

Report of Team Leader (Contaminated Land)

Report to Chief Planning Officer

Date: 1 October 2018

Subject: Update of Contaminated Land Inspection Strategy (CLIS)

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes All wards	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Leeds City Council's Contaminated Land Inspection Strategy (CLIS) January 2013, has been revised/updated in line with our review process. The review of this CLIS has been carried out following five full years of its implementation.
2. No fundamental changes to the technical and legal approach to inspecting Leeds for Contaminated Land, nor to the characteristics of the Leeds Metropolitan District, have been made. However, the document has been fully updated with regard to for example current council policy (including the adopted Leeds Core Strategy and the Best Council Plan).
3. As the Inspection Strategy is fundamentally remaining the same technically, a public consultation process is not considered necessary or appropriate.

Recommendations

4. The Chief Planning Officer is recommended to:
 - Approve the updated CLIS for publication and formal adoption in October 2018.
 - Note that it is intended to review the CLIS as and when necessary but as a minimum within 5 years from the date of publication.

1 Purpose of this report

- 1.1 The purpose of this report is to relate the outcome of the CLIS review and to seek approval to publish and formally adopt the updated CLIS in October 2018. The revised and updated CLIS is attached.
- 1.2 Part 2A of the Environmental Protection Act 1990 came into force on 1 April 2000. This established a new statutory regime for the identification and remediation of contaminated land. Part 2A gave local authorities a duty to inspect their area for contaminated land and to publish a written document. The 'Contaminated Land – An Inspection Strategy for Leeds' published on 1 July 2001 explained how Leeds City Council was going to do this, and subsequent Annual Reviews have provided CLIS updates.
- 1.3 New statutory guidance on Contaminated Land was published by DEFRA on 6 April 2012. This required all local authorities to review and update their CLIS. The CLIS dated January 2013 was formally adopted and published by the council.
- 1.4 This review of the January 2013 Inspection Strategy has been carried out following five full years of its implementation. Leeds City Council's CLIS dated January 2013 has subsequently been reviewed and revised/updated.

2 Background information

- 2.1 Each local authority is required to adopt a strategic approach to inspection that should reflect local circumstances. Statutory Guidance contains a prescriptive list of issues and procedures which must be addressed in the strategy.
- 2.2 Although the CLIS was updated, in reality the changes required have not been significant and the general inspection strategy approach has remained largely similar to the previous CLIS. However, the number of proposed inspections has been reduced, to align this commitment with resourcing levels and other service priorities.

3 Main issues

- 3.1 As the Inspection Strategy is fundamentally remaining the same technically, a formal public consultation process was not considered necessary or appropriate, although relevant services across the council, West Yorkshire Ecology Service and the Environment Agency have been consulted.
- 3.2 The CLIS review was presented at the City Development's Planning Board meeting on 20 March 2018. It was agreed that the January 2013 CLIS would be updated, but that this would not need to come back to Planning Board but could be signed off by a Delegated Decision under the Chief Planning Officer once completed.

- 3.3 The revised text is currently being formatted and the presentation finalised. It is intended for the CLIS to be published in October 2018. Although work will be ongoing on the presentation of the document, it is intended to use a pdf version of the Word document initially until the final version is available.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Various teams in the council and the Environment Agency were consulted with regard to the section of the CLIS that was relevant to their service areas to update and agree on wording.

- 4.1.2 As the Inspection Strategy is fundamentally remaining the same technically, a formal public consultation process was not considered necessary, although council services, West Yorkshire Ecology and the Environment Agency have been consulted.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 A screening document has been prepared and an independent impact assessment is not required for the approvals requested.

4.3 Council policies and City Priorities

- 4.3.1 These updates involve works that meet the Best Council Plan 2018/19-2020/21 in the following ways:

Health and wellbeing

- reduce health inequalities and improve the health of the poorest the fastest
- enjoy health lives
- Leeds will be a healthy and caring city for all ages

Child-friendly city

- support families to give children the best start in life
- improve the homes and places in which children live and play and better their overall health and wellbeing

Safe, strong communities

- keep people safe from harm, protecting the most vulnerable
- enjoy greater access to green spaces
- build thriving, resilient communities

Housing

- provide housing of the right quality
- improve health through housing
- live in clean spaces
- create sustainable communities

4.3.2 This project relates to a statutory/regulatory requirement and to the council's Environment & Design Group's Service Plan objectives of implementing the Contaminated Land Inspection Strategy.

4.4 Resources and value for money

4.4.1 The current resources available to implement the current Contaminated Land Inspection Strategy will continue to be available to carry out the updated Contaminated Land Inspection Strategy work.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There is no legal input required with regard to this work at this stage.

4.5.2 It has been decided that this update falls under the category of a Key Decision and therefore the relevant procedures will be followed.

4.6 Risk Management

4.6.1 No risk assessment is considered necessary as this is statutory work that is already currently carried out by Leeds City Council and the CLIS is simply being revised and updated as agreed at Leeds City Council's Planning Board meeting on 20 March 2018. In addition, there have been no fundamental changes to the technical and legal approach to inspecting Leeds for Contaminated Land, nor to the characteristics of the Leeds Metropolitan District.

5 Conclusions

5.1 The CLIS has been updated as agreed at City Development's Planning Board meeting on 20 March 2018. None of the changes are considered significant and therefore approval is sought to formally adopt the CLIS October 2018 document as per the recommendations below.

6 Recommendations

6.1 The Chief Planning Officer is recommended to:

- Approve the updated CLIS for publication and formal adoption in October 2018.
- Note that it is intended to review the CLIS as and when necessary but as a minimum within 5 years from the date of publication.

7 Background documents¹

7.1 Leeds City Council's Contaminated Land Inspection Strategy (CLIS) dated October 2018.

7.2 Equality and Diversity / Cohesion and Integration Screening Form.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.