for the taking of samples.

Neighbouring land may be owned by others and special arrangement might need to be made for access. Alternatively they may be placed on public land, where access is more readily available, but there they are at risk of damage by anyone passing. In my experience the presence of a perimeter monitoring well in a public place is an implicit invitation to those with too much time on their hands to carry out investigations of their own. Many is the time I have set out to monitor ground gases at the perimeter of a landfill to find the instrumentation uprooted and in pieces. This time of year nature plays its part too. A well that was perfectly accessible in March has disappeared by June as the greenery springs up. Another enemy of monitoring points is utility works. Somehow these also seem to spring up around March. At Beta we have "lost" two sets of perimeter instrumentation about the time a new low voltage electric cable was installed. Try as we might - using satellite data and metal detector technology so far these wells have not rematerialised. The only option is to reinstall using a ground investigation contractor. More expense for the hard pressed budget.

Anon

EPUK Regional Roundup

The **South West Region** held a successful Environmental Protection Update Workshop at Weston College on 21 June 2017. It was well attended with comprehensive presentations from Alan Bratt, (Chair of the Noise Committee) on 'Noise', our Chair, Dr David Muir (Vice-Chair of Air Quality Committee), on 'Air Quality' and David Rudland (Chair of the Land Quality Committee) on 'Contaminated Land'. The value of the event is best summed up by one of our members who attended:

"...Thank you and yes I did enjoy the morning. It is really useful to have a round up of the main EP type issues in the one sitting."

Many who were present enjoyed the benefits of the offer of free personal membership for one year we made to those who attended a similar event last year, which led to 16 new personal members in the South West. As a result of making a similar offer this year we now have 2 new personal members, one who is an EHP with a local authority and the other is an Environmental Scientist with Public Health England. We are grateful to David Lown and Weston College for providing us with an excellent venue for these workshops. David has let us know that the College will be prepared to offer us a venue again next year possibly in the Winter Gardens building which has been acquired by the College and is currently being transformed to the 'University Centre Weston'.

We held our 2017 AGM at Weston College after the workshop and are pleased to welcome new members to the committee; Charlotte Landeg-Cox from Public Health England, Lucy Hodgins from Air Quality Consultants Ltd, Alison Simmons, Karen Toomer and Jackie McLaren from the 2020 Partnership (which is a shared services partnership between the Forest of Dean DC, Cheltenham BC, Cotswold DC and West Oxford DC).

EPUK continues to have a strong presence in the South West and we are planning our Autumn/Winter programme of meetings and visits. Over the spring and summer we have begun to make contact with environmental third sector organisations and charities to explore ways of developing shared interests. It is hoped that a joint meeting with Low Carbon South West can be included in the programme. Work is also in progress to arrange a visit to one of the new 'fleet' of waste incinerators (or Energy from Waste plant - or Energy Recovery Centre etc) in the region. We are also keen to work with the Midlands Regions and give assistance to resurrecting an EPUK presence in Wales.

Rob Enticott, Secretariat, EPUK South West Region

West Midlands Region: following a successful seminar and AGM in February, a representative from ALS Life Sciences offered to host a contaminated land seminar at their laboratory in Hawarden, Deeside, and North Wales on the 15 June. It was a free seminar for EPUK Members and well attended with 25 delegates. It enabled Christopher Fry, Chairman of Trustees, Neil Turner, Vice-President and Karen Thornton, West Midlands Secretary, the chance to speak to delegates about issues facing EPUK in particular those regarding air quality where EPUK had met with the DEFRA Minister and Category 4 screening levels for use by local authorities in assessing potential contaminated land sites.

It was billed as a West Midlands, North West and North Wales Regional joint event. Dr Richard Ogden of Land Quality Management Limited at Nottingham University presented on risks from asbestos fibres, Paul Gribble, Technical Director for ALS, presented on persistent organic contaminants in water, Chris Swainston presented a Review of BRE 465 Cover Systems for Land Regeneration on behalf of the Association of Geotechnical & Geoenvironmental Specialists and Geraint Williams, also of ALS, presented on sampling techniques for volatile organic compounds.

The seminar also included a tour of the ALS laboratory facilities and EPUK has been invited to hold another seminar at ALS next year. Hopefully this will attract more delegates from the adjoining Welsh local authorities.

East Midlands Region: Another free seminar for EPUK Members is planned for the 20 September at the British Geological Survey HQ at Keyworth in Nottinghamshire. BGS who are now Members of the Society have offered to host this event. The preliminary programme will include speakers from:

- Nottingham City Council on actions to control traffic air pollution from buses, taxis and delivery vehicles.
- BGS on the Natural Environment Research Council use of geoscience for brownfield

- land redevelopment projects.
- CL:AIRE on the National Quality Mark Scheme for contaminated land consultants/contractors.

It is hoped that the event will also involve a tour of the BGS laboratory facilities.

Christopher Fry, Chair, EPUK Board of Trustees

News from EFCA - European Federation of Clean Air Associations

The Croatian Air Pollution Protection Association (CAPPA) holds its biennial Scientific and Professional Conference during the 3 to 7 October at Primošten, near Split.

There will be sessions on air quality management policy, emissions and monitoring, exposure estimates and health impacts. Both IUAPPA (the International Union of Air Pollution Prevention Associations) and EFCA (the European Federation of Clean Air Associations) will have special sessions, highlighting air quality challenges in Europe and the global context for air quality management.

The EFCA session will cover some of the currently poorly controlled sources of air pollution, in particular shipping, which is of specific concern in coastal regions of Europe. In the IUAPPA session there will be presentations on air quality management in world megacities and part of the session will be on the ways in which city measures to improve liveability, for example through better transport policy, provide environmental benefits.

Details of the CAPPA Conference are at: [http://www.huzz.hr/Prva%20obavijest%20-%20Zastita%20zraka%202017%20\(ENG\)%20za%20web.pdf](http://www.huzz.hr/Prva%20obavijest%20-%20Zastita%20zraka%202017%20(ENG)%20za%20web.pdf)

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Early Bird Rate available to 30 September

to register visit

<http://www.environmental-protection.org.uk/events/epuk-events/autumn-conference-2017/>

for a copy of the conference brochure visit

<http://www.environmental-protection.org.uk/epuk-2017-annual-conference/>

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All contributions to be emailed to the Secretariat

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