

# **National Quality Mark Scheme for Land affected by Contamination (NQMS)**

Seamus Lefroy-Brooks  
LBH WEMBLEY Engineering  
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# Talk Objectives

- Understand the scope and structure of the National Quality Mark Scheme (NQMS)
- Understand the operation of the NQMS
- Understanding of the requirements for becoming a Suitably Qualified Person (SQP) and the consequent responsibilities
- Be aware of the regulatory areas where NQMS might grow to cover



# Background

*“The selection of consultants can be complex because there are large variations in the competency of companies offering contaminated land services, many of whom offer extensive services on the basis of only limited resources or experience. There is no single directory of specialist consultancies nor any unified registration scheme which validates their competence.”*



**1997 CLR12**



# English Partnerships Brownfield Conference (March 2008)

established

- national brownfield strategy
- national skills framework
- national brownfield forum



# National Brownfield Forum (February 2009)

*“The forum's remit is to oversee the implementation of the national brownfield strategy, to improve co-ordination on contaminated land and brownfield policy between Government, devolved Administrations, regulators and practitioners, and to encourage the exchange of best practice and knowledge.”*



(House of Lords Hansard 21st April 2009)



# The Land Forum (July 2011)

- discuss brownfield issues
- support the development of best practice by regulators, practitioners and problem-owners
- identify key challenges
- seek appropriate resolutions



# Land Forum Membership

AGS		HCA		RSC	
BLRS		ICE		SAGTA	
CIEH		IEMA		SEPA	
CIWEM		Land Trust		SOBRA	 
CL:AIRE		Local Authority Contaminated Land Regulators		SiLC	
CLG		NHBC		Strategic Forum	
DEFRA		Northern Ireland Government		TCPA	
EA		NIEA		UKCG	
EIC		NRW		UKELA	
EPUK		REHIS		Voluntary Land Forums	
Geol Soc		RICS		Welsh Government	
HBF					



# NQMS Aims

To ensure that a satisfactory standard of work is undertaken and provide confidence to regulators about the quality of submissions made under the planning system (NPPF).

The scheme is voluntary and the procedure is simple.





# NQMS Objectives

- to improve the quality of reports delivered by the contaminated land industry to a level whereby Developers and Regulator(s) can better rely upon the conclusions put forward without the need for further scrutiny or auditing.
- to provide assurance to Developers (who retain the legal responsibility for adequately dealing with land contamination problems) and to Regulator(s) that the risks arising from land contamination have been adequately assessed and dealt with by competent people.



# NQMS Scheme

Reports are checked to ensure that:

1. The work has been planned, undertaken and written up by competent people
2. The underlying data has been collected in line with established good practice.
3. The data has been processed, analysed and interpreted in line with good practice and any specific advice provided by the relevant regulatory authorities.
4. The report sets out conclusions or recommendations that are substantiated by the underlying data and are based upon reasonable interpretations.
5. Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations.



# SQP Role

- SQP is an individual, approved and registered by the scheme, who checks the report and whose judgement can be relied upon with some degree of finality.
- SQP will ensure that the key aspects of the report have been either checked directly by themselves or by individuals with a requisite level of capability.
- SQP signs a declaration form to this effect.
- A separate declaration is required for each document, which may then bear the National Quality Mark)



# SQP eligibility

An experienced chartered professional

- Bound by a professional code of conduct
- Sufficient specialist contaminated land experience to have a good overview of
  - The requirements of the various regulatory regimes and
  - What is required to effectively assess a site and remediate it to a suitable condition.



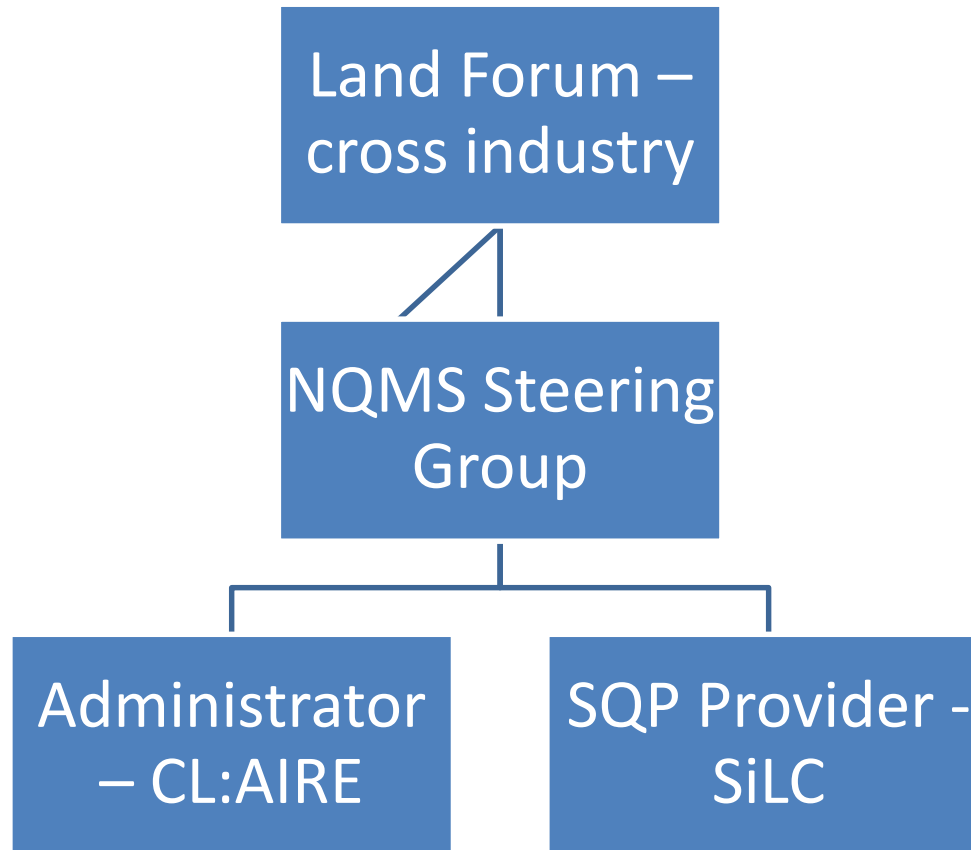
# SQP eligibility

So 'suitably qualified' can essentially mean someone who has:

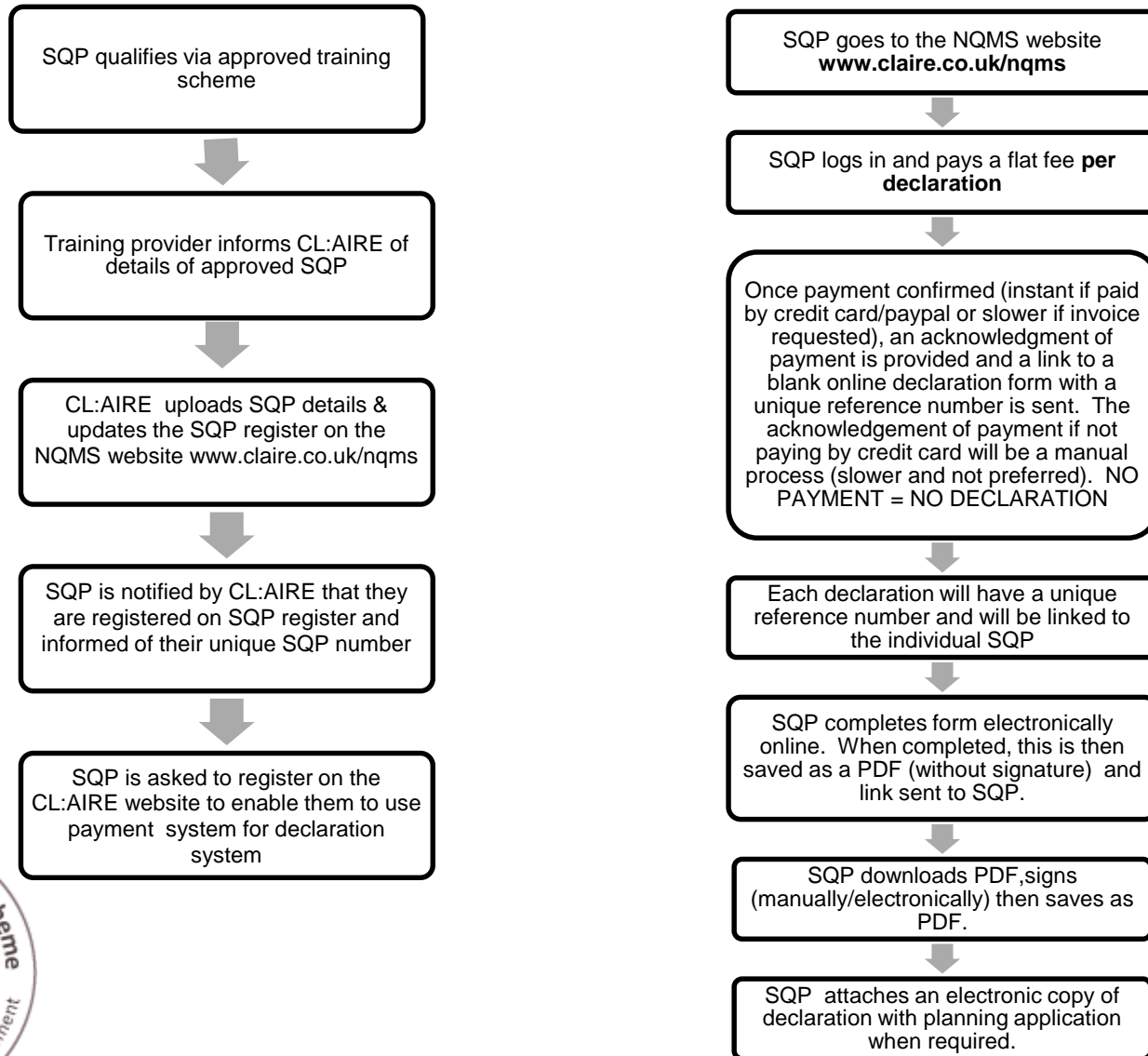
- a thorough knowledge of all the relevant legislation and guidance and
- demonstrable understanding of the relevant issues and their implications and
- demonstrated substantial, relevant and current experience



# Operating the NQMS



# NQMS Process



# SQP Register

SQP No.	Name	Company	Email Address	Year Awarded	Awarding Body	Declarations
SQP 1	Joe Bloggs	Bloggs Ltd	Joe.bloggs@xx xxx.com	2016	SiLC	
SQP 2						

Unique Number, remains with SQP

Various awarding bodies may establish. Need to meet criteria set by Land Forum

Each declaration assigned to an SQP listed for ease of checking. Looking to be automated.





# Declaration Process

- Automated Process
- Log onto CL:AIRE Website
- Pay for Declaration
- Link to declaration form sent on payment
- Online declaration form to be completed
- Information saved and link sent to SQP
- One declaration = one report
- Initial cost = £75 + vat per declaration
- Review Annually – must be self financing
- Records saved for auditing



# Declaration Process

- Each declaration will have a unique reference number that will be traceable to the SQP.
- Each declaration will have a black and white imprinted logo with a unique identifier inserted for authenticity, traceability and to prevent fraud.

e.g.

Date & Month

Unique Number



# NQMS Timeline

## January 2014

Land Forum discussion regarding the best way to improve standards in our industry led to establishment of working sub-group.

(sub-group included EA, HBF, local authority, SILC, AGS, SOBRA and SAGTA )

## June 2014

Sub-group drafted briefing the Land Forum meeting on 25th June when a resolution was passed to proceed with the scheme development.

## October 2014

Sub-group reached agreement on draft eligibility criteria for SQPs to sign off reports and developed a draft declaration.

## November 2014

The Land Forum agreed to adopt the National Brownfield Skills Development Framework as a basis for judging the competence of contaminated land professionals.

## December 2014

Sub-group revised documentation for consultation



# NQMS Timeline

## **March 2015**

Public Consultation

## **July 2015**

Review of consultation responses and final scheme development

SQL capabilities and examination procedures

PRESENTATION and DISCUSSION OF NQMS SCHEME at NORTHERN CONTAMINATED LAND FORA (LEEDS)

## **September 2015**

PRESENTATION and DISCUSSION OF NQMS SCHEME at CHESHIRE CONTAMINATED LAND GROUPS (CREWE)

## **October 2015**

Selection of Scheme Administrator (CL:AIRE) & SQL Provider (SiLC)

Administration and funding arrangements for the scheme

Definition of standards and project auditing procedures

## **December 2015**

Definition of standards and project auditing procedures

Development of the communications strategy

Sub-group assembly of final scheme documentation



# NQMS Timeline

## **Februray 2016**

Land Forum approval of finalised NQMS (and SoBRA) scheme  
PRESENTATION and DISCUSSION OF NQMS SCHEME at SAGTA WORKSHOP (FARNBOROUGH)

## **March 2016**

PRESENTATION and DISCUSSION OF NQMS SCHEME at SCOTTISH CONTAMINATED LAND FORUM (GLASGOW)

## **May 2016**

PRESENTATION and DISCUSSION OF NQMS SCHEME at BROWNFIELD BRIEFING CONFERENCE (LONDON)

## **Summer /Autumn 2016**

Training and promotion of scheme  
Development of the Environment Agency's regulatory position on the scheme

## **January 2017**

Scheme launch



Thank you

