


NQMS. A Local Authority Perspective.

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- Julia Reynolds. Project Officer (Part 2A) for Leeds City Council.
 - The pros and cons of the NQMS as considered by the Yorkshire and Humberside Pollution Advisory Council (YAHPAC).

Yorkshire and Humberside Pollution Advisory Council (YAHPAC)

- YAHPAC includes 35 local authorities from Yorkshire and Lincolnshire (28 active members).
- The Contaminated Land team at Leeds is one of the authorities who sit on the YAHPAC Land sub group.

BACKGROUND

- The contaminated land officers are non statutory consultees with regard to land contamination just like EA.
- The Local Authority (who the CLOs work for) is generally the Local Planning Authority.

PROS



PROS - OVERALL

- The purpose of the scheme is to improve the quality of reports.
- Every YAHPAC authority welcomes the push for improvement in standards.

PROS - OVERALL

- We expect to see the main benefits of the scheme in reports we receive as part of the planning process.
- The reports should clearly and effectively demonstrate that the site is safe and suitable for use in line with the NPPF (without the need for revision or clarification).

PROS - COST

- Reduce/remove the need for 3rd party review and numerous revisions of reports.
- Reduce costs for the public and private sector.

PROS - COSTS

- LAs are working with reduced resources year on year and an increasing work load.
- Some LAs no longer have/never had dedicated Contaminated Land Officers (specialists).
- Allows resources to be diverted to the **statutory** function of Part 2A.

PROS – TIME PRESSURES

- LPAs need to ensure that sites are dealt with quickly and efficiently under the planning process with delays being minimal.

- Streamlined smart planning workload allows;
 - Reports to be “triaged”
 - Focus on the higher risk sites
 - Scrutiny of sub standard reports

PROS - GENERAL

- There is a clear complaint procedure. Everyone knows where they stand.
- The use of the NQMS is not mandatory. There is no obligation to not review.

CONCERNS



CONCERNS - UPTAKE

- There are a lot of consultancies out there. Likely the scheme will be adopted by the ones who already produce good reports.
- The LAs time tends to be taken up with the reports from the “weaker” companies.

CONCERNS- LIABILITIES

- Whilst the responsibility for securing safe development rests with the developer. The NPPF states LPA is responsible, through its planning policies and decisions, for ensuring:
 - That the site is suitable for its new use
 - That after remediation, as a minimum, land should not be capable of being determined under Part 2A
 - That adequate site investigation information, prepared by a competent person, is presented

What are the legal implications of giving a “light touch” or no review?

CONCERNS - LIABILITIES

- Even well written reports often require clarification of points.
- The LA officers are answerable to the Councillors and ultimately the public. The officers need to have understood the report in order to explain the decisions taken.

THE WAY FORWARD?

- An initial trial period with the Land Forum/SILC asking for feedback?
- Annual review and request for comments to celebrate successes and identify areas for improvement?

THE WAY FORWARD?

- Legal view of the possible implications (if any) of giving a “light touch” or no review.
- Keep communicating and working together. We all want land contamination dealt with appropriately, effectively and in a timely fashion.

□ Thank you for listening.

□ Questions?