

The CL:aire DoWCoP

A regulators perspective

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Greater Manchester, Merseyside and Cheshire

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Regulators Perspective

- Been involved when version 1 came out – sat in the audience and received the training ~10yrs ago
- Have rolled out training to North & Central England EA Officers when Ver.2 came out; still answer questions and queries about it.
- Am a proponent of the scheme
- Still think it has a key role in development of brownfield sites
- ...but there are problems

The Good...

- Have noticed use of the DoWCoP in novel and un-standard applications
- Increasingly used for complex brownfield development in a sustainable way
- Increasing the use of remediation and retention
- Effective use of EA resources

DoW CoP Adoption



Declarations =
3,738



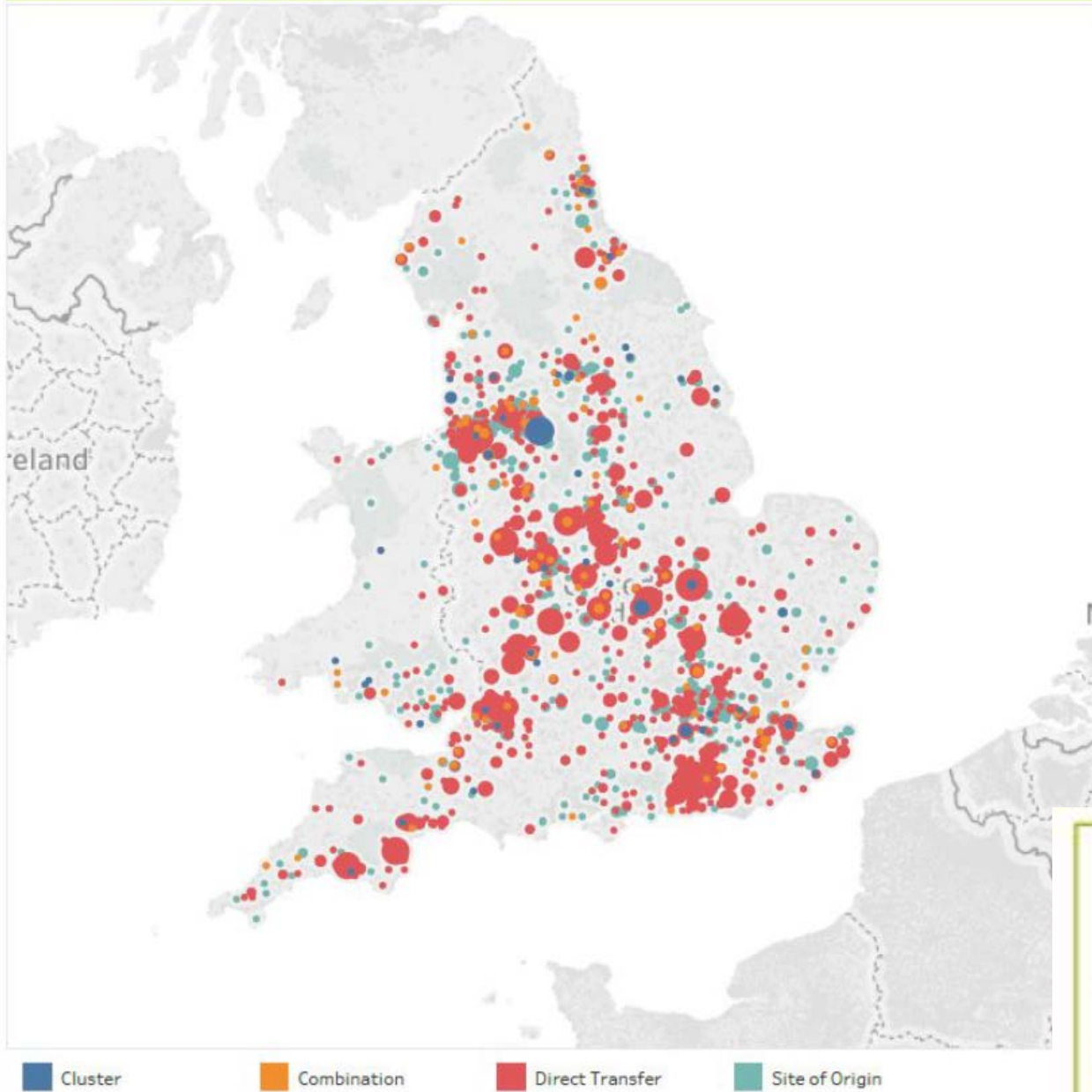
QPs = 235

Vol. Materials =
64,899,222m³



Since launch in Sept 2008 to end May 2018:

Map of DOW projects (2014-2017)



The bad...

- Have noticed increasing poor practice
- Increasing involvement in peripheral persons in the planning & development process
- Increasing number of sites are ending up being considered as illegal waste sites
- Taking up more of officers time sorting out the problems rather than supporting industry developing out sites
- Taking up more EA resources that aren't available

From: Director, Land Owning Co.
Sent: June 2018 23:20
To: GMMCWasteEnquiries@environment-agency.gov.uk
Subject: RE: Former Chemical Works

Dear

Regarding the use of the re-use on site of origin scenario of the CL:AIRE DoWCoP at the former Chemical Works site, here is some information regarding the proposed development of the wider site which may help to place the potential re-use of materials in context:

- A master plan development plan has been submitted
- The Chemical plant to the north of the site is separate to the plant (chemical by-products) to the south. The original outline permission has been, admittedly, superseded by parcel specific full planning application.
- The re-use of arisings from the residential development further to the south on 'greenfield' land has always been planned as a sustainable use of these arisings to help the wider development of the entire site.
- Significant assessment work has been undertaken in relation to the proposed re-use of these soils. However, as the materials have been described as Made Ground it is hoped that the hub and cluster scenario is not required in order to 'treat' the soils
- Attached are some drawings which show the site area, including the site boundary for the original outline planning permission and the location of areas submitted for detailed planning permission, which show the close nature of the proposed developments and further rationale for considering the development area to be one single site.

I look forward your positive reply regarding the use of the CL:AIRE DoWCoP (site of origin – Route B scenario) shortly but should you wish to discuss this further I would be pleased to meet with you.

Kind Regards

Director
Land Owning Co.

From: Technical Director, Big house builder Co.
Sent: June 2018 19:40
To: GMMCWasteEnquiries@environment-agency.gov.uk
Subject: Reuse and Direct Transfer - Intention of Use

To whom it may concern

We are informing you of our ability to utilise the CLAIRE DoWCoP Materials Management Plan method for Direct transfer and reuse of materials on site.

The application for planning permission isn't yet completed to my knowledge.

Please check with the relevant parties including your waste team, in relation to the above site.

I require acknowledgement of this email for the purpose of completing the Qualified Persons declaration form.

Best Regards
Technical Director
Big House building company

....and the Ugly

	25/02/20## 20:24:37
Qualified Person Name	Mr. A. N. Other
Qualified Person Number	QP160556
This Declaration relates to -	Direct Transfer - Route B: Direct use of clean naturally occurring soils from another development site
Proposed Volumes	25,000 cu m

Local Authority name, address	Department of Regeneration, Housing & Planning/Environmental Health
Local Authority - name and contact details:	Correct environmental health team Correct local authority & address Person name: retired Five years beforehand
Environment Agency / Natural Resources Wales local office address & contact details	North West Region Contaminated Land Team Southern Area Office Richard Fairclough House Knutsford Road Latchford Warrington Cheshire, WA4 1HT Lee Beveridge - Technical Officer Tel: 01925 542 885 Email: lee.beveridge@environment-agency.gov.uk

To the Owner/Operator
LLP
Street
Salford
Greater Manchester

Date: 19th March

Company No.

ADVICE AND GUIDANCE

OPERATION OF A SUSPECTED ILLEGAL SITE ENVIRONMENTAL PERMITTING (ENGLAND & WALES) REGULATIONS 2010

Dear Sir/Madam,

Following an inspection of your site at _____ on 12th March we believe that you are operating a site in contravention of Regulation 12 of the above legislation, in that you do not have an Environmental Permit as required.

Operation of this site without an appropriate Environmental Permit is illegal and may lead to prosecution or other enforcement action

As you do not have an appropriate Environmental Permit for your site you must; **STOP** operating with immediate effect and remove all waste **AND**, if you intend to conduct a waste related activity in the future, you must:

- 1) Apply for a relevant Environmental Permit or, if you meet the applicable criterion, register to operate an Exempt Facility for the activity **AND**
- 2) Wait until it is granted before commencing the activity **AND**
- 3) Operate in accordance with that permission.

The grant of a permit is not automatic - for information on what you will need to do and whether it is likely that you can obtain an Environmental Permit or register to operate an Exempt Facility you should contact the Environment Agency on;

Telephone: 03708 506 506 (Mon-Fri, 8am - 6pm)
Email: enquiries@environment-agency.gov.uk
Website: www.environment-agency.gov.uk

You may also wish to seek the advice of a suitably qualified consultant.

The site is in close proximity to a tributary of the River _____. You may want to consider pollution prevention measures to ensure that the site does not pollute the watercourse.

We will continue to monitor your site to check progress.

Development on Landfill - DoWCoP?

- Number of projects coming forward to re-develop old closed landfills either in full or in part.
- The materials were deposited as waste - when does it stop being a waste?
- Suitable for use, Fit for Purpose
- Piling/Ground improvement
- What materials does DoWCoP cover;
 - soils and stones,
 - onsite foundations,
 - made ground??
 - must meet suitable for use criteria engineering as well as chemical. (not timber, pipe, metal, rags, plastic etc)
 - Segregating oversize –is it enough?



CL:AIRE DoWCoP Ver. 3 update

- Ver3 is very nearly there, it requires final sign off and alignment with other developments and initiatives such as the NQM scheme by Land Forum and changes at CL:AIRE itself in new governance systems. (?Early or late Christmas present?)
- It will improve or amend some ways of working for specific materials.
- It will not be a fundamental re-write, all the current good stuff stays
- It will hopefully add some tweaks that allow more efficiency in some materials or scenarios
- It will still be backed by an EA position statement