

NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA



Monday, 12 April 2010

at 4.00 pm

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM

Councillors S Akers-Belcher, Barker, R W Cook, Coward, Fleming, J Marshall, Rogan, Worthy and Wright

Resident Representatives: John Cambridge and Brenda Loynes

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To confirm the minutes of the meeting held on 16 March 2010 (to follow) and 24 March 2010 (to follow)

4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM

No items

5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE

No items

6. CONSIDERATION OF PROGRESS REPORTS/BUDGET AND POLICY FRAMEWORK DOCUMENTS

No items

7. ITEMS FOR DISCUSSION

- 7.1 Draft Final Report into 'Climate Change and Carbon Management' – *Neighbourhood Services Scrutiny Forum*
- 7.2 Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Draft Final Report – Covering Report – *Neighbourhood Services Scrutiny Forum*

8. ISSUES IDENTIFIED FROM FORWARD PLAN

9. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

ITEMS FOR INFORMATION

Date of Next Meeting:- To be confirmed

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

MINUTES

16 March 2010

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Caroline Barker, Tim Fleming, John Marshall and Edna Wright.

In accordance with Council Procedure Rule 4.2 (ii), Councillor Carl Richardson was in attendance as substitute for Councillor Gladys Worthy

Resident Representatives:

John Cambridge and Brenda Loynes

Also present: Ian Baxter, Van Dalen

Ken Smith and Sean Beach, PD Ports

Paul Quayle and Ian Musgrave, Heerema

Officers: Dave Stubbs, Director of Regeneration and Neighbourhoods
Sylvia Tempest, Environmental Standards Manager
Sylvia Pinkney, Consumer Services Manager
Adrian Hurst, Principal Environmental Health Officer
Joan Nominton, Scrutiny Manager
Laura Starrs, Scrutiny Support Officer
Angela Hunter, Principal Democratic Services Officer

94. Apologies for Absence

Apologies for absence were received from Councillors Rob W Cook, John Coward and Gladys Worthy.

95. Declarations of interest by Members

None.

96. Minutes of the meeting held on 1 March 2010

Confirmed.

97. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum

None

98. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee

None.

99. Consideration of progress reports/budget and policy framework documents

None.

100. Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from Key Groups
(Scrutiny Support Officer)

The Scrutiny Support Officer informed Members that representatives from the Council's Regeneration and Neighbourhoods Department and from key companies (PD Ports, Van Dalen, Heerema) were in attendance to provide evidence in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

The representative from Van Dalen had submitted written evidence which highlighted the key points of their operations including maintenance and ship loading arrangements.

A discussion ensued which included the following issues.

- (i) Clarification was sought on the operational hours of loading ships? The representative from Van Dalen confirmed that their usual operations commenced at 7.00am although on occasions when a ship was in the dock, operations commenced at 6.00am. However, the operation of heavy machinery was avoided before 8.00am wherever possible. In addition, it was confirmed that Saturday working was undertaken but only for essential work.
- (ii) It was questioned whether there had been any improvements made to the handling techniques when loading ships? The representative from Van Dalen commented that they were working in conjunction with PD Ports to continuously improve operations on the loading side and there had been marked improvements in the last two years with no major incidents reported.
- (iii) During the course of vigorous discussions the minutes of Liaison

Group meetings were referred to and in particular reference to a Dust Management Plan and action plans being produced and a Member requested a copy of these plans. The Director of Regeneration and Neighbourhoods confirmed that these plans were the plans of the operator (Van Dalen) not the Council. The Chair indicated that he would ensure that a copy of the plans would be circulated to all Members of the forum and residents who had attended participated in this investigation.

- (iv) It was noted that the height of the scrap metal within the Van Dalen site was not reducing. The representative from Van Dalen indicated that the scrap metal was for sale but there was little market for it in the current economic climate.
- (v) It was commented that at a number of previous meetings, concern had been expressed by the residents at the run off of water into the dock. The representative from Van Dalen confirmed that as a result of the concerns previously expressed, a number of measures were being put in place to address those concerns, including the construction of a bund wall to ensure there was no run off into the dock and the damping down of materials.
- (vi) In response to a question, the representative from Van Dalen confirmed that at no point were they able to establish if any run off water was contaminated, however the vast majority of water used within their operations evaporated with any excess water being discharged straight into the foul sewer.
- (vii) The amount of scrap metal normally held within the site was questioned. The representative from Van Dalen confirmed that this depended on sales and shipments but in the current recession of scrap metal sales, the scrap material was not being sold as regularly as was hoped, although the removal of some of the scrap material was imminent. It was estimated that around 20k tonnes could be stored at any one time up to a height of around 30 ft. The Chair indicated that confirmation of these levels would be circulated to all forum Members and those residents who had participated in the investigation.

The representatives from PD Ports gave a detailed and comprehensive presentation which confirmed the different operations undertaken by PD Ports, Van Dalen, Heerema and JDR Cables who all operated within the dock site. A number of measures had been implemented to minimise the impact on local residents of the operations within the site through the reduction of noise and dust emissions including a change in operating hours and the continued investment in improved equipment and training of employees.

A discussion ensued which included the following issues.

- (viii) It was questioned whether PD Ports had a duty of care to the residents living in the vicinity of the port operations. The representative from PD Ports confirmed that all residents in the area were stakeholders of the port and that PD Ports had a duty

of care to all its stakeholders. It was added that all activities undertaken within the port area were carried out in accordance with best practice procedures, including the continued investment in new hoppers and grabs.

- (ix) It was noted that a dvd produced by residents in December 2009 had shown the emission of dust from the operation of hoppers on the site. The representative from PD Ports commented that scientific analysis, undertaken by Hartlepool Borough Council, of samples of dust taken from the Headland area had not shown any traces of heavy metals consistent with rutile sand or scrap metal which were the product of their operations.
- (x) Reference was made to a recent complaint made on the operation of the grabs during which dust was spilling out. The representative from PD Ports indicated that he was aware of this complaint which was investigated immediately. The result of the investigation highlighted that it was an operator error in overfilling the grab and that particular operator had been appropriately reprimanded.
- (xi) It was noted that in the documentation circulated at the meeting, the Managing Director of PD Ports in 1994 had stated that it may have been possible to transfer operations to a different location and clarification was sought on whether any progress had been made in this regard. The representative from PD Ports confirmed that the vast majority of products handled within the port served local industry and if operations were to be transferred to an alternative site elsewhere, the additional cost in terms of transport and relocation may be cost prohibitive to the companies gaining new contracts. Although in terms of moving the scrap metal operations, further examination of the possibility of relocating this operation may be considered. However, he added that in terms of 'cleaner' operations, PD Ports were actively pursuing opportunities to become involved in sustainable energy solutions for example importing wind turbine machinery.
- (xii) In view of Members and residents concerns, the representative from PD Ports gave a reassurance that a significant level of investment had already and would continue to be undertaken to improve operations within the site.
- (xiii) In relation to the equipment currently used to load dust onto ships, clarification was sought on whether any thought had been given to using different methods for example a suction method as opposed to using grabs. The representative confirmed the availability of suction equipment but indicated that it was not suitable for rutile sand or talc.
- (xiv) A Member referred to the Envoy report and asked if the representatives from PD Ports had seen this report. The representatives confirmed they had seen the report which had been commissioned by Van Dalen.
- (xv) There were several meetings of the Liaison Group and the distribution of the minutes of those meetings was discussed at length. The representatives from PD Ports indicated that although

there were no specific actions arising from those minutes for them to undertake, it was confirmed that they aimed to continuously improve their operations, including the re-evaluation of training for employees on a regular basis. The representative from Van Dalen confirmed that a Dust Management Plan formed part of their Waste Management License and that would be made available to Members of the Forum and residents through the Chair. The minutes also referred to monitoring to be undertaken by the Council and the Principal Environmental Health Officer confirmed this had been carried out.

- (xvi) The representatives from PD Ports circulated photographs that had been taken recently showing clean footpaths and gates in and around the dock area. It was confirmed that on the arrival of any vessels, a sweeper would be in place whilst discharging the vessel and once the vessel had left would sweep around the quay area.
- (xvii) A resident commented that he understood that omnira rutil sand was imported but questioned why scrap metal was stored on the site as it was only stored for export. Reference was again made to the possible relocation of the scrap metal operations to Tees Dock area as there appeared to be a lot of available land in that area. The representative from PD Ports indicated that there was not a vast amount of land available in the Tees Dock area and there had recently been a huge increase in the number of container and ferry terminals needed. Discussions were already ongoing to expand the operations within the Tees Dock area to include the import of materials for the operations of power stations as well as for the construction of wind turbine machinery.
- (xviii) Residents were concerned at the amount of dust landing on their vehicles, upvc windows and doors and invited the representatives from PD Ports to visit their homes. The representative referred to the scientific analysis of the dust taken from several areas on the Headland which had not shown any traces of metals consistent with rutil sand or scrap metal and questioned whether further samples should be taken from different places. The Chair confirmed that the Portfolio Holder for Neighbourhoods and Communities had requested that any suggestions for the location of samples to be taken should be forwarded direct to him.
- (xix) In response to a question raised by a Member, a representative from Van Dalen indicated that dust masks were available for all their employees although it was not compulsory to wear them.
- (xx) The availability and publication of the results of the samples and monitoring undertaken was questioned. The Principal Environmental Health Officer confirmed that all the monitoring results were available on the Council's website and had been circulated to residents and Members of this Forum. In addition to this, all air quality monitoring reports were also included within the Council's website.
- (xxi) Clarification was sought on whether the scrap metal operations could be transferred to Tees Port. The representative from PD

Ports indicated that Tees Port did not undertake any scrap metal operations at the current time.

- (xxii) In relation to alternative methods to be used for the transfer of dust, it was questioned whether using containers or sacks had been considered. The representative from PD Ports commented that the companies purchasing the dust would be keen to see no dust escaping during transition and he was sure that alternatives had been examined. However, quarterly liaison meetings were held with the companies involved and the representative from PD Ports gave a reassurance that he would raise this issue at the next scheduled meeting and feed back any comments received to the Chair.
- (xxiii) The representative from PD Ports was again invited to visit the residents' homes where he would be given a copy of the dvd produced by the residents which showed the operation of a grabber on the site in December 2009.
- (xxiv) The Envoy report was discussed at length and PD Ports confirmed that the report was commissioned by Van Dalen and added that where possible, every effort was made to minimise dust emissions from the site, although Van Dalen were responsible for managing their own activities.
- (xxv) The Chair indicated that photographs taken by residents of their properties and the dust emissions had been emailed to all members of the forum and that hard copies were available should anyone wish to view them.
- (xxvi) Reference was made to employees at Tioxide wearing dust masks when working with rutilite sand and the implications that this highlighted. The representative from PD Ports indicated that when working in confined spaces, the wearing of masks was advisable.
- (xxvii) Clarification was sought on the training available to employees and what was in place to ensure errors similar to that referred to above of overloading the grabs would not reoccur. The representative from PD Ports confirmed that human nature unfortunately meant that occasionally errors did occur. However, any examples of errors that were found were fed into future training programmes including pictures to try and alleviate further incidents occurring.

The representatives from Heerema gave a detailed presentation which provided an outline and structure of the Heerema Group of companies including the locations of their sites. A number of current and previous projects were highlighted including a breakdown of employment levels on the Hartlepool site. The presentation listed a number of projects undertaken in and around the Headland area and provided a breakdown of the charity donations made by the Company since 1997.

A discussion ensued which included the following issues.

- (xxviii) Clarification was sought on whether any building works would be

taken outside at the Northgate site. The representative from Heerema confirmed that there were no projects planned for outside building works at the current time.

- (xxix) A request was made for the information to be made available on the results of putting a test upvc window within the Heerema site. The representative from Heerema indicated he would look into this and let the Scrutiny Support Officer know if this could be made available.
- (xxx) It was questioned whether the modules constructed by Heerema could be finished on the barge in the dock. The representative from Heerema confirmed that as the load out quay was next to Heerema quay with services running from their quay, it was therefore easier to use. It was confirmed that the load out operation did not take very long to complete.
- (xxxi) Clarification was sought on whether any damage had been done to vehicles in and around the Heerema site due to the dust emissions. The representative from Heerema indicated that no-one had raised any problems.
- (xxxii) In response to a question, the representative from Heerema confirmed that the recent compensation paid out to residents had been funded through its insurance company and was made before the evidence / information was received at the Health Scrutiny Forum held last year.
- (xxxiii) The representative was asked whether operations were likely to increase to 24 hours per day once the rig being constructed was placed on the barge. The representative from Heerema was unsure at the moment but confirmed that if this was to be implemented, the Council would be informed immediately.

It was noted that the meeting was inquorate and the meeting was adjourned to be reconvened on Wednesday 24 March 2010.

Recommendation

That the presentations and discussions would be used to inform the Forum's investigation.

The meeting was adjourned at 7.03pm.

The meeting reconvened at 10.30 a.m. on Wednesday 24 March 2010
in the Civic Centre, Hartlepool

Present:

Councillor Stephen Akers-Belcher (In the Chair);

Councillors: Caroline Barker, Rob W Cook, John Coward, John Marshall and
Edna Wright.

Also Present: In accordance with Council Procedure Rule 4.2 (ii), Councillor
Carl Richardson as substitute for Councillor Gladys Worthy and
Councillor Jonathan Brash as substitute for Councillor Trevor Rogan.

Resident Representative: Brenda Loynes.

Officers: Dave Stubbs, Director of Regeneration and Neighbourhoods
Sylvia Tempest, Environmental Standards Manager
Sylvia Pinkney, Consumer Services Manager
Adrian Hurst, Principal Environmental Health Officer
Joan Nominton, Scrutiny Manager
Laura Starrs, Scrutiny Support Officer
David Cosgrove, Democratic Services Team

101. Apologies for Absence

Apologies for absence were received from Councillors Tim Fleming,
Trevor Rogan and Gladys Worthy and Resident Representative John
Cambridge.

102. Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from Key Groups (Scrutiny Support Officer)

The Chair reopened the meeting and welcomed all present, including the
Headland residents who were in attendance. The Chair indicated that after
considering the evidence from Van Dalen, PD Ports and Heerema in the first
session of the meeting, the meeting would now move on to consider the
evidence from the Regeneration and Neighbourhoods Department.

In the intervening period since the first session of the meeting, Members had
been supplied with a Dust Management Policy from Van Dalen. The date of
the policy document was questioned as was the extent of the policy, which
one Member considered was inadequately brief. The Director indicated that
the document submitted by Van Dalen was in response to the request made
in the first session of the meeting and was subject to approval and
Monitoring by the Environment Agency (EA). This was questioned by the

Member who stated that the dust policy had been requested at a meeting with the company convened by officers of this authority, and therefore should be subject to this authority's approval. The Director stated that the responsibility for producing the plan lay with the company and its monitoring with the EA. The Council was not walking away from any responsibility; it was the responsible authority for air quality. However, the Council had no authority in respect of the dust policy for the site; that lay solely with the EA. The Chair commented that the forum could only gather the information available to it and then reach its conclusions and recommendations. If Members considered this issue to be an inconsistency than that could be recorded but the council could not act as an enforcement agency when it had no mandate to do so. The Chair commented that it was necessary to focus on the appropriate roles and remits of the agencies involved and if they were not fulfilling their responsibilities then they needed to be challenged.

It was understood by some at the meeting that the dust plan submitted by Van Dalen was the second, revised plan and Members questioned when it had been revised and whether this was the most up to date version and questioned whether the original version was available. The chair indicated that he would ask the Scrutiny Team to liaise with Van Dalen.

In relation to the Multi Agency meeting that had discussed the dust plan Members referred to the newsletter that was to be circulated to residents. The Director indicated that following further discussions after that meeting, including with the ward councillor, there had been a collective decision not to issue a newsletter.

At the earlier session of the meeting Mr Smith from PD Ports had commented that he would undertake visits to the local residents properties to see first-hand the issues being raised by residents. Members questioned if this visit had taken place and residents indicated that he was due to visit them in the next week. There was general concern that only direct pressure seemed to be achieving any acknowledgment of the problems being experienced by residents on the Headland, yet there was no action being taken by the EA. The Chair commented that the residents themselves may be able to achieve greater results through their direct pressure. It was suggested that the Chair on behalf of the forum should write to the EA highlighting the general dissatisfaction in the way they were regulating the site, highlighting the problems being experienced by residents and the extent of this investigation. The Chair indicated that he would circulate a copy of the letter and any response received to the forum and the residents.

A Member raised the issue of the test window maintained on the Heerema site and the photographs of the window that had been recorded at the previous session of the meeting. An e-mail response to the request was submitted to the meeting and Members noted that the company had indicated that it was 'reluctant' to provide the evidence requested and that previous payouts from the companies insurers in relation to damage to windows had been 'incorrectly paid out on our behalf'. Members considered

that the insurers must have been satisfied that there had been damage caused or they would not have sanctioned any compensation payouts to residents. There must have been damage caused and if Heerema were now saying they were not at fault it must have been one of the other operators on the port site. The operations of OMYA on the site created large amounts of dust when the product was being loaded into the hoppers. OMYA's operations were controlled by planning regulations and Members questioned why the other operators were not similarly controlled. The Director commented that the OMYA site on Middleton Road is controlled through planning regulations as it is not on the PD Ports site. The Port site had permitted development rights and did not need further approval through the local authority and therefore the Council could not extend any controls on the operations of the port. The Council could only take action when the operations started to produce a statutory nuisance. The Director did indicate that if residents believed that the dust on the Middleton Road site was not being controlled in accordance with the planning regulations for the site, then he was happy to send planning officers to visit the site at the earliest opportunity to assess the situation and carry out enforcement if necessary.

The Forum questioned the operational maximum height of scrap allowed on the site as residents believed there used to be markers on the site to assist in the control of the scrap mound. Officers commented that there had been an informal agreement some years back between the port and residents, but this was not formal and could not be legally enforced.

The forum questioned the Director's comments in relation to Statutory Nuisance and asked that this be pursued. The Director indicated that the definition of a statutory nuisance was set out in the report and was very prescriptive. A Statutory Nuisance order, if pursued by a local authority required Secretary of State approval. The simple fact was that in terms of the legal definition, there was no statutory nuisance being caused by the port operations, as disappointing as this may be to residents.

Members considered that if the law in this area was difficult and worked against the local residents, then the forum should request that the town's MP put forward a private members bill. Residents indicated that they had supplied all the information they had to Iain Wright MP who had passed the information onto the Secretary of State. A resident representative also suggested that the residents should consider contacting EU officials as well.

Members suggested that it was within the gift of the Executive when considering the final report of this forum's investigation to direct officers to pursue a Statutory Nuisance order despite previous case law, and whilst recognising that this would go against professional advice from officers. The Forum could make such a recommendation and push for the Council to make a stand

Residents commented that they had acknowledged the case made by the Port and the companies at the previous session that there were economic

factors and jobs involved but these should be weighed against the affect on local residents and the costs of sickness for port workers and the damage caused to property.

Recommended

That the discussions be used to inform the Forum's investigation.

103. Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Feedback from Site Visits and Focus Group (*Scrutiny Support Officer*)

The Chair commented that the site visits to the Port had been very useful but was disappointed that the timetable of the ships had changed as he would have wished to see more activity. Some Members indicated that they were more suspicious and considered that the Port had ensured that Members would not see the site busy.

In relation to the visits to residents' homes, the Chair wished to thank all those who had been so welcoming when he and others had visited. The Chair did indicated that he did feel a particular sharpness to the dust deposits he was shown, although did not have expert knowledge in the area.

In relation to the Focus Group meeting, the Chair thanked all who had attended a very useful information gathering meeting. The responses to the questionnaires which were distributed to 3600 households on the Headland, Central Estate and the Marina were discussed by the Forum. Members highlighted that those who reported damage to their property caused by the dust deposits was very high at 83%. Other members did comment that there were only eighteen responses.

A Member commented that the problems were not constant and depended on the weather conditions, the amount of scrap on the site and the deliveries of products by sea. Residents were still suffering these problems for more than half the year. More monitoring needed to be undertaken and residents needed to have a better understanding of the operations of the port. Residents should be encouraged to gather more information, including the taking of photographs

The Chair noted the comments submitted by the residents of the streets around the port site which were set out in the report. Members noted that residents on the Town Wall had commented that the dust made opening windows on some days in the summer months difficult. Residents in other streets commented that dust problems didn't occur all the time but when they did cleaning the dust away was extremely difficult.

Recommended

That the report be noted and the discussions be used to inform the Forum's investigation.

104. Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Discussion of Draft Recommendations *(Scrutiny Support Officer)*

Following the detailed consideration of evidence from the Headland residents, the Environment Agency, Van Dalen, PD Ports, Heerema and the Regeneration and Neighbourhoods department, and the feedback from the various site visits and the focus group, the Chair considered that it was appropriate for the forum to consolidate its discussions and comments into a series of draft recommendations that could be incorporated into the draft final report.

The Chair considered that sending a letter to the Environment Agency setting out residents concerns should be a formal recommendation. Without the EA being informed of just how seriously the council and residents saw these problems, no action could be expected. It was therefore proposed -

That the Council write to the Environment Agency outlining the residents concerns highlighted throughout this investigation.

The forum also considered that representations should be made to the town's MP and the Secretary of State. It was therefore proposed -

That the Council lobby the Member of Parliament for Hartlepool and the Secretary of State for the Environment for changes to the statutory nuisance law to better reflect residents problems, as for example those being experienced by the residents of the Headland

The issue of the Van Dalen dust plan was one that the forum also wished to take further. Whilst it was indicated that the authority had no statutory role in this respect and that this lay with the EA, the forum considered that Van Dalen should be strongly requested to review their existing dust management plan to produce an effective and robust dust management plan and PD Ports to enhance their dust suppression arrangements. It was also considered that the Executive should be requiring officers to pursue a statutory nuisance order. The comments that this would be extremely difficult and unlikely to be achieved should not restrict the Council in raising the profile of this issue to the highest level.

Operations within the port in relation to the storage of scrap should also be revisited and Members considered that a maximum amount of scrap in the site should be re-explored as previously agreed with residents, while still retaining the wish that the scrap operation was moved from the site completely. . It was therefore proposed -

That the Council work with the:-
the Environment Agency and Van Dalen to review and improve Van

Dalen's Dust Management Procedures to minimise emissions from the site; and
the Environment Agency and PD Ports to enhance their dust suppression arrangements.

That Council Officers be instructed to pursue action for a statutory nuisance claim whilst recognising that this goes against professional advice;

That the Council facilitate discussions with Van Dalen to reinstate the informal agreement made between Van Dalen and residents on a maximum height for the scrap metal;

That the Council explores with the relevant companies the option of moving the scrap metal and provides an update to Cabinet on the discussions which have been undertaken within three months;

Members also queried what recommendation would include the issue of the dust problems created on OMYA's Middleton Road site. The Director stated that as this site was covered by planning conditions, he would instruct officers to take the matter up immediately after the meeting. There was no need for a specific recommendation to be made as he could and would action this immediately. The Forum welcomed the statement from the Director of Regeneration and Neighbourhoods.

The discussion moved on to the issue of continued monitoring of the dust from the site. The Director indicated that when the new monitoring station was to be installed, residents would be consulted on its location, though the professional opinion of the company installing the unit would be a determining factor. Residents asked if there was any mobile monitoring equipment that could be located temporarily in various locations to identify the varying and differing problems experienced by residents in different areas of the Headland. The Director commented that he was not aware of any such equipment but would consult the company who were to install the new monitoring station. The suggestion that residents continue to undertake their own monitoring was also proposed as an element of the monitoring that should be undertaken. . It was therefore proposed -

That the Council, in relation to monitoring:-
consult with residents to identify a suitable location for the new monitoring station; and
that given residents concerns regarding the effectiveness of the evidence received from Petri dishes they ceased to be used and alternative methods of collecting samples be explored; and
that residents be encouraged to carry out their own monitoring and continue to report their findings back to the Council and Environment Agency.

Residents indicated that they understood that they had a role to play in pursuing some of the issues as the Council could not act in certain areas.

Residents did feel that a leaflet with contact details of the various agencies, including the appropriate Council Officers for those matters within the authority's jurisdiction, would be very helpful. . It was therefore proposed -

That the Council produce a document in consultation with residents that clarifies the remit and contact details for all the relevant organisations; and that residents of the Headland and surrounding areas be kept up to date on the progress of all recommendations.

The Chair indicated that due to this meeting having been adjourned and reconvened, the timetable didn't allow for an informal meeting to be convened for Members to consider the draft conclusions and recommendations, although Members of the Forum would have sight of the draft final report before general distribution. The Chair did feel that this debate on the recommendations had allowed all present to have an input into the recommendations and therefore the draft final report would go direct to the next meeting of the Forum on 12 April 2010. The Chair indicated that the meeting would, as usual, be open to residents and resident representatives to attend.

Members also sought, and were given, assurance that residents would be informed of the Cabinet meeting that the final report was to be submitted to so they may attend.

A Member questioned the lack of recommendations in relation to noise and the affects of the dust and other deposits on the marine environment in and immediately outside the dock. The Chair referred to the evidence given by the Environment Agency which indicated that on both issues there were no concerns.

In closing the meeting the Chair also took the opportunity to thank the residents who had attended the meeting s during the investigation for their time and input into the forum's deliberations.

Recommended

That the outline recommendations as set out above be included in the draft final report of the Forum's investigation into "the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas".

105. Issues Identified from the Forward Plan

No items.

The meeting closed at 12.35 p.m.

CHAIRMAN

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

MINUTES

24 March 2010

The meeting commenced at 9.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Caroline Barker, Rob Cook, John Coward, John Marshall,
Gladys Worthy and Edna Wright.

Resident Representatives: Brenda Loynes and Iris Ryder.

Officers: Alison Mawson, Assistant Director (Community Safety and Protection)
Dave Stubbs, Director of Regeneration and Neighbourhoods
Laura Starrs, Scrutiny Support Officer
David Cosgrove, Democratic Services Team.

106. Apologies for Absence

Councillor Fleming.

107. Declarations of interest by Members

None.

108. Minutes of the meeting held on 16 March 2010

As the meeting had stood adjourned and was yet to conclude, the minutes were deferred.

109. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum

No items.

110. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee

No items.

111. Proposals for Inclusion in the Regeneration and Neighbourhoods Departmental Plan 2010/11 *(Director of Regeneration and Neighbourhoods)*

The Assistant Director (Community Safety and Protection) gave a presentation to the Forum outlining the principle elements in the Regeneration and Neighbourhoods Departmental Plan as they related to the role of the Forum. The presentation outlined the department's achievements from the past year, the areas that needed to be targeted, the challenges and the proposals to address them.

In relation to the department's achievements the Assistant Director highlighted the Transport Interchange (which was close to completion), the Exemplar Award for Neighbourhood Management, the reduction in deliberate fire setting particularly involving vehicles, and the Environment Roundabout which involved local school children.

The areas to target for 2010/11 include the development of the education quarter particularly through the Art College move into the Municipal Buildings site, the Tall Ships event, Recycling – the 40% target had been achieved for this year but this now increased to 45%, the extension to the out of hours noise service, and the savings made through the management restructure and those to be delivered through the new service delivery options.

The challenges facing the department for 2010/11 were identified as improving public perception – litter was an area where the actual situation had improved but public perception had declined, balancing the budget and implementing the changes through Business Transformation, the delivery of schools transformation and transport issues such as the increase in supported fares, the bus corridor scheme, the transport interchange and the rapid transit system.

The departmental plan showed that the department would be leading on 24 outcomes while contributing to all the main themes as well as Organisational Development.

Following the presentation Members questioned various aspects of the presentation and the departmental plan. The following questions and response and general debate points are summarised as follows: -

- There had been significant improvements in the numbers of vehicle fires and abandoned cars in the town. These vehicles used to be collected under contract by OFCA; who undertook this work now? The Assistant Director indicated that a written response would be provided.

- What was included within the departments work on Road Safety? The Assistant Director commented that this included many aspects of work including education activities with young people, cycleways, collecting data on accident black-spots and general small improvement schemes. Members asked for details of the remit of the Road Safety Committee and details of the road safety work done with children through the walking bus scheme. Members raised concerns about the apparent lack of knowledge of road safety in both adults and children and considered that there should be greater emphasis placed on raising awareness of road safety to reduce road accidents.
- Did road safety include the problems caused by parking on footpaths? The Chair commented that the Forum had investigated the issue of parking on estates and noted that there was no coordinate approach to such problems. Members indicated that many residents were trying to avoid this through the installation of dropped kerbs so they could park within their own property. The costs of the council installing dropped kerbs had increased significantly and there should be more incentives for people to undertake this work to resolve some of the parking problems.
- Plugged in Places; was this initiative being funded by the government or the Council? The Assistant Director indicated that a written response would be provided.
- Many residents were asking what traffic arrangements were to be put in place during the Tall Ships event. Members asked for written details of the arrangements planned.
- The Playbuidler scheme was overrunning into the new financial year. Would the finance be carried forward to complete the scheme or would it be lost? The Assistant Director indicated that she understood that the finance had been carried forward.
- Members complained that they were often the last to know what changes Stagecoach were implementing to bus services and stated that Members should be involved in the negotiation process with the company.
- Members complained that there was still large amounts of litter and rubbish left in streets after the refuse collection vehicles had visited to empty wheelie bins and recycling containers. There were also problems being experienced in some areas with wheelie bins being deposited on footpaths after being emptied blocking footpaths completely so that pedestrians had to walk on the road to get past.
- Members welcomed the achievement of the 40% target for recycling waste. Members questioned what extra steps were being taken to achieve the increased target. The Assistant Director indicated that a written response would be provided.
- Members also complained that bus shelters were not being cleaned adequately.
- Members complained that at the on-going works in the Mill House Leisure Centre were causing problems for users and leaving dust and dirt in the pool area. Members also considered that the free swim initiative should be extended to facilities in the north and south of the town.

The Scrutiny Support Officer commented that the Forum's comments on the

departmental plan would be forwarded to the Scrutiny Coordinating Committee and fed back to the department. Members would also receive a written response to those questions that could not be addressed in the meeting.

Recommended

1. That the proposed outcome templates for inclusion in the 2010/11 Regeneration and Neighbourhoods Departmental Plan be noted.
2. That the actions and indicators proposed for inclusion in the 2010/11 Corporate Plan and/or Local Area Agreement Delivery and Improvement Plan be noted.
3. That the Forum's comments and observations to be presented to the meeting of the Scrutiny Coordinating Committee on 16 April 2010.

112. Items for Discussion

No items.

113. Issues Identified from the Forward Plan

No items.

The meeting concluded at 10.15 a.m.

CHAIR

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

12 April 2010



Report of: Neighbourhood Services Scrutiny Forum

Subject: DRAFT FINAL REPORT – CLIMATE CHANGE AND CARBON MANAGEMENT

1. PURPOSE OF REPORT

- 1.1 To present the draft findings of the Neighbourhood Services Scrutiny Forum following its investigation into Climate Change and Carbon Management.

2. SETTING THE SCENE

- 2.1 At the meeting of the Neighbourhood Services Scrutiny Forum of 24 July 2009, Members determined their Work Programme for the 2009/10 Municipal Year. The topic of 'Climate Change and Carbon Management' was agreed to inform a major in-depth Scrutiny Inquiry for the Forum's 2009 / 10 work programme.
- 2.2 Responsibility for the Council's response to the challenge of climate change and the Council's commitment to managing carbon emissions falls under the remit of the Environmental Standards Section which is part of the Regeneration and Neighbourhoods Department.
- 2.3 The Climate Change Act became law in 2008 and one of the key aims underpinning the Act is:-
- "To improve carbon management and help the transition towards a low carbon economy in the UK"*¹
- 2.4 To reach this goal Local Authorities are being challenged to reduce carbon dioxide (CO₂) emissions by 34% by 2020, with a further target of an 80% reduction of CO₂ emissions by 2050.

¹ Defra, 1 December 2008

- 2.5 In conjunction with the Climate Change Act 2008, Hartlepool Borough Council also has a responsibility to work towards three National Indicators(NI) led by the Department for Environment, Food and Rural Affairs (Defra) as detailed in Table 1 below :-

Table 1: Prepare for the Impacts of and Secure Local and Global Action to Tackle Climate Change

Code	NI	Aims
NI185	CO ₂ reduction from local authority operations	To measure the progress of local authorities in reducing CO ₂ emissions from the relevant buildings and transport used to deliver their functions and to encourage them to demonstrate leadership on tackling climate change.
NI186	Per capita reduction in CO ₂ emissions in the Local Authority area	To provide sector breakdowns for industry, domestic and transport emissions.
NI188	Planning to Adapt to Climate Change	Designed to measure progress in preparedness in assessing and addressing the risks and opportunities of a changing climate.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION

- 3.1 To gain an understanding of Hartlepool Borough Council's response to the issue of Climate Change and identify what efforts the Council is making to manage its carbon emissions.

4. TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION

- 4.1 The following Terms of Reference for the investigation were agreed by the Neighbourhood Services Scrutiny Forum on 17 August 2009:-
- (a) To gain an understanding of the Local Authority Carbon Management Programme (LACMP) and Hartlepool Borough Council's commitment to the LACMP;
 - (b) To examine the implications of the Carbon Reduction Commitment (CRC) to Hartlepool Borough Council;
 - (c) To review the initiatives aimed at reducing the use of energy resources by the Council;
 - (d) To seek the views of partner / external agencies on ways to meet the challenges of Climate Change and Carbon Management; and

- (e) To assess the awareness of climate change in the community and how its profile may be raised.

5. MEMBERSHIP OF THE NEIGHBOURHOOD SERVICES SCRUTINY FORUM

- 5.1 Membership of the Neighbourhood Services Scrutiny Forum for the 2009 / 10 Municipal Year was as outlined below :-

Councillors: S Akers-Belcher (Chair), C Barker, R Cook, J Coward, T Fleming, J Marshall, T Rogan, G Worthy, E Wright

Resident Representatives: J Cambridge and B Loynes

6. METHODS OF INVESTIGATION

- 6.1 The Members of the Neighbourhood Services Scrutiny Forum met formally from the 17 August 2009 to 1 February 2010 to discuss and receive evidence directly relating to their investigation into 'Climate Change and Carbon Management'. A detailed record of these meetings is available from the Council's Democratic Services or via the Hartlepool Borough Council website.

- 6.2 A brief summary of the methods of investigation are outlined below :-

- (a) Presentations from Hartlepool Borough Council Officers which was enhanced with verbal evidence;
- (b) Written evidence from the Council's Regeneration and Neighbourhoods Department;
- (c) Written evidence from the Mayor as Portfolio Holder for Community Safety and Housing;
- (d) Written evidence from the Chair of Hartlepool's Environment Partnership;
- (e) Presentation from a representative from Middlesbrough Council;
- (f) Member attendance at a Climate Change Activity Session on 6 November 2009;
- (g) Focus Group held on 11 January 2010;
- (h) Written evidence from the North East Improvement and Efficiency Partnership;
- (i) Written evidence from the Tees Valley Joint Strategy Unit enhanced with verbal evidence;

- (j) Written evidence from the North East Climate Change Partnership enhanced with verbal evidence;
- (k) Written evidence from Friends of the Earth enhanced with verbal evidence; and
- (l) Written evidence from the Environment Agency enhanced with verbal evidence
- (m) Written evidence from the Energy Saving Trust Advice Centre enhanced with verbal evidence

FINDINGS

7. WHAT IS CLIMATE CHANGE?

Evidence from the Regeneration and Neighbourhoods Department

- 7.1 To start the investigation Members wanted to gain a general understanding of climate and the causes and effects of climate change. Members were informed by the Environmental Standards Manager that climate is the long term weather patterns in an area. This includes weather conditions, seasons and weather extremes like hurricanes, droughts or rainy periods. The main influence on climate is temperature and over the billions of years that the planet has existed the temperature has seen many fluctuations and with it the climate has also changed.
- 7.2 The Forum heard that the natural causes of climate change are:-
- (a) solar variations – slight changes in the amount of energy that is emitted by the sun;
 - (b) orbital variations – small changes in the way that the earth orbits the sun;
 - (c) ocean circulation – changes in the distribution of heat around the world is likely to disrupt ocean and atmospheric circulation, leading to large and possibly abrupt shifts in regional weather patterns; and
 - (d) volcanic eruptions – huge eruptions of ash and sulphur dioxide cause reflection of the sun and lead to cooling
- 7.3 There are also man made causes of climate change which contribute to the Greenhouse effect and cause global warming. The Greenhouse effect is, in part, a natural phenomenon and without it this planet would be too cold for life to exist. Sunlight passes through the atmosphere and the layer of gases surrounding the earth act like a blanket and slows the escape of the sun's energy which causes it to warm. However, human actions have caused the natural balance to be tipped, and as a result, the surface of the Earth is becoming increasingly hotter. The Forum noted that the main heat

absorbing gases in the atmosphere are carbon dioxide, for example burning fossil fuels; methane, for example, vehicles fuelled by petrol and diesel, nitrous oxides, for example cows and landfill sites; and CFC's, for example fridges and aerosols.

7.4 Global warming is causing the climate to change. Global warming causes planetwide increases in temperature, the impact will cause a profound effect on the world's different climate zones. For example, melting of icecaps; increased desertification; temperate regions will experience warmer, wetter winters, drier summers and more frequent storm events; and there will be an increased intensity and occurrence of hurricanes and storms leading to increased flooding.

7.5 Members were very interested to hear about the effects that climate change will have in the North east of England. The Forum was informed that it is expected that the North East region will experience the following changes as a result of climate change:-

- (a) warmer summers and winters;
- (b) wetter winters;
- (c) drier summers;
- (d) a rise in sea level; and
- (e) an increase in the frequency and severity of extreme weather events.

7.6 In terms of the implications and consequences of climate change, the Environmental Standards Manager outlined to the Forum, the following:-

(a) impacts on the natural environment:

- (i) increase in woodland productivity and extension of the grass growing season;
- (ii) amount of water needed to sustain crops;
- (iii) local species and habitats are in danger of being lost; and
- (iv) migratory behaviour will have impacts on overwintering bird populations.

(b) impact on the built environment:

- (i) winds are expected to increase in frequency and will result in a rise in storm damage insurance intensity;

- (ii) sea levels will rise causing increased coastal erosion, flooding of low lying areas, reduced tourism because of loss of coastal resorts;
- (iii) highways and rail infrastructures will all suffer from subsidence, flooding and drainage issues; and
- (iv) increased structural damage to buildings.

(c) impact on human health and wellbeing:

- (i) food poisoning cases are estimated to increase by 10,000 per year due to warmer weather;
- (ii) skin cancer is likely to increase by 5,000 cases per year, implications for outside workers;
- (iii) increase in diseases such as malaria; and
- (iv) heat related deaths are likely to increase from 800 to 2,800 cases per annum in the UK.

8. THE LOCAL AUTHORITY CARBON MANAGEMENT PROGRAMME (LACMP) AND HARTLEPOOL BOROUGH COUNCIL'S COMMITMENT TO THE LACMP

Evidence from the Regeneration and Neighbourhoods Department

- 8.1 In response to the impacts of climate change the Forum was pleased to hear about how the Council has responded to these issues. Members were informed that the Hartlepool Partnership signed the 'Hartlepool Declaration on Climate Change'. This is the local version of the 'Nottingham Declaration' which is the UK Local Government climate change agreement. In October 2007, Council Officers produced a Hartlepool Climate Change Strategy on behalf of the Local Strategic Partnership and worked in partnership with the other Tees Valley Authorities to produce a Tees Valley Climate Change strategy. In January 2009, the Mayor signed the Covenant of Mayors and committed to 'go beyond the objectives set by the EU for 2020, reducing the CO2 emissions in our respective territories by at least 20%'.
- 8.2 The Forum was informed that the Regeneration and Neighbourhoods Department is leading on various initiatives to combat and reduce the impacts of Climate Change including the Local Authority Carbon Management Programme (LACMP). The Environmental Standards Manager outlined to the Forum that in April 2009, the Council was accepted onto Phase 7 of the LACMP. Through the programme, the Carbon Trust provides support to help Local Authorities realise carbon emissions savings. Membership provides the Council with the opportunity to 'put our own house in order' so we can lead by example and encourage others in the community

to do the same. The management of the programme is through a Programme Board which provides a strategic overview. Board members include the Chief Executive and Cabinet Member, Councillor Peter Jackson. An essential element of the programme is the development of an action plan for realising carbon savings and embedding carbon management into Council services.

Evidence from the Mayor as Portfolio Holder for Community Safety and Housing

- 8.3 The Mayor submitted written evidence to the Forum detailing how the Council is managing its carbon emissions, how the Council plans to meet future climate change challenges and specific initiatives aimed at reducing the use of energy resources used by the Council.
- 8.4 In terms of how the Council is managing its carbon emissions, the Mayor informed Members that a baseline has been established for carbon emissions resulting from Council services, as is required for National Indicator (NI) 185. The baseline year for this Indicator is 2008/09, meaning that for all future years, the Council will be able to calculate the percentage change in carbon emissions. Although this baseline is not a full carbon footprint, it does give an accurate assessment of emissions resulting directly from service provision, and includes the following sources:-
- (a) Energy and fuel use in buildings and by public lighting;
 - (b) Staff travel, including public transport and business mileage; and
 - (c) Fuel use by the Council's fleet of vehicles, including outsourced recycling services
- 8.5 The year on year comparison of data obtained for NI185 will be analysed and used to identify areas and services where the greatest savings can be made.
- 8.6 The Council is working hard to reduce carbon emissions resulting from its operations and is a participant in the Carbon Trust's LACMP, which will act as a driver to ensure a Council wide action on carbon reduction. An aspirational target has been set to reduce carbon emissions from Council services by 35% over five years, based on a 2008/09 baseline. This is a very challenging target, and sets out the commitment that the Council has to reducing its impact on the environment.
- 8.7 The LACMP guided the Council in the production of a Carbon Management Plan, which will be published in March 2010. The plan outlines the Council's vision for carbon management, and also proposes a number of projects that will contribute to the achievement of the 35% target. A Carbon Management Team has been established to deliver carbon savings across council services. The wide cross section of members on the team will ensure that carbon saving potential is maximised, and that awareness of the issues

surrounding climate change is raised amongst employees. A Carbon Management Programme Board, which includes the Chief Executive and Cabinet Member, offers strategic guidance and direction for the programme.

- 8.8 Another very significant benefit of reducing carbon is the cost savings that can result from reducing energy and resource use. The Council's Business Transformation Process will allow the Council to adopt structures, procedures and infrastructure to allow for large scale carbon/cost savings. Buildings rationalisation will make considerable cost/carbon savings possible in the medium term, and increase the efficiency of the workforce.
- 8.9 Members were informed that Display Energy Certificates (DEC's) show the energy efficiency of a building against a benchmark. All public buildings with a useful floor area of 1,000m or greater must display a DEC in a prominent place, so that visitors to that building are aware of its performance. The Council analyses results from DEC assessments to ensure that the lowest performing buildings are targeted for energy efficiency improvements.
- 8.10 In relation to how the Council plan to meet the challenges of Climate Change and Carbon Management a number of potential projects have been identified to ensure that challenging carbon reduction targets are met. A Rapid Assessment of Projects (RAP) Tool, provided by the Carbon Trust, has been used to make a brisk assessment of which projects will be worth pursuing further. The RAP tool has provided the Council with a number of potential energy efficiency projects, which will now be further assessed to identify the carbon and cost savings that will be possible.
- 8.11 A £40,000 Invest-to-Save programme has been allocated for energy efficiency projects. This will be used to fund efficiency improvements across the Council, and half of all savings will be returned to the programme to fund further projects. Projects with estimated pay back periods of less than 3 years will be prioritised. Projects have been identified and funded, so that savings will be available for re-investment in the 2010/11 financial year.
- 8.12 Various sources of funding will be sought to enhance the Invest-to-Save fund, and ensure that the level of investment in energy efficiency projects is great enough to allow the Council to achieve the challenging 35% carbon reduction five year target set under the LACMP.
- 8.13 A Climate Change Adaptation Strategy will be produced in early 2010, and will outline the risks that the Council will face in a changing climate. The strategy will put in place a number of procedures that will ensure coherent service delivery under a range of anticipated extreme weather events associated with climate change. The strategy will be the first of its kind amongst Tees Valley authorities, and will improve the resilience of the Council and its provision of services to the community.
- 8.14 The Mayor outlined a number of initiatives aimed at reducing the use of energy resources used by the Council. These are as follow :-

- 8.15 **Civic Centre Refurbishment** - Energy efficiency improvements are being incorporated into the Civic Centre refurbishment, and include significant changes to lighting and heating within the building.
- 8.16 **Public Lighting** - Energy efficiency improvements to street lighting have included the use of solar powered 'Keep Left' bollards, which produce their own energy on-site. LED units have been trialled, and a grant bid to the North East Improvement and Efficiency Partnership for approximately £50,000 has been accepted for the installation of LED lighting on Marina Way. LED street lights require considerably less energy than conventional bulbs, require less maintenance, and provide brighter white light that reduces the perceived fear of crime.
- 8.17 **Switch Off and Save Campaign** - Display Energy Certificate (DEC) scores are being analysed to identify the buildings that need the most urgent energy efficiency improvements. A staff education campaign, called 'Switch Off & Save' (S.O.S.) is currently under way, and will engage all staff via presentations to individual teams. Energy use in corporate buildings is currently being monitored to identify the buildings that should be prioritised for action under the S.O.S. campaign. The campaign will raise awareness of the areas where energy is currently being wasted, and offer practical solutions to improve energy efficiency at work. Follow up checks will be made to ensure that co-operation is being received by staff, following presentations to each team.
- 8.18 **SALIX Funding** - Salix provide interest free loans for energy efficiency improvements in the public sector. The Council has successfully applied for approximately £63,000 for the purchase and installation of various technologies to reduce energy use across its estate. In order to qualify for Salix funding, projects must have a payback period of less than five years, and applications must include a completed 'Project Compliance Tool' to ensure that this will be the case. The savings achieved through the use of technology will be sufficient to repay the initial loan.
- 8.19 **Schools Environmental Action Initiative (SEAI)** - The SEAI has achieved a great deal of success with the schools that have been involved. A second officer has now been employed through Neighbourhoods Working Fund monies to roll the initiative out to all schools, in order to ensure buy-in from all areas of the authority. Approximately half of all emissions associated with the Council originate from schools, and for this reason, it is vital that schools are engaged and encouraged to reduce energy and resource use. Energy use will be monitored in schools to identify areas of the school that could be made more energy efficient. Surveys are also being carried out to ensure that energy use outside of school hours is kept to a minimum. Assemblies and after school meetings will ensure that both staff and pupils are aware of energy efficiency issues, and act to reduce energy use.
- 8.20 **Transport** - The Council's fleet of vehicles is run on 5% biodiesel mix, meaning that there is a 5% reduction in the use of fossil fuel and also a reduction in carbon emissions. Low carbon vehicles are currently being

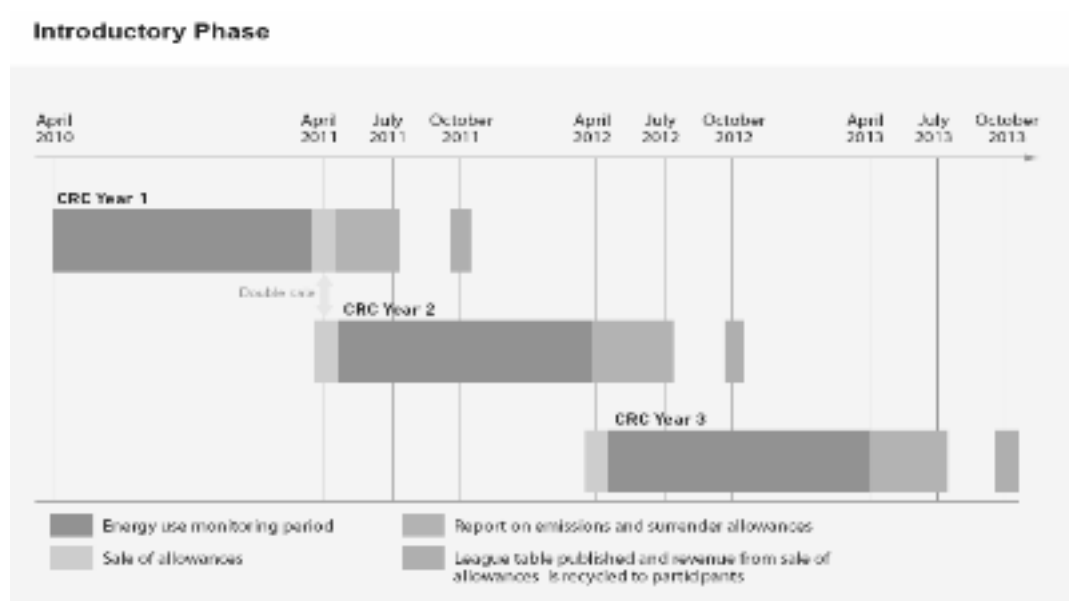
trialled to ensure that the fleet is running at maximum efficiency. The Council has recently trialled a 500cc diesel engine van, which can achieve in excess of 100 miles per gallon of fuel. Electric scooters are also being trialled to identify suitability for supervisors travelling to various sites around the borough. Safe and Fuel Efficient Driving (SAFED) training courses have been provided for staff in the past, and training will now be rolled out across the Council fleet. SAFED training improves fuel efficiency by an average of 10%. Business users will also be targeted to ensure that all business travel is done in an efficient manner.

9. THE IMPLICATIONS OF THE CARBON REDUCTION COMMITMENT (CRC) TO HARTLEPOOL BOROUGH COUNCIL

Evidence from the Regeneration and Neighbourhoods Department

- 9.1 Carbon is an increasing problem and due to the challenging targets that have been set, the Council is committed to the Carbon Reduction Commitment (CRC) which began in April 2010. The Forum was informed that there will be a tax on carbon emissions from statutory sources and a financial penalty / reward for carbon saving performance. The Government's Low Carbon Transition Plan to begin in July 2010 is a comprehensive guide for UK carbon reduction. By 2020 there will be 7 million home energy make-overs, 40% energy from renewable sources; investment in and provision for electric vehicles; creation of 1.2 million green jobs; and a robust, low carbon economy.
- 9.2 The CRC is a mandatory emissions trading scheme for organisations using over 6,000 MWh to calculate the carbon footprint of energy use. Allowances are at £12 per tonne of CO₂ emitted with an annual league table recording performance with rewards / penalties for good / poor performers. The available allowances will decrease. The table below shows the timeline for implementation.

9.3 Table 2 – Timeline for Introductory Phase



9.4 Hartlepool's energy related emissions in 2008/09 equalled 15,309 tonnes, this did not include transport emissions. Through the Carbon Reduction Commitment it costs the Council £12 per tonne of CO₂. Therefore, 15,309 tonnes cost £183,708 in allowances. The following illustrates the reward / penalties in the first five years of the scheme:-

(a) Year 1: Reward/penalty = $\pm 10\%$

(c) Year 2: Reward/penalty = $\pm 20\%$

(c) Year 3: Reward/penalty = $\pm 30\%$

(d) Year 4: Reward/penalty = $\pm 40\%$

(f) Year 5: Reward/penalty = $\pm 50\%$

9.5 The value at stake will be linked to Hartlepool's performance against other organisations participating in the scheme.

9.6 The Forum raised the point that in order to help save energy all Council meetings should be held in rooms that are the correct size for their purpose and audience. For example, if it is expected that only a few people will be in attendance at a meeting then a smaller Committee room should be used, wherever possible.

10. THE INITIATIVES AIMED AT REDUCING THE USE OF ENERGY RESOURCES BY THE COUNCIL

Evidence from the Regeneration and Neighbourhoods Department

- 10.1 The Forum enquired about the examples of work that had been carried out by the Council or that is currently underway to reduce the carbon footprint of the Council. Officers from the Regeneration and Neighbourhoods Department outlined examples to the Forum along with a number of potential projects that will contribute to the Carbon Management Programme and associated strategies.
- 10.2 The Forum was informed that the link between climate change and carbon emissions that result from everyday actions is now widely considered by the scientific community as being undeniable. In order for the extent of devastating climate change related impacts to be minimised, it is vital that global action is taken to reduce carbon emissions. The United Kingdom has taken a global lead on tackling climate change, and has called on Local Authorities to influence communities in order to achieve challenging national targets. In order for Local Authorities to effectively influence others, it is important that they ensure that they are leading by example and setting the standard for carbon reduction.
- 10.3 The Council has made a commitment to reducing carbon emissions from its estate by supporting a number of national initiatives, including The European Union's Covenant of Mayors and the 10:10 Campaign, both of which challenge organisations to commit to go beyond national carbon reduction targets. The Council is also a member on this year's Carbon Trust Carbon Management Programme, which will offer support and guidance, and present opportunities for sharing of experiences and best practice with other authorities. The Carbon Management Programme has set an aspirational target to reduce carbon emissions by 35% over five years. A comprehensive Carbon Management Plan will be finalised in March 2010, and will form the basis of the Council's Carbon Reduction Strategy for the coming five years.
- 10.4 A Carbon Management Team has been established to reduce carbon emissions resulting from council operations. Members of the team were carefully selected to cover a wide cross section of council services. The team will be responsible for producing the Council's Carbon Management Plan. Strategic guidance is provided by the Carbon Management Programme Board, which includes the Chief Executive and Cabinet Member.
- 10.5 The Carbon Trust have provided a 'Rapid Assessment of Projects' (RAP) Tool, which gives a basic indication of the types of carbon saving projects that will give the most benefit for the Council. The results gained from the RAP Tool are estimates to be used as a guide only. It is intended that the RAP tool be used to identify potential projects that may be investigated further at a later date. Members of the Forum were shown the most desirable projects, based on outturns from the RAP tool, and includes

estimated carbon savings, cost of implementation and likely typical payback period. The accuracy of these estimates cannot be relied on, and so further investigations will take place to identify the actual savings that can be expected. Various factors influence the effectiveness of each project included in the RAP tool. For example, insulation will give greater savings in an inefficient building than in an efficient one, and so the RAP tool should be used as a guideline only.

- 10.6 The Carbon Management Team met on 9 October 2009 to discuss potential projects to carry forward as part of the Carbon Management Programme. A representative from the Carbon Trust facilitated a half-day Opportunities Workshop, which presented the group with a long list of potential projects. These were then prioritised with the use of an Ease/Effect Matrix. A list of prioritised opportunities was circulated to the Forum. The Carbon Management Team will now look to quantify potential savings that would result from those projects that were given the highest level of priority.
- 10.7 The Forum was informed that the Council is a partner of the Tees Valley Climate Change Partnership, which shares best practice on climate change related issues. The Council is also represented at North East Improvement & Efficiency Partnership (NEIEP) meetings.
- 10.8 The Climate Change Sub-Group of the Environment Partnership (a theme group of the Local Strategic Partnership), has recently been resurrected, and will now meet on a quarterly basis to discuss the ways in which the area can progress towards a low carbon economy. The Sub-Group includes representatives from across the borough.
- 10.9 An internal Climate Change Officers' Group has been established to raise awareness of the implications of climate change, and to ensure that there is a council wide approach to tackling associated issues. The group meets on a quarterly basis, and focuses on reducing the Council's carbon footprint, and adapting to reduce the impacts of climate change upon the authority.
- 10.10 Members were pleased to hear that the Council has worked with The Energy Saving Trust (EST) on the 1-to-1 Programme during 2008/09 to identify areas where energy efficiency improvements could be made. A meeting was held with the EST in early October 2009, and it is clear that a lot of progress has been made against the EST's recommendations, including participation on the Carbon Trust's Carbon Management Programme. Further actions will follow in accordance with recommendations from the EST.
- 10.11 Energy efficiency improvements are not a new topic for the Council; for a number of years, projects have been undertaken to improve the efficiency of the Council. A very significant recent advancement that will allow energy savings to be maximised is the Business Transformation Process, which has seen the current five departments merge to form three. The Business Transformation Programme includes an element in relation to Energy Management and the establishment of an "Invest-to-

Save” scheme, as outlined above, which will identify opportunities within the Council to improve its energy efficiency and produce a rolling programme of projects.

- 10.12 Reducing energy consumption not only reduces running costs, but, in most cases, improves working conditions which can increase staff productivity. Furthermore, the environmental benefits from reductions in carbon emissions and energy use can enhance organisational image and improve public relations. The Council is developing a Carbon Reduction Strategy which will incorporate energy in buildings policy and modern energy efficiency and minimising energy use methodologies. Invest-to-Save projects to improve heating and hot water controls and to install lighting controls offer real potential to achieve improved energy efficiency with pay back periods of less than 5 years.
- 10.13 It was highlighted to the Forum that Cabinet has agreed a £40,000 Invest-to-Save programme that will fund energy saving projects. Half of all savings made under the programme will be re-invested into further energy saving projects. Although this will go a long way towards reducing carbon emissions, it will be necessary to source and secure further funding to maximise carbon savings across the Council. The Council has successfully applied for an interest free loan for approximately £63,000 from Salix Finance, which is administering the £51.5m that was set aside by government in the last budget to help the public sector to improve energy efficiency in buildings. There are strict criteria for the types of projects funded by Salix, in order that the savings made through investment are sufficient to repay the loan in full. Various other sources of funding will also be sought.
- 10.14 Since the introduction of National Indicators (NIs) 185 and 186, The Council is in an excellent position to monitor, record and reduce its use of natural resources. NI185 refers to the emissions resulting from the use of energy from its own estate, and includes:
- (a) Gas and electricity usage in buildings;
 - (b) Electricity usage from street lighting;
 - (c) Fuel use from fleet vehicles;
 - (d) Fuel usage from other contractors for recycling; and
 - (e) Business mileage (private car mileage and public transport).
- 10.15 The baseline year for this National Indicator is 2008/09, meaning that at the end of each subsequent year from 2009/10, the Council will be able to identify carbon management performance.
- 10.16 A baseline has also been produced for the Carbon Management Programme. The template for this baseline includes a Value at Stake

section, which outlines the potential energy and fuel savings that can be realised if the five year aspirational carbon reduction target of 35% is achieved. The model takes into account projected increases in energy prices and is a direct comparison against a 'do nothing' approach. The financial savings that would be achieved through a 35% reduction would be highly significant.

- 10.17 A number of projects and activities have been implemented over recent years, with three main aims; to reduce carbon emissions; to reduce running costs; and to improve the overall efficiency of the workforce.
- 10.18 A summary of some of the major improvements that have taken place or are planned to take place were highlighted to the Forum, and are as outlined below :-
- (a) Civic Centre refurbishment – energy consumption in the Civic Centre is higher than in any other Council managed building. Energy efficiency regulations were introduced to the UK construction industry in 1985. As the Civic Centre was constructed prior to this, energy efficiency was not a major consideration in its design. The ongoing refurbishment of the building has energy efficiency improvement as a central element, and is indeed seen as a priority. Significant energy, carbon and cost savings have been and will continue to be realised as a result of the works being carried out, which include:
 - (i) Heating improvements – the current system relies on conditioning large volumes of fresh air. The new system will incorporate technology to utilise wasted heat from one part of the building to provide “free” energy to condition another part of the building. For example, if the South side of the building has a high solar gain and the units on that side are in cooling mode, part of the North side may be in shade and might require heating. The system will recover the heat removed from the units on the south side and release it as a heating medium to the units on the North side. The new heating system will also allow the removal of inefficient 2kw and 3kw electrical fan heaters, which have been used to assist in cold spots;
 - (ii) Lighting improvements - Replacement of the existing T8 (the ‘T’ represents tube diameter in eighths of an inch, and the lower the ‘T’ value, the more efficient the tube) switch start lighting system with a modern recessed modular dimmable luminaries utilising latest T5 lamp technology and standard high frequency control gear. These provide improved lighting conditions, use less energy, have lamps that last 60% longer, and comply with the latest T5 lamp technology system.
- 10.19 Various improvements have been made to public lighting, including the use of solar powered ‘Keep Left’ bollards and the trialling of light emitting diode (LED) street lights, amongst other improvements.

- 10.20 Members were informed that the Council has recently been awarded approximately £50,000 by the North East Improvement & Efficiency Partnership (NEIEP) for efficiency improvements to street lighting. This funding will be spent on the installation of innovative LED lighting units at Marina Way. The new units use less energy and require less maintenance than existing units.
- 10.21 The Forum requested further information on street lighting from the Council's Highways Services Manager. Members were informed that in Hartlepool there are 15428 electrically powered units, 14309 street light columns, 550 illuminated signs, 329 bollards and 45 beacons.
- 10.22 In terms of lighting, the Council use approx 7,000 MWh per annum which costs the Council £528k in 07/08 but £600k in 08/09 therefore producing approximately 3,200 tonnes of carbon.
- 10.23 Some authorities have considered turning off lights, most recent was Bury Council but they reconsidered after consultation.
- 10.24 The Council are looking at energy savings, for example efficient street lighting units and also reduced wattage. The benefit of the new energy efficient technology is a reduction in power consumption. Three areas being developed are:-
- (a) Energy efficient units, the best example is LED, but further development is required;
 - (b) Reduction of burning hours – (turn off altogether – or turn on later, turn off earlier); and
 - (c) Dimming – reducing light levels at the least critical times.
- 10.25 In 2005 the Council's Highways section was the first service to be awarded the Green Star for converting to Green energy. The Council has implemented the following lighting schemes to save energy:-
- (a) introduction of a dimming arrangement from 100w to 70w between 00:00 and 05:00 (approx 12 lamps on the Headland Square scheme approximately three years ago). No negative feedback has been received;
 - (b) The Council introduced LED's in Belisha Beacons, reducing power consumption from 100w to 18w in approximately 20 locations across the town;
 - (c) Introduced the first solar powered Keep Left bollards (about a dozen on the recent Burn Road scheme);

- (d) Introduced dimming from 60w to 45w between 02:00 and 05:00 and remote monitoring (approximately 13 lamps on Egerton Road scheme, June 2009);
- (e) Trialling 2 LED Street Lamps;
- (f) Made an internal bid for £48k to replace the remaining 290 Mercury Lanterns – to reduce energy consumption from 94w to 55w;
- (g) Made bid to RIEP (Regional Improvement & Efficiency Partnerships) for £55k (£50k from REIP, £5k from the Council) to use to replace 172 90w SON lanterns with 22w PL Fluorescent units on Marina (This scheme will save approximately £205,242 in energy costs over the next 25 years; £54,480 in maintenance cost savings; and 684 tonnes of CO2 emissions);
- (h) Also made bid to RIEP for £70k to extend the use of LED lanterns on the Marina;
- (i) Introduced electronic ballasts (replacing wire wound ballasts) which gives an energy saving of 5 – 10% per unit;
- (j) Considering using new on/off switching regime (from 70/35 lux on/off to 35/18 lux on/off – saves approx 244 hours burning time per annum per lamp which equates to about 5.9% of the total);
- (k) Also replacing all 70w SON's and 55w SOX lamps with fluorescent white lights. Use of white light enables a reduction in the standard required;
- (l) All Keep Left bollards are made from recycled plastic and damaged ones are re-used; and
- (m) All lanterns now in use are now recyclable (older units are not and must be carefully disposed)

10.26 The Forum questioned whether there is a legal requirement for roads to be lit to a certain standard. The Highways Services Manager informed the Forum that there is and that plans to roll out white light are on hold until these standards can be met.

Initiatives aimed at Schools and Council Staff

10.27 Members were also interested to hear about how the Council engage with children and young people. The Forum was informed that the Environment Roundabout is an annual event that engages Year 5 primary school pupils in various environment related subjects, including sustainable transport, waste & recycling, biodiversity, responsible water use and climate change. Each of these scenarios has direct links to climate change adaptation and mitigation, and allows pupils to develop a strong understanding of the broader

implications of climate change. Approximately 500 children took part in the event in 2010. Due to the success of the Environment Roundabout event, an event is currently being planned to engage secondary schools in environmental initiatives.

- 10.28 The Schools Environmental Action Initiative (SEAI) is supporting Hartlepool's schools to reduce their energy and resource use. Schools engaged in the past have reduced energy and water use by 2%. Funding has recently been secured to roll out the SEAI to all schools. Targets have been set to reduce energy and water use in two pilot schools by 5% during 2009/10 and 7% during 2010/11. St. Hilda's School achieved an impressive 23% reduction in energy use, and a 38% reduction in water use from 2007 to 2008.
- 10.29 A comprehensive analysis on energy and resource use was carried out at the Council's Leadbitter Buildings in 2006/07. This was followed up by an education campaign for all staff, and the following savings were achieved:
- (a) Gas consumption was reduced by 17%;
 - (b) Electric consumption was reduced by 10%;
 - (c) Water consumption was reduced by 68%;
- 10.30 It was highlighted to members that an education campaign (the Switch Off & Save (S.O.S.) Campaign) is currently underway to raise awareness of energy efficiency across the Council, and to offer solutions for energy efficient working. All staff will be engaged via presentations to individual teams. Checks will be made in each office to ensure that good practice is adopted by all.
- 10.31 An innovative approach has been adopted to reduce the carbon footprint of waste originating from Council operations. Individual bins have been removed from offices, and integrated recycling units installed in all offices. Trials in several offices found that this method increases recycling rates significantly.
- 10.32 Members were informed of the Jesmond Road Primary School Rebuild. The new school will be built to very high standards in terms of energy efficiency, and will include a brown roof, living wall and a highly efficient heating system and will make use of natural light, ventilation and heat.
- 10.33 It was highlighted to members that a Sustainable Construction Group was formed in 2008, and has produced a draft Sustainable Construction Policy. Guidance will be produced in order to ensure that the policy is translated into practice for both corporate and public use.
- 10.34 Use of recycled sub-base material for construction work at Brenda Road was trialled, which significantly reduces the carbon implications of projects in comparison with the use of virgin raw materials. The use of recycled material not only reduce carbon emissions associated with quarrying, but

also preserve resources and reduce reliance on landfill. Early indications from onsite construction staff are very promising.

- 10.35 Car sharing is being promoted within Hartlepool, in order to reduce the number of journeys being made by private vehicles. The Council is a partner of the Tees Valley 2Plus Travel Scheme, which has over 1,000 members.
- 10.36 Safe and Fuel Efficient Driving (SAFED) training courses have been provided for appropriate officers. On average, SAFED training increases fuel efficiency by 10%. An officer has now been appointed within the Road Safety Team to facilitate employee driver training in order to achieve similar savings across the council fleet and also with business users. Reducing emissions from the Council's fleet by 10% would save approximately 162 tonnes of CO₂ per year (based on the Council's 2008/09 figures).
- 10.37 The diesel used for the Council's fleet of vehicles has a 5% bio-diesel content, which reduces the use of fossil fuels by 5%, and also significantly reduces emissions resulting from transport in comparison to the use of regular diesel.
- 10.38 A teleconferencing facility trial is currently being developed by HBC in order to reduce the need for travel to meetings. The facility will be open to all staff, depending on availability. As well as reduced mileages (and associated carbon emissions/costs), officers will be able to 'attend' meetings that may not have been possible previously, giving a potential increase in the efficiency of the workforce.
- 10.39 Members heard that rainwater harvesting equipment has been installed at Stranton Garden Nursery to reduce the need for mains water for plant watering. Although variations in climatic conditions make quantification difficult, this process has two highly significant benefits, in that the need for treated mains water is less, and the risk of flooding during heavy rainfall is reduced.
- 10.40 The Council's Municipal Waste Management Service has seen major improvements over recent years, with the recycling rate reaching 38% during 2008/09.
- 10.41 Members were informed that the Council has a Sustainable Procurement Strategy to ensure that the carbon footprint associated with purchasing goods and services is minimised.
- 10.42 The Council has an active Paper Use Policy, which aims to maximise the use of recycled paper throughout the authority; minimise the amount of paper used within the authority and striving for a 'paper free' office environment; and maximise the amount of paper recycled by the authority
- 10.43 The review, procurement and implementation of a managed print service in 2008 has led to significant paper reduction and energy savings, as well as reducing the number of printers across the authority.

- 10.44 Hartlepool participated in World Wildlife Fund (WWF) led Earth Hour in 2009. Earth Hour raises the profile of energy efficiency and climate change, and the Council turned off the lights that illuminate the Trincomalee ship at the Historic Quay, and asked the community to follow suit by turning off electrical appliances when not in use.
- 10.45 The Council are committed to reducing emissions per capita in the local authority area as part of the current Local Area Agreement, setting a reduction target of 3.75% per annum over three years. For each of the two years that data has been published for, the Council has exceeded these targets.

11. VIEWS OF PARTNER / EXTERNAL AGENCIES ON WAYS TO MEET THE CHALLENGES OF CLIMATE CHANGE AND CARBON MANAGEMENT

- 11.1 The Forum was very keen to engage with all relevant partners and external agencies to gather their views and suggestions on how to meet the challenges of climate change and carbon management. Detailed below are the views and suggestions received from the key partners and agencies.

Evidence from the Chair of Hartlepool's Environment Partnership

- 11.2 The Chair of the Environment Partnership informed the Forum of the partnerships roles and responsibilities. These are to bring together the Private sector, the public sector agencies, voluntary environment groups and the public in the form of resident representatives to work in a formal environment towards all of the environmental issues associated within Hartlepool and the localities. The Partnership have various sub groups for which they have just had a review of their terms of reference, one sub group is the climate change sub group and their original draft terms of reference were circulated to the Forum but are at present being re-drafted. You can see the depth in which the Partnership look into the problems of climate change, encompassing representatives from a wide variety of organisations throughout Hartlepool, Teesside and East Durham.
- 11.3 The Partnership has just reviewed the terms of reference of all of the sub groups and it is clear that all groups are cross cutting, by this the Chair explained that when you listen to the Council's Environmental Co-ordinator on what is going on with Pride in Hartlepool, they are also tackling parts of climate change, for instance they are educating school children on reducing energy use and thus the carbon footprint of their homes and schools. This is one instance of many within these groups. Also, the sub groups are working and bringing in some uniformity, the groups now look at the workload in the coming year and they must set their goals on each subject, giving evidence at the end of the year on how their findings and recommendations were integrated back into the public arena, and many of these findings in some way help to reduce the carbon emissions.

- 11.4 The Environment Partnership is a very good 'vehicle' to get the message of carbon management, through all of these group and agencies to a very wide spectrum of both the public, organisations and companies.
- 11.5 The Forum was interested to hear of any suggestions to help raise awareness in the community. The Chair of the Environment Partnership believes that the Council already carries out good work in raising awareness of climate change in the community and it is difficult to suggest something as we are already doing most. However it would not do any harm to remind the people of Hartlepool about the most basic tips that they can use in their own home, things like only fill the kettle with the water that you will use once it has boiled, turning off electrical items rather than leaving on standby and lots of other little tips. So the question is that they are receiving the carbon reduction education through various avenues but how do we remind people of the basics. The Council could have a dedicated 'tips' page in magazines such as Hartbeat and at every opportunity where we communicate with the public, we could utilise the schoolchildren and ask schools to get the children to take home information leaflets when the school are sending letters etc home with the children. The Chair of the Environment Partnership thinks that most people have had the message through education and believes that most just need reminding to utilise the tips at every opportunity.
- 11.6 Once the process of reminding people has been established and the Council are happy that a good percentage are doing the basic things then we can look at introducing more 'complicated' information like, for instance, when people are buying new electrical goods what questions they need to ask about power consumption and how to understand the information that they are getting back so that they can go for the equipment that not only uses the least energy but also cost the least energy to manufacture and deliver to the shops.

Evidence from the Tess and Durham Energy Advice (TADEA)

- 11.7 TADEA Ltd is a non-profit energy advice company operating across the North of England with offices in Billingham and Newcastle. All of their operations are compliant with the ISO 14001 accreditation and a sustainability policy. TADEA Ltd holds the contract for the Energy Saving Trust advice centre in the North East of England. This service provides free and impartial energy advice to households and communities. Outreach events can be arranged to raise awareness in specific communities.
- 11.8 In terms of specific initiatives aimed at reducing the use of energy resources, it was highlighted to the Forum that TADEA Ltd currently deliver Hartwarmers in Hartlepool. Hartwarmers is funded through Single Housing Investment Programme, the Primary Care Trust and Utilities to provide energy efficiency measures to the most vulnerable households in Hartlepool. The Mayor of Hartlepool is a strong advocate of the initiative which has helped 3500 homes to date. TADEA LTD, can also provide tailored energy audits and training for council buildings and staff.

Energy Saving Trust Advice Centre

- 11.9 The representative from the Energy Saving Trust Advice Centre thanked Members of the Forum for undertaking an investigation into Climate Change and Carbon Management and assured Members that the Energy Saving Trust will continue to work closely with the Council.

Evidence from Middlesbrough Council

- 11.10 The Forum invited Middlesbrough Council's Sustainability Co-ordinator to talk to them about their Council's approach to tackling climate change. The Forum was informed that in March 2008 Middlesbrough Council and Partner Organisations were awarded Beacon Status for tackling Climate Change, one of six Councils across England to be given this award. The Beacon Award Scheme is run by the Improvement and Development Agency (IDEA) and recognises Councils that demonstrate clear leadership, excellent vision and innovation on key themes
- 11.11 It was highlighted to the Forum that Middlesbrough Council's achievement of Beacon Status was down to a number of aspects including signing up to the Nottingham Declaration on Climate Change, partnership working and their carbon reduction targets.
- 11.12 Members praised Middlesbrough Council for their efforts however felt that if only 60% of the planet were acting, only so much could be achieved if the other 40% continued polluting. The representative from Middlesbrough Council acknowledged this but said that those countries which polluted the most were those which were making the biggest strides in this area. Comment was often made about China's energy usage but as a country they were far more proactive than most in understanding sustainable technology and energy. African countries tended to use far less resources than the UK and USA and it seemed only fair that those countries polluting the most should contribute the most to putting it right.
- 11.13 It was highlighted to the Forum that in order to successfully engage with the wider community then an idea is to integrate climate change priorities with other priorities such as fuel poverty as this tended to increase public interest. He highlighted in particular an initiative whereby drivers were encouraged to use their cycles around the town centre through the provision of a free central storage facility. The Forum was very interested in the cycling scheme, especially the costs of setting the scheme up as Members were of the opinion that this initiative could be potentially a great social enterprise for the future.
- 11.14 Information was received from the Director of Middlesbrough's Environment City on the costs of their cycling centre. The costs are difficult as it depends on the extent of the activity that is included. The Director included below an idea of typical costs if staff are employed through a charity (with costs lower than for a Local Authority). Cycling Officer (delivers training, runs

events and staff cover when Assistant on leave etc): £21,000 pa (including on costs). Cycle Centre Assistant(reception in Centre): £15000 pa. Annual running costs: £5000-£10000, depending on whether there are rent and rate charges or whether premises can be obtained for free/rent can be foregone. The Middlesbrough Cycling Centre is in a unit in the Bus Station that had proved impossible to let commercially. Set up costs will depend upon current state of premises chosen and level of décor/facilities. A DDA compliant shower and toilet is essential, together with the cycle storage, reception desk, information racks etc. Typical £10000 - £20000 (year one cost only and a small maintenance sum each year). Clearly the salary cost is the largest single ongoing commitment and it is worth thinking about whether the centre could be developed as part of another facility that is already staffed or as part of the development of a new facility. In Middlesbrough, one of the drivers was to increase the general staffing presence in the Bus Station to improve the sense of security for visitors. The Centre currently has a higher staffing level as external funding is used for the Cycle Trainer posts.

- 11.15 Following on from this, the Forum requested information about the cycling schemes / initiatives and storage that the Council provides. Members were informed that the Council promotes cycling in schools through School Travel Plans and the national standard cycle training that the Council deliver to children in Years 5, 6 and 7. Pupils are encouraged to cycle to school after receiving this training and through the School Travel Plan Awards scheme, schools can submit bids for secure cycle storage. Through the Work Place Travel Plan process the Council encourage organisations and businesses to provide cycle storage and promote cycling as an alternative to car use. Over the Easter time 2010 the Council are planning to introduce adult cycle training schemes and 'back to cycling events' for those that wish to take up cycling for commuter and leisure trips. In addition the Council is to introduce a salary sacrifice scheme whereby employees can purchase cycles through the Council at discounted rates which will contribute to sustainability and climate change agendas.
- 11.16 With regard to cycle storage the Council currently has five or so lockers at the Train Station. This having been said, it is intended to completely re-vamp cycle storage in the vicinity of the station as part of the Transport Interchange and station improvement works, as the storage is not very well used. The works will hopefully result in a better uptake of secure cycle storage. A key element of the Transport Interchange is the Pedestrian and Cycleway Spine:-
- (a) It will run from the Interchange entrance on Church Street to the bus shelters and the train station;
 - (b) The cycleway will terminate in an area providing secure cycle lockers;
 - (c) The pedestrian route runs to the rear of the shelters allowing access to all bus pick-up/drop-off points and connects to train station frontage;

- (d) All crossing points across the Park and Ride car park access roads will be raised to pedestrian level facilitating pedestrian and cyclist priority;
 - (e) Crossing points will be ramped for vehicle use to provide traffic calming measures;
 - (f) Pedestrian and cycleway routes will be bounded on the car park side by a row of high quality ornamental tree species of a smaller size, creating an avenue feel while ensuring that the route is open and easily surveyed for safety reasons;
 - (g) The tree planting will all be located in an open grassed area to provide unrestricted views for user safety;
 - (h) A second feature point will be located at the intersection of the pedestrian/cycleway spine and the staircase access footway in order to reduce the potential for user conflict; and
 - (i) The second feature point will be a raised area (approx. 200mm high) with ground cover shrub planting and a central art feature with a transportation theme.
- 11.17 The Director of Regeneration and Neighbourhoods informed Members that in relation to sustainable transport, a commitment of £20k had been made by the Council to install four charging points for electric cars across the town.
- 11.18 In relation to bicycle storage Members were concerned that the storage facilities at the train station did not seem to be used as it was not clear how to access them. It was suggested that this issue be looked at and improved, possibly through additional signage. The Director of Regeneration and Neighbourhoods acknowledged that this is an issue, as it is at Seaton Station and would look at the signage and advertisement of the facility.
- 11.19 The Forum questioned planning policies and how these incorporated sustainability. The representative from Middlesbrough Council highlighted to the Forum that in terms of planning policy this could be problematic because while developers had to work within government guidelines they were perfectly able to build elsewhere if they felt the requirements imposed by Middlesbrough Council were too steep. Therefore there needed to be some negotiation in these matters. However a number of new builds in Middlesbrough, specifically the Middlehaven development, were being constructed to high sustainability standards and it was hoped that others could be encouraged to build to these high standards. Sustainable development is the core principle underpinning the town planning system. Planning authorities are required to ensure it is treated in an integrated way within the development plan. Climate change and carbon management are covered by several policies in the Middlesbrough Local Development

Framework (LDF) Core Strategy. The relevant criteria of these policies are summarised below:-

Section 1.01 - Policy CS4 Sustainable Development

- 11.20 All development will be required to contribute to achieving sustainable development principles by, where appropriate:
- g. being located so that services and facilities are accessible on foot, bicycle or by public transport. Reliance on the public car must be reduced or minimised and the use of sustainable forms of transport encouraged;
 - i. locating developments that attract large numbers of people in those locations which are accessible by sustainable forms of transport and will contribute most to achieving social inclusion;
 - m. ensuring that inappropriate development is not carried out in the floodplain and sustainable methods of surface drainage are used. This should include the incorporation of Sustainable Urban Drainage Systems in new developments to mitigate against localised flooding, promote water conservation and help protect water quality;
 - n. minimising the generation of waste and maximising the use of recycled materials;
 - o. contributing to reducing the causes and impacts of climate change; and
 - p. incorporating within developments of 10 dwellings, or a floorspace of 1,000 sq.m, or more onsite renewable energy facilities or energy saving technologies (for example combined heat and power systems, photovoltaic cells and wind turbines) that provide as a minimum 10% of energy requirements. There should be no demonstrable harm to biodiversity interests on visual or residential amenities or by way of pollution generation. Where such harm is likely it will be necessary to demonstrate that this is outweighed by the benefits contributing to diverse and sustainable energy supplies and reducing carbon emissions; provision should be made to mitigate or compensate for any such harm.

Policy CS5 - Design

- 11.21 Proposals will be required to achieve the following:
- j. incorporation of features in terms of layout, design and specification to achieve high levels of energy and environmental efficiency. All new residential developments should be completed to a Buildings Research Establishment (BRE) Eco-homes* rating of very good or excellent, and all new non-residential development should be completed to a Buildings Research Establishment Environmental Assessment Method (BREEAM) rating of very good or excellent. Development should also meet the Energy Efficiency Best Practice Standard and conform to the Code for Sustainable Homes.

*Now replaced by The Code for Sustainable Homes

Policy DC1 - General Development

- 11.22 Unless there is a specific and acceptable reason for the exception to be made, all development proposals will be required to take account, or satisfy as a minimum the following:
- f. the effect on levels of air, water or noise pollution of the environment is limited both during and after completion; and
 - g. emphasis is placed upon the use of sustainable construction methods and environmentally sound resources and materials.
- 11.23 The representative from Middlesbrough highlighted to the Forum the One Planet Living approach and its ten principles of zero carbon, zero waste, sustainable transport, sustainable materials, local and sustainable food, sustainable water, natural habitats and wildlife, culture and heritage, equity and fair trade and health and happiness. The vision being to create 'a world in which people everywhere can lead happy, healthy lives within their fair share of the Earth's resources'. Members queried how many of the 10 principles were achievable in reality. The representative from Middlesbrough acknowledged some of the targets (zero carbon, zero waste) would take a long time and could not be done without commitment from Governments however challenging targets were necessary to encourage progress.

Evidence from the Tees Valley Joint Strategy Unit

- 11.24 Members heard evidence from the Tees Valley Joint Strategy Unit which was formally established in 2005. The Tees Valley Climate Change Partnership includes Hartlepool Borough Council and all of the other Tees Valley Local Authorities, the Environment Agency, RENEW, Tees and Durham Energy Advice Centre, and the Energy Savings Trust. The first Tees Valley Climate Change Strategy was adopted in 2007.
- 11.25 The partnership is being expanded and now includes the University of Teesside. A revised climate change strategy has been drafted, reflecting significant changes in the national policy context and the desire to engage other sectors.
- 11.26 The vision of the TVCCP is "*creating prosperous and resilient communities in a low carbon economy.*" The draft Tees Valley Climate Change Strategy details the key vulnerabilities, opportunities, mitigation and adaptation options in the following areas:
- (a) Business support;
 - (b) Housing;
 - (c) Connectivity;

- (d) Creating quality of place;
 - (e) Communication and awareness raising - which is vital to achieving substantial emissions reductions and adapting lifestyles and property.
- 11.27 It was highlighted to the Forum that the short term actions and targets contained in the draft Tees Valley Climate Change Strategy are based on the existing action plans of the Local Authorities, and actions that are needed at sub-regional level based on the recommendations of the Committee on Climate Change and the Tees Valley Business Case for Development. The strategy seeks to harmonise existing best practise across the sub-region and integrate Local Authority action on climate change with the economic development of the Tees Valley. The draft Tees Valley Climate Change Strategy has set medium term targets in line with the UK carbon budgets, and the medium term targets will be delivered through the existing mechanisms of the revised Tees Valley Unlimited Business Plan.
- 11.28 All of the Tees Valley Local Authorities have, or are currently producing a carbon management plan to address emissions arising from their own operations, and the Carbon Reduction Commitment will drive improvements in energy efficiency in Local Authorities. All of the local authorities are reporting on the climate change National Indicators 185 (CO₂ reduction from local authority operations), 186 (per capita reduction in CO₂ emissions in the LA area), and 188 (Planning to Adapt to Climate Change). Hartlepool will have developed an Adaptation Strategy and Plan by March 2010.
- 11.29 TVCCP are actively seeking to expand the partnership to other private and public sector organisations, and is developing a climate change charter which will include a commitment from organisations to reduce their carbon footprint. The Tees Valley Green Business Network is currently piloting an environmental award scheme in Middlesbrough that will help to promote the climate change charter to organisations. It is intended to extend this scheme to the whole Tees Valley, including Hartlepool, early in 2010.
- 11.30 All of the North East Local Authorities, including Hartlepool Borough Council, have signed up to the Covenant of Mayors initiative, which is a commitment to reduce CO₂ emissions in the local authority territory by at least 20% by 2020.
- 11.31 Suggestions to help raise awareness of climate change in the community include the regional programme of workshops to raise awareness of the recently published UK Climate Impacts Programme UK Climate Change Projections from 16 to 20 November 2009. The Council is recommended to send an officer/officers to receive technical training on using the software associated with the projections in November 2009. TVCCP would like to organise screenings of the Age of Stupid film for elected members and other interested people in Hartlepool before the UNFCCC convenes in

Copenhagen on December 7 2009. Friends of the Earth are willing to organise the screenings in partnership with the Local Authorities, as part of their 'Get Serious about CO₂' campaign. In this way, the cost is limited to approximately £150 instead of a far higher fee were the Council to apply for a license to show it in its own right.

- 11.32 To raise and share good practice about climate change, the TVCCP is currently discussing how to develop the concept of a Carbon Achievement Zone for the Tees Valley with the Energy Savings Trust. The concept is based on providing coherent and targeted messages on climate change, and providing a framework to coordinate climate change related activities such as home insulation and retrofitting.
- 11.33 Members of the Forum were very keen to find out about any initiatives aimed at reducing the use of energy resources which would be of benefit to the Council. Members were informed are the following initiatives:-
- (a) Initiatives such as the Covenant of Mayors will support measures to reduce carbon dioxide emissions in Hartlepool. All local authorities in the North East have signed up to the Covenant and are using a common carbon planning tool to develop Sustainable Energy Action Plans (SEAP). These will identify options for reducing carbon emissions in the local authority territory by at least 20% by 2020. This may facilitate joint procurement of low carbon technologies and services.
 - (b) The European Investment Bank (EIB) has designed a loan package specifically to support investment associated with the Covenant of Mayors. The SEAPs developed by local authorities, including Hartlepool Council, can be used to unlock financing opportunities through the EIB. The organisations ANEC and ONE North East have approached the EIB to apply for support to develop a business case for investment in the North East, and the SEAPs.
 - (c) One North East currently has an open call for ERDF project/operation proposals in support of innovative energy efficiency measures to demonstrate and test the application of renewable energy technologies for existing social housing.
 - (d) The 10:10 initiative is a public commitment to reduce carbon emissions by 10% by 2010. Several Local Authorities have signed up already, including Hartlepool Borough Council. The TVCCP has also signed up.

Evidence from the North East Climate Change Partnership

- 11.34 The representative from the North East Climate Change Partnership congratulated the Council on the significant commitment in place already to address climate change including the provision of Local Area Agreement indicators, signatory to the Covenant of Mayors, engagement in the carbon Trust's Carbon Management Programme and being a member of the Tees

Valley Climate Change Partnership. The representative from the North East Climate Change Partnership confirmed that the future of climate change in the North East of England was predicted to include changing weather patterns and increased frequency of extreme events, particularly rainfall precipitation. It was added that although temperatures would be likely to increase between now and 2050, the extreme cold will be at sub zero, and coupled with polarisation of rainfall precipitation will result in the likelihood of significant snowfall.

- 11.35 Members questioned what barriers there were in relation to increasing public involvement. The representative from the North east Climate Change Partnership felt that press coverage was an issue and there are many people committed although there are still some sectors more cynical than others in relation to the man made nature of climate change.

Evidence from the Environment Agency

- 11.36 Members were informed that the Environment Agency is playing a central role on climate change. Their work covers both reducing emissions of greenhouse gases, commonly known as mitigation, and managing the impacts of climate change, or adaptation. The Environment Agency are doing so in their role as the Government's principal environmental advisor and regulator through:-

- (a) Mitigation - Currently, around 40 per cent of the UK's greenhouse gas emissions are covered by regulatory and economic schemes the Environment Agency implement. This will grow to 48 per cent by 2012. For industries the Environment Agency regulate, they consider their energy use and limit releases of pollutants in the permits we issue. The Environment Agency also helps to run some of the main carbon trading schemes to reduce greenhouse gas emissions.
- (b) supporting the development and use of low-carbon technologies, including renewables, carbon capture and storage, and nuclear power, while minimising other environmental impacts. Some aspects we are involved with are:
 - (i) Carbon capture and storage
 - (ii) Landfill gas emissions
 - (iii) Climate change and nuclear power
 - (iv) Water industry carbon reduction
 - (v) Small scale hydropower
 - (vi) Ground Source Heat Pumps
 - (vii) Biomass and biofuels
 - (viii) Marine renewables

- 11.37 Members were informed that action needs to be taken to adapt to unavoidable climate change and build resilience against higher temperatures, rising sea levels and extreme rainfall patterns. The

Environment Agencies focus is to make sure that England and Wales are able to adapt to the changing climate, and particularly the increasing risks of river and coastal flooding, the growing pressures on water supplies for people and the environment and the consequences of a changing climate for biodiversity.

- 11.38 The Environment Agency is leading on adaptation to climate change in:
- (a) Flood risk management;
 - (b) Coastal realignment strategy;
 - (c) Managing water resources; and
 - (d) Biodiversity conservation
- 11.39 The Environment Agency has implemented a number of actions within its own organisation to reduce CO2 by introducing energy efficiency measures in its building, improving the use of technology and buying lower emission vehicles for its fleet. A number of additional measures have been implemented including switching all their offices, depot and sites to green electricity tariffs which saved more than 17, 500 tonnes of carbon dioxide each year.
- 11.40 Over the last two years the Environment Agency has cut its carbon footprint by 14%. The Environment Agency has pledged to do even more to reduce its impact on the environment by participating in the 10:10 campaign which aims to cut carbon emissions by 10% in 2012
- 11.41 The Environment Agency's pledge to cut carbon emissions is part of their overall commitment to reduce the environmental impact of all parts of the organisation. As part of this commitment, they are:
- (a) Reducing the miles driven by their staff. Over the last two years the Environment Agency have already reduced mileage by 8.9 million miles;
 - (b) Working with developers to create the greenest office development in the UK for their new corporate office in Bristol;
 - (c) Forming a strategic partnership to develop large scale wind turbines on their land;
 - (d) Rolling out technology to reduce energy use in our buildings by 15%;
 - (e) Purchasing over 99% of electricity from renewable sources;
 - (f) Operating one of the greenest, award winning transport fleets in the country;
 - (g) Closely managing temperature and lighting in buildings to reduce energy;
 - (h) Diverting food waste from landfill; and investing in rainwater harvesting, waterless urinals and spray taps.

- 11.42 In terms of raising awareness in schools, schools provide one route for raising awareness and taking action on climate change both directly within the school and beyond through links with the school's wider community. The representative from the Environment Agency drew member's attention to The Department for Environment, Food and Rural Affairs Climate Challenge, which has funded two initiatives that focus on young people and raise their awareness of climate change. For children aged 7-14 there is the Carbonator website (<http://www.carboncontrol.org.uk/carbonator/default.aspx>), which has been designed as the junior version of the Act on CO2 online calculator. For 11-18 year olds, a website called 'Your climate your life' (<http://www.yourclimateyourlife.org.uk/>) has been developed. The website is linked to the geography curriculum and provides a wealth of information, interactive features, images and downloads. It has been developed in partnership with schools to engage and inspire teachers and students to understand climate change.
- 11.43 It was highlighted to Members that the Carbon Trust have produced a document entitled "Saving energy in schools (ECG073) - A guide for headteachers; governors; premises managers and school energy managers", which is available to download from their website. More information on how schools can save energy can be found at the Eco-Schools website.
- 11.44 Members were informed about the North East Climate Change Schools Project which is an exciting and unique programme initially piloted in the North East of England between 2007–2009. It is a partnership between Science Learning Centre North East, Durham University, the Environment Agency (funded by the Northumbria Regional Flood Defence Committee) ClimateNE, One World Network North East, the North East Strategic Partnership for Sustainable Schools and the Association of North East Councils. Every Local Authority in the North East is represented in the Climate Change Lead Schools network. The purpose of the project is to enable schools to embed climate change throughout the national curriculum and showcase schools as 'centres of excellence' in climate change teaching, learning and positive action in their local communities.
- 11.45 In Hartlepool there are currently six Climate Change Lead Schools in 2009-2010 (four of these schools were involved with the project in the last academic year and have re-registered as Lead Schools this year. There is the opportunity to promote participation more widely. Recruitment occurs on an annual basis and the next round begins in May):-
- (a) Hart Primary School
 - (b) St. Peter's Elwick Primary School
 - (c) Barnard Grove Primary School
 - (d) St. Hild's School
 - (e) High Tunstall College of Science
 - (f) Seaton Carew Nursery School

- 11.46 There may also be scope to link the schools' achievements through the Climate Change Schools Project more closely to the work of the Council on climate change.
- 11.47 In order to raise awareness in the business sector the Envirowise website has information on raising awareness within a business. It gives advice on how appointing a company Business Champion can help to change behaviour, with information on a typical role profile of a Business Champion and the importance of staff motivation and awareness.
- 11.48 The Carbon trust website has a number of useful publications on how to reduce energy use including The Carbon Trust support for SMEs (Small to Medium Enterprises). This leaflet outlines the Carbon Trust services that are most relevant for SMEs, including simple and practical, no, or low-cost ways to reduce the amount of energy you use.
- 11.49 Members were informed about the Tees Valley Green Business Network which is a local partnership initiative that is helping to support businesses in improving their environmental performance and achieving business benefits as a result. Various information is drawn together on the Network website www.greenteesvalley.org – and businesses can seek advice directly. The Green Business Network Awards Scheme gives recognition to businesses that are taking action on climate change and in other ways that benefit the environment.
- 11.50 In terms of raising awareness in households and communities individuals, businesses and public sectors can sign up to the 10:10 campaign. 10:10 is a project to unite every sector of British society behind one simple idea: that by working together we can achieve a 10% cut in the UK's carbon emissions in 2010.
- 11.51 The Act on CO2 website (<http://actonco2.direct.gov.uk/actonco2/home.html>) has a range of useful information, including a carbon calculator, tips on reducing your energy usage and a list of current campaigns.
- 11.52 The Energy Savings Trust website has a Community Carbon Footprint Tool. This allows groups of individuals to measure their carbon emissions and work out their community carbon footprint. Local businesses and community buildings in the community can also calculate their carbon footprint.
- 11.53 In terms of specific initiatives aimed at reducing the use of energy resources that would benefit the Council, the Environment Agency are aware of the Council's active participation in the Tees Valley Climate Change Partnership and that an action plan for Hartlepool has been developed. The Environment Agency suggested that the Council may wish

to consider some of the measures that the Environment Agency has taken to reduce its own emissions (if it is not already taking similar action).

Evidence from Friends of the Earth

- 11.54 The representative from Friends of the Earth commended the work already carried out in Hartlepool through the Councils approach to setting a reduction target and developing a strategy to reach that target. However, the representative from Friends of the Earth questioned whether the Council was striving to reach the correct target. The Intergovernmental Panel on Climate Change recommends a target of 40% reduction on 1990 levels by 2010. However, Friends of the Earth felt that a reduction of 42% was scientifically robust, which had been reaffirmed through the launch of the Get Serious about CO2 campaign. It was noted that several cities in the UK had already committed to a 42% reduction by 2020.
- 11.55 It was indicated to the Forum that to be able to deliver a 42% reduction, additional investment is required and a consultancy firm had been engaged by Friends of the Earth to examine best practice within local authorities across the UK and how to finance. The Forum agreed that in terms of financing, the increasing pressures faced by Councils at this time was understandable and that central government should be pressed for additional resources to enable further initiatives to be delivered.
- 11.56 Members of the Forum noted that Darlington Borough Council had undertaken some really good work in relation to sustainable transport and breaking the link between economic development and transport. In addition Kirk Lees Council has made a significant investment in addressing climate change through corporate policy, with the installing of energy efficiency measures in homes across the Borough. The Council's Director of Regeneration and Neighbourhoods added that the Council has several successful initiatives already in place to help residents of the town insulate their homes.
- 11.57 The representative from Friends of the Earth informed Members that there is a lot of work that local authorities can do in relation to encouraging renewable energy and creating a platform for renewable energy as a source of business and economic growth in the area. The Director of Regeneration and neighbourhoods confirmed that as a local authority it was incumbent on the Council to reflect on the target and if it was viable to increase it, it would be looked. Members were informed that Hartlepool was one of the first local authorities in the county to install volumetric housing at level 4 and it was anticipated that level 5 will be achieved once the development is complete.

Evidence from the North East Improvement and Efficiency Partnership (NEIEP)

- 11.58 The Forum received written evidence from the North East Improvement and Efficiency Partnership who advised on ways to help the Council tackle climate change. It was highlighted that Hartlepool is a signatory to the Covenant of Mayors, a European wide climate change initiative. This also commits the Authority to meeting various targets, and the need to develop a Sustainable Energy Action Plan by February to the European Commission, the NEIEP believes, which is an area the Forum might like to focus on.
- 11.59 The NEIEP suggested that as well as implications the Forum might also like to consider whether the authority is taking appropriate steps to prepare for the Carbon Reduction Commitment. Some early measures can help to reduce cost implications and also whether the Authority is using the London Energy Toolkit.
- 11.60 Members were informed that in relation to the issue of awareness of climate change, the focus should be on behaviour change, awareness does not translate into the types of required behaviour change. The Partnership ran a recent event on social marketing to introduce officers to this methodology as a means of securing behaviour change.

12. AWARENESS OF CLIMATE CHANGE IN THE COMMUNITY AND HOW ITS PROFILE MAYBE RAISED

- 12.1 The Forum was very keen to engage with members of the public and school children to hear their views in relation to climate change and community awareness. As such, a Focus Group was held on 11 January 2010 at the Civic Centre, Hartlepool and a Climate Change Activity Session was organised for members to attend on 6 November 2009, also at the Civic Centre.

Focus Group held on 11 January 2010

- 12.2 Whilst turnout was low, the event was well publicised in the local press together with the distribution of leaflets/posters to community groups and venues.
- 12.3 Members of the public were given the opportunity to express their views and provide input into the investigation. The Group's views were sought on the following questions:-

(i) Do you have any ideas or practices which could help reduce our carbon footprint?

- (a) Try to reduce car usage, car sharing was suggested, although the Council do encourage and promote this;

- (b) the reduction of council buildings and the creation of open plan offices was viewed as a good way to reduce energy;
- (c) schools were seen as a priority area for energy reduction;
- (d) a checklist for individual households showing how energy can be saved was seen as a way to help reduce household energy costs;
- (e) continue to work with other local authorities / schools / universities in the area to develop new ideas and initiatives;
- (f) dimming of street lights was considered; and
- (g) maximise the natural resources available e.g wind

(ii) Do you feel that the community is aware of the effects of climate change?

- (a) the general opinion was that children and young people had a good understanding of climate change and its effects but it was felt that many adults either were not aware of the effects of climate change or there was a resistance to act.

(iii) Can you suggest ways to help raise awareness of climate change in the community to help to reduce our carbon footprint?

- (a) focus on publicising / promoting climate change to the public, use the voluntary sector to promote information;
- (b) more publicity on targets set and how public can help to achieve them;
- (c) highlight to the public what exactly climate change is and its effects;
- (d) publicise examples of how saving energy can make a difference, use 'cost' examples; and
- (e) educate the public on schemes available to help reduce energy costs, for example, wall and roof insulation schemes.

Climate Change Activity Session held on 6 November 2009

- 12.4 A class of year 5 pupils were also invited to participate in the activity session. Members and the children participated in three activities which focused on climate change. The first activity was a play which looked at how water is

wasted on a daily basis and how to be 'waterwise'. The second activity introduced the concept of food miles and their carbon implications and looked at the importance of buying locally sourced food. For the final activity the Members and children made personal pledges to help with climate change.

- 12.5 Members commented on the impact children have on addressing climate change as they are a strong voice within the home and can influence change with their parents and peers. In view of this it was suggested that ways of working with schools and young people should be explored further. Although, Members raised concerns about the amount of influence the Council has on schools and businesses in relation to their commitment to carbon reduction.

Photographs from Climate Change Activity Session



Evidence from the Regeneration and Neighbourhoods Department

- 12.6 The Climate Change Officer highlighted to the Forum the ways in which the Council are actively engaging with the community which included:-
- (a) informal presentations and discussions with community groups;
 - (b) school events;
 - (c) smarter living roadshows which includes topics such as energy saving, recycling and local environmental quality;
 - (d) solar car events where children construct solar powered cars and discuss the benefits of renewable energy;
 - (e) Tees Valley Green Business Award – due to be launched with businesses;
 - (f) Smart meter workshops;

- (g) Eco-driving challenge; and
- (h) Displays at Middleton Grange Shopping Centre

12.7 Members welcomed the involvement of young people as they are very keen to raise awareness of climate change issues within the home environment. It was noted that identifying the most appropriate forums and groups to convey the climate change message was a key issue and it was suggested by the Forum that the support of the Hartlepool Voluntary Development Agency would be invaluable.

13. CONCLUSIONS

13.1 The Neighbourhood Services Scrutiny Forum concluded:-

- (a) That the Council have already carried out excellent work in relation to climate change and the reduction of their carbon footprint;
- (b) That a cycling centre with free cycle storage would be a great social enterprise for the future;
- (c) That cycle storage facilities at Hartlepool train station did not seem to be used and it was not clear how to access them. It was suggested by the Forum that this issue be looked at and improved through additional signage;
- (d) That it is recognised that challenging targets are necessary to encourage progress;
- (e) That the Council needs to continue to engage and encourage schools, businesses and the Council's workforce to reduce energy usage;
- (f) That children and young people have a good understanding of climate change and its effects but the Forum felt that adults either were not aware of the effects or there was a resistance to act;
- (g) That children and young people are a strong voice within the home and can influence change and ways of working with children and young people should be explored further;
- (h) That there are concerns about the amount of influence the Council has on schools and businesses in relation to their commitment to carbon reduction;
- (i) That awareness of climate change needs to be raised and it would be helpful to the public if they were shown how to save energy in their own homes, for example through a dedicated 'tips' page in magazines and questions which to consider when buying new electrical equipment to assess / compare energy consumption among products;

- (j) That the Forum support the Council's efforts to maximise the natural sources available for energy, for example, wind power;
- (k) That the Council welcome and support the introduction of electric charging points for electric vehicles across Hartlepool; and
- (l) That Council meetings, wherever possible, should be held in rooms that accommodate the number of people who are in attendance in order to save energy,

14. RECOMMENDATIONS

14.1 The Neighbourhood Services Scrutiny Forum has taken evidence from a wide variety of sources to assist in the formulation of a balanced range of recommendations. The Forum's key recommendations to the Cabinet are as outlined below :-

- (a) That the Council lobby Central Government for additional funding to enable further energy saving initiatives to be delivered locally;
- (b) That the Council continue to work with schools and businesses to support and encourage them to reduce their energy usage;
- (c) That the Council explore further ways of working with children and young people to continue to promote climate change and its effects;
- (d) That the Council explore further ways to publicise climate change and work with the Hartlepool Voluntary Development Agency and the wider voluntary and community sector to identify the most appropriate local forums and groups to communicate the effects of climate change to;
- (e) That the Council publicise their climate change targets along with how the public can help to achieve these targets;
- (f) That the Council continue to educate the public and the Council's workforce on how to help reduce energy costs;
- (g) That the Council, wherever possible, hold meetings in appropriate size rooms to accommodate the number of people in attendance;
- (h) That the Council encourage developers to install electric charging points for electric vehicles as part of any new developments;
- (i) That the Council continue to promote cycling initiatives to the public and the workforce; and

- (j) That the Council explore the feasibility of constructing additional cycling storage facilities in key locations across Hartlepool to encourage people to cycle.

15. ACKNOWLEDGEMENTS

- 15.1 The Forum is grateful to all those who have presented evidence during the course of the scrutiny review. We would like to place on record our appreciation for all those witnesses who attended the Forum. In particular the Forum would like to thank the following for their co-operation during the scrutiny review :-

Hartlepool Borough Council:

The Mayor as Portfolio Holder for Community Safety and Housing;

Chair of Hartlepool's Environment Partnership – Councillor Peter Jackson;

Dave Stubbs – Director of Regeneration and Neighbourhoods

Sylvia Tempest – Environmental Standards Manager

Paul Hurwood – Climate Change Officer

Resident Representatives

External Representatives

Leanne Wilson – Tees Valley Joint Strategy Unit;

Bob King – Middlesbrough Council

Adrian Hilton – North East Climate Change Partnership;

Simon Bowen – Friends of the Earth

Bill Kirkup – North East Improvement and Efficiency

Mike McNulty – Environment Agency

Members of the public

**COUNCILLOR STEPHEN AKERS-BELCHER
CHAIR OF THE NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

Contact Officer:- Laura Starrs – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
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BACKGROUND PAPERS

The following background papers were used in preparation of this report:-

- (i) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Scoping Report presented to the Neighbourhood Services Scrutiny Forum of 17 August 2009
- (ii) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Setting the Scene' presented to the Neighbourhood Services Scrutiny Forum of 21 September 2009
- (iii) Presentation of the Environmental Standards Manager entitled 'Climate Change and Carbon Management Programme' delivered to the Neighbourhood Services Scrutiny Forum of 21 September 2009
- (iv) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Carbon Reduction Commitment – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 21 September 2009
- (v) Presentation of the Climate Change Officer entitled 'The carbon Reduction Commitment' delivered to the Neighbourhood Services Scrutiny Forum of 21 September 2009
- (vi) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Evidence from a Representative from Middlesbrough Council – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 26 October 2009
- (vii) Presentation from Middlesbrough Council entitled 'Middlesbrough – Tackling Climate Change' delivered to the Neighbourhood Services Scrutiny Forum of 26 October 2009
- (viii) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Carbon Reduction Commitment – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 21 September 2009

- (ix) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Evidence from the Council's Regeneration and Neighbourhoods Department' – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 26 October 2010
- (x) Report of the Director of Regeneration and Neighbourhoods entitled 'Climate Change and Carbon Management Investigation: Evidence from the Regeneration and Neighbourhoods Department presented to the neighbourhood Services Scrutiny Forum of 26 October 2009
- (xi) Report of the Scrutiny Support Officer entitled 'Climate Change and Carbon Management – Written Evidence from the Mayor as Portfolio Holder for Community Safety and Housing and the Chair of Hartlepool's Environment Partnership' – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 26 October 2009
- (xii) Report of the Scrutiny Support Officer entitled 'Investigation into Climate Change and Carbon Management – Forum Participation in a Climate Change Activity Session in Conjunction with 11 Million Day' – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 21 October 2009
- (xiii) Report of the Scrutiny Support Officer entitled 'Climate Change and Carbon Management – Evidence from key Stakeholders' – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 1 February 2010
- (xiv) Presentation from the North East Climate Change Partnership entitled 'Climate Change. Hartlepool: North East England' delivered to the Neighbourhood Services Scrutiny Forum of 1 February 2010
- (xv) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Evidence from the Council's Regeneration and Neighbourhoods Department – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 1 February 2010
- (xvi) Presentation from the Climate Change Officer entitled 'Community Engagement' delivered to the Neighbourhood Services Scrutiny Forum of 1 February 2010
- (xvii) Report of the Scrutiny Support Officer entitled 'Climate Change and Carbon Management – Feedback from the Climate Change Activity Session held on 6 November 2009 - Covering Report presented to the Neighbourhood Services Scrutiny Forum of 1 February 2010
- (xviii) Report of the Scrutiny Support Officer entitled 'Climate Change and Carbon Management – Feedback from the Climate Change Focus Group held on 11 January 2010 – Covering Report presented to the Neighbourhood Services Scrutiny Forum of 1 February 2010

- (xix) Department for Environment, Food and Rural Affairs (2008) *Climate Change Act 2008 – Key Provisions / Milestones*, Available from: <http://www.defra.gov.uk/environment/climatechange/uk/legislation/provisions.htm> (Accessed 30 July 2009).
- (xx) Department for Environment, Food and Rural Affairs (2008) Local Government Performance Framework: Defra-led National Indicators, <http://www.defra.gov.uk/environment/localgovindicators/indicators.htm> (Accessed 30 July 2009).
- (xxi) Climate Change Act 2008, Available from: http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080027_en.pdf (Accessed 30 July 2009).
- (xxii) Report of the Director for Neighbourhood Services entitled 'The Carbon Reduction Commitment (CRC)' presented at the meeting of Cabinet of 18 May 2009.
- (xxiii) The Covenant of Mayors: available from <http://www.eumayors.eu/>
- (xxiv) ONE North East ERDF: <http://www.onenortheast.co.uk/page/erdf/firstcall.cfm>
- (xxv) The 10:10 Initiative: available from <http://www.1010uk.org/>
- (xxvi) <http://www.slcne.org.uk/climatechange/>
- (xxvii) www.greenteesvalley.org
- (xxviii) <http://actonco2.direct.gov.uk/actonco2/home.html>
- (xxix) Minutes of the meetings of 24 July 2009, 17 August 2009, 26 October 2009 and 1 February 2010

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

12 April 2010



Report of: Scrutiny Support Officer

Subject: POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS – DRAFT FINAL REPORT – COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To inform Members of the Neighbourhood Services Scrutiny Forum that they will be presented with the findings of the Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' at this meeting, however, at the time of distribution of this agenda the Draft Final Report was still being collated.

2. BACKGROUND INFORMATION

- 2.1 At the time of writing this report, the Draft Final Report into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' was still being collated.
- 2.2 Therefore, it has not been possible to distribute the Draft Final Report into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' within the statutory requirements for the despatch of the agenda and papers for this meeting. However, arrangements have been made for the Draft Final Report to be circulated under separate cover and in advance of this meeting.

3. RECOMMENDATION

- 3.1 That Members note the content of this report and receive the Draft Final Report into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' at this meeting on 12 April 2010.

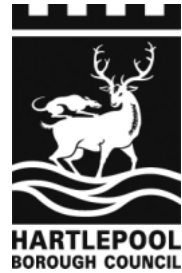
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BACKGROUND PAPERS

No background papers were used in the preparation of this report.

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

12 April 2010



Report of: Neighbourhood Services Scrutiny Forum

Subject: DRAFT FINAL REPORT INTO THE POSSIBLE
ENVIRONMENTAL IMPACTS OF DUST DEPOSITS
ON THE HEADLAND AND SURROUNDING AREAS

1. PURPOSE OF REPORT

- 1.1 To present the draft findings of the Neighbourhood Services Scrutiny Forum following its investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

2. BACKGROUND INFORMATION

- 2.1 The Health Scrutiny Forum, in October 2009, carried out an investigation into the potential health implications of dust deposits on the Headland and surrounding areas in response to serious concerns from residents. Members of the Health Scrutiny Forum met formally on 27 October 2009 to receive evidence relating to the potential health implications of dust deposits on the Headland and surrounding areas.
- 2.2 Following its investigation the Health Scrutiny Forum presented its Final Report to the Scrutiny Co-ordinating Committee on 11 December 2009. The recommendations in the Final Report were accepted by the Scrutiny Co-ordinating Committee.
- 2.3 At this meeting of 11 December 2009, it was recommended that:-
- (a) the Neighbourhood Services Scrutiny Forum:-
 - (i) undertake a site visit to the Port area to observe the loading of scrap metal onto a ship; and
 - (ii) examine the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities.

- (b) the Regeneration and Neighbourhoods Department in consultation with the relevant Portfolio Holder(s):-
 - (i) consult with the Port workforce and explore the possible options in terms of enforcement, ensuring that any operational deficiencies on the Port site are not repeated; and
 - (ii) explore the role of the Environment Agency as the legally responsible body for the regulation of the operating permit of activities in the Port.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION

- 3.1 To examine the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities.

4. TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION

- 4.1 The following Terms of Reference for the investigation were agreed by the Neighbourhood Services Scrutiny Forum on 16 February 2010:-
 - (a) To gain an understanding of the activity roles and professional responsibilities of the Council and Environment Agency in relation to the licensing and enforcement of Port activities;
 - (b) To explore the roles and responsibilities of PD Ports, Van Dalen Metals Recycling and Trading and Heerema Fabrication in relation to how they operate to ensure that their activities have minimal environmental impact;
 - (c) To examine the potential damage that port activities may have on:-
 - (i) properties on the Headland and surrounding areas; and
 - (ii) the environment
 - (d) To explore the concerns of residents in relation to the potential damage that port activities may have on properties on the Headland and surrounding areas and the potential damage to the environment and people's quality of life;
 - (e) To assess the impact of the potential noise pollution from Port activities to establish whether it contributes to a statutory nuisance; and
 - (f) To undertake site visits to the Port area and Town Wall to observe the loading / unloading of ships.

5.1 Membership of the Neighbourhood Services Scrutiny Forum for the 2009 / 10 Municipal Year was as outlined below:-

Resident Representatives: J Cambridge and B Loynes

6.1 The Members of the Neighbourhood Services Scrutiny Forum met formally from the 16 February 2010 to 24 March 2010 to discuss and receive evidence directly relating to their investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'. A detailed record of these meetings is available from the Council's Democratic Services or via the Hartlepool Borough Council website.

- (a) Written evidence from the Council's Regeneration and Neighbourhoods Department enhanced with verbal evidence;
- (b) Verbal evidence from the Portfolio Holder for Transport and Neighbourhoods;
- (c) Written evidence from the Environment Agency enhanced with verbal evidence;
- (d) Written evidence from Van Dalen enhanced with verbal evidence;
- (e) Presentation from PD Ports enhanced with verbal evidence;
- (f) Presentation from Heerema enhanced with verbal evidence; and
- (g) Written evidence from Headland residents enhanced with verbal evidence
- (h) Evidence from the Focus Group held on 23 February 2010
- (i) Evidence from visits to view Headland properties;
- (j) Evidence from site visit to PD Ports; and
- (k) Evidence from viewing the loading / unloading of ships from the Headland Town Wall

FINDINGS

7. THE ACTIVITY ROLES AND PROFESSIONAL RESPONSIBILITIES OF THE COUNCIL AND ENVIRONMENT AGENCY

- 7.1 Members of the Forum were keen to explore the activity roles and professional responsibilities of the Council and the Environment Agency in relation to the licensing and enforcement of port activities and therefore invited evidence from the Council's Regeneration and Neighbourhoods Department, the Portfolio Holder for Transport and Neighbourhoods and the Environment Agency.

Evidence from the Regeneration and Neighbourhoods Department

- 7.2 The Forum welcomed evidence from the Director of Regeneration and Neighbourhoods outlining the Council's roles, responsibilities, and regulatory powers; what constitutes a statutory nuisance; the monitoring and sampling undertaken; complaints received; and the economic background and planning permissions of the Port and its occupiers.

Roles and responsibilities, regulatory powers and statutory nuisance

- 7.3 The Director of Regeneration and Neighbourhoods highlighted to the Forum that there are two sets of regulatory powers covering pollution issues in and around the port; these are the Environmental Protection Act 1990 and the Environmental Permitting Regulations 2007.
- 7.4 Under the Environmental Protection Act 1990 any nuisance from general port activities including the majority of the loading and unloading of cargoes is regulated by the Local Authority under the provisions of the Environmental Protection Act 1990. In order to action a claim for statutory nuisance, an activity needs to be, or is likely to be a nuisance, or is prejudicial to health.
- 7.5 Members requested a legal definition on what constitutes a statutory nuisance. The Director of Regeneration and Neighbourhoods sought a legal opinion and clarified that the test for statutory nuisance is generally accepted to be the 'private nuisance common-law test' that is, judged by the standard of the reasonable man, and whether the activity amounts to an unreasonable interference with the use and enjoyment by the claimant of his/her land, taking into account the nature of the area, has the activity materially and unreasonably detracted from his/her enjoyment of their own property?
- 7.6 Section 79 of the Environmental Protection Act defines the following matters as constituting a statutory nuisance:-

- (d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance and

- (g) noise emitted from premises so as to be prejudicial to health or a nuisance

7.7 Section 80 of the Act states;

- (1) where a Local Authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the authority, the Local Authority shall serve a notice ('an abatement notice') imposing all or any of the following requirements:-

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence

- (b) requiring the execution of such works, and the taking of such steps as may be necessary for any of those purposes

7.8 In the case where a nuisance arises on an industrial, trade or business premises it is a defence to prove that the best practicable means were used to prevent, or to counteract the effects of, the nuisance. Section 79 (9) defines 'practicable' as reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to financial implications.

7.9 Case law was also provided to the Forum to help clarify the situation regarding damage to property from dust arising from port activity. The case referred to was *Wivenhoe Port -v- Colchester BC* [1985] J.P.L. 175. Members were informed that this was a case in relation to statutory nuisance caused by dust from the handling of soya meal. It was held in the Crown Court that a nuisance within the definition of statutory nuisance must interfere materially with the personal comfort of residents in the sense that it materially affects their well being although it might not be prejudicial to their health. Dust falling on vehicles might be an inconvenience to their owners and might even diminish the value of the car but this would not be a statutory nuisance. In the same way dust falling on a garden or inside a shop would not be a statutory nuisance but dust in the eyes or hair even if not shown to be prejudicial to health would be an interference with personal comfort.

7.10 Members of the Forum were surprised to hear that there is no clear objective definition as to what constitutes a nuisance. It has been said that there is a scale between mildly irritating and intolerable and in each case the determination of whether a nuisance exists is a matter of judgement (*Budd v Colchester BC* 1997). In addition, the determination is based upon an objective test of reasonableness. In cases that have been considered, courts have not taken regard of the particular sensitivities of an individual (*Heath v Brighton Corporation* 1908). Indeed the concept was clearly stated in 1872 in respect of noise:-

'...a nervous, or anxious, or prepossessed listener hears sounds which would otherwise have passed unnoticed, and magnifies and exaggerates into some new significance, originating within himself,

sounds which at other times would have been passively heard and not regarded' (*Gaunt v Fynney 1872*).

- 7.11 Therefore, Members were informed that a person with a particularly sensitive olfactory or auditory response is not given any higher standard of protection than a person with 'normal' response. However, although there are powers under section 82 of the 1990 Act for an individual to take action, the primary enforcement method relies on the local authority taking action. The local authority must be of the opinion that either substantial personal discomfort or a health effect must exist. There are eight key issues to consider when evaluating whether a nuisance exists, these are impact, locality, time, frequency, duration, convention, importance and avoidability.
- 7.12 The standard cannot be defined precisely and much will depend on the view taken by the court of the seriousness of the harm, the health impact and a balance of the key issues. However, it is the opinion of the Council's professional officers that there is not sufficient evidence to pursue an action for a statutory nuisance.
- 7.13 In relation to the Environmental Permitting Regulations 2007, Members were informed that there are processes on the docks that are regulated under the provisions of the Environmental Permitting Regulations 2007. Section 79(10) of the Environmental Protection Act 1990 prevents the use of the nuisance provisions where an environmental permit is in place. In these cases the regulation has to be undertaken through the conditions on the permit and the nuisance provisions can only be used with a derogation from the Secretary of State.
- 7.14 There are 2 permitted operations on the Port:-
- (i) Van Dalen's - which is a permitted waste operation and therefore now regulated by the Environment Agency (EA); and
 - (ii) The coal and coke deliveries handled by PD Ports which Hartlepool Borough Council (HBC) as a Local Authority regulate. The description of the permitted operation is 'The discharging of coal of various sizes and petroleum coke by ship's cranes and/or quayside cranes from ship's hold to quay and/or direct to road transport at Victoria Harbour.' There are various conditions attached to this permit, which were circulated to the Forum.
- 7.15 A Member brought to the Forum's attention the fact that new European legislation has been agreed recently which may change the way environmental issues are assessed and inspected. Council Officers informed the Forum that they are aware of this legislation and will ensure compliance once it is implemented.
- 7.16 Members were informed that under the provisions of the Environment Act 1985 and The Air Quality Regulations, the Council has to continually review and assess the air quality in the Borough. There is a requirement to assess a

number of specified pollutants which have set objectives which must be met. A full review and assessment was initially undertaken in 2000. A progress report has to be prepared annually and every 3 years the Council has to undertake an updating and screening assessment. As part of this process one of the pollutants the Council has to assess are PM10 particulates. These are the particulates that are less than 10 microns in diameter which can enter the lungs. The objective that has to be met is an annual mean of $40\mu\text{g}/\text{m}^3$ and a 24 hr mean of $50\mu\text{g}/\text{m}^3$. These are the levels at which there is a potential risk to health. The Council undertook ambient monitoring on the Headland at a site in Union Street in 2001 and the verified results which were accepted by the Department for Environment, Food and Rural Affairs were an annual mean of $24\mu\text{g}/\text{m}^3$. This is comfortably within the target objective.

Complaints received

- 7.17 Members requested information on how complaints are handled when they are received from residents. The Director of Regeneration and Neighbourhoods highlighted to the Forum that there were problems in the 1990's concerning noise and dust from the Port and in particular around activities on Irvine's Quay. This resulted in a liaison group being set up with representatives from the Port Authority, the Council and residents from the Headland and Town Wall. These original liaison meetings have now been disbanded.
- 7.18 At the end of February and beginning of March 2008 a number of complaints were received from residents of the Town Wall concerning alleged dust nuisance from the scrap operation on the Port. The complaints indicated that windows were covered in a fine layer of black dust with some of this dust being magnetic indicating that it contained metals. Council Officers spoke to Van Dalen, the operator on the port in order to resolve these problems. As it was recognised that there was a problem with dust from Van Dalen's operations and from the Port it was decided that the best way to pursue this was to set up another liaison group with all interested parties.
- 7.19 The first meeting of the liaison group was held on 6 March 2008 and was attended by the local Ward Councillors, residents from the Town Wall and representatives from Van Dalen, the Council, the Health and Safety Executive and the Environment Agency. It was decided at this meeting that the main aim was to resolve the dust problems without causing any further environmental complications. Members were informed that further liaison meetings were held up until 8th September 2008. The minutes of these meetings were circulated to Members of the Forum.
- 7.20 One Member highlighted that in the minutes of one of these liaison group meetings reference was made to a Dust Management Plan and that it was agreed that a Dust Management Plan was needed. The Director of Regeneration and Neighbourhoods clarified that it is the responsibility of Van Dalen to produce this Dust Management Plan in accordance with their

licence and for the Environment Agency to monitor it and enforce if necessary. Van Dalen's Dust Management procedures were circulated to the Forum, although the Forum felt that they were not robust and effective.

- 7.21 Resulting from these liaison meetings major improvements at the dock side including improvements to dock side hoppers have been carried out.
- 7.22 It was highlighted to the Forum that no complaints were received to the Council between September 2008 and January 2009. In January and February 2009 complaints were received about brown spots on windows and limestone dust on cars and property. The Director of Regeneration and Neighbourhoods confirmed to Members that when a complaint is received about the operations within the Port area, an inspection is undertaken wherever practical.
- 7.23 Therefore, in April 2009 the decision was made to undertake a monitoring exercise around the Headland, Marina and Central Estate. The monitoring started in June 2009 and involved samples of UPVC and two sets of Petri dishes (daily and weekly samples) coated in a fine layer of petroleum jelly located at sites all around the Headland, Central Estate and the Marina. The following locations were used for the samples: Telford Close; Commercial Street (Small Crafts Pub); 18 Thorpe Street; 9 Seaview Terrace; 8 Town Wall; and 127 Northgate. Included in this monitoring daily weather reports were logged, including wind speed and direction and daily records were collected of all shipping and cargoes loaded and unloaded in the Port. The results of the samples, which were circulated to the Forum, showed no heavy metals to be present and only trace levels of iron oxide and titanium dioxide. The analyst's opinion is that these levels are consistent with the levels found in general dust and dirt.
- 7.24 Members were also informed that visual monitoring of Port activities has been undertaken by Council Officers, along with photographic evidence.

Economic background and planning permissions

- 7.25 Members received a report from the Director of Regeneration and Neighbourhoods outlining the key economic benefits of the Port and its occupiers, this included the companies PD Ports, Heerema, JDR Cables, Huntsman Tioxide, Van Dalen and OMYA. Key information included that Tees and Hartlepool is the third largest Port in the UK. That 20 per cent of Heerema's turnover last year was offshore wind markets and that OMYA's supplier chain is almost exclusively to businesses in Hartlepool. Residents did express concerns that this report did not take into account the cost of damage to their property.
- 7.26 As additional information, in support of the investigation, Members requested information on the planning controls in relation to PD Ports, Van Dalen, Heerema, JDR Cables, OMYA and Hoggs Fuels.

- 7.27 Residents raised concerns about the operations carried out on the OMYA site (Middleton Road) relating to the dust that is created when unloading hoppers. The OMYA site is controlled through planning and the Director of Regeneration and Neighbourhoods indicated to the Forum that he would investigate this issue further.

Evidence from the Portfolio Holder for Transport and Neighbourhoods

- 7.28 The Portfolio Holder for Transport and Neighbourhoods highlighted to the Forum that £30,000 has recently been allocated from the SCRAPT budget to provide equipment to monitor and gather evidence of any particulates. This station will be located permanently on the Headland. The Forum and residents welcomed this, as residents felt that the Petri dishes were not suitable for gathering certain types of particulates. The Portfolio Holder suggested that the location of the new monitoring station be discussed with residents before it is sited.

Evidence from the Environment Agency

- 7.30 The representative from the Environment Agency outlined to the Forum the regulatory roles of the Environment Agency in relation to operations at Hartlepool Docks. The Environment Agency is the statutory authority for applying and enforcing waste management and water pollution control in England and Wales.
- 7.31 The Waste Management Licensing Regulations and more recently the Environmental Permitting Regulations require that waste management operations involving the storage, treatment or disposal of waste usually requires an environmental permit, issued by the Environment Agency. Certain low risk activities involving the beneficial use of waste are exempt from the need for a permit.
- 7.32 The Forum was informed that Van Dalen is the only premises within Hartlepool Docks which operate a waste management operation under an environmental permit issued by the Environment Agency. Van Dalen has operated from a site within Hartlepool Docks since 2001, stockpiling waste metals for export by ship under the furnace-ready scrap position. Members questioned why Van Dalen was operating without a permit prior to 2008. The representative from the Environment Agency clarified that prior to 2008 there were a number of sites operating nationally with materials that were not classed as waste at the time. In January 2009, the site was issued with a permit but this does not allow for any treatment of waste on site. It is also not practical or possible to prevent all emissions from a site and conditions within the permit reflect this.
- 7.33 The representative from the Environment Agency confirmed that the Environment Agency were involved in the Liaison Group meetings and as a result of these meetings, Van Dalen agreed to commission work to investigate dust arising from their site, and the potential effects any such emissions may be having.

- 7.34 Van Dalen commissioned Envoy Environmental, a consultancy firm to undertake outline monitoring and a study on emissions from loading activities. They also agreed to take dust samples from the residents and analyse them. The Environment Agency highlighted that within the Envoy report it was found that personnel exposure to dusts on the Van Dalen site was generally within acceptable limits, although specific personnel in close contact with the ship loading should be advised to wear simple particulate face masks as and when necessary. This would support the view that it is highly improbable that there would be exposure above acceptable limits beyond the site boundary.
- 7.35 The Environment Agency informed Members that inspections have been carried out, including during ship loading operations. Although it was evident that waste movement operations produced a dust plume above the storage area and ship, the Environment Agency has so far not identified a visible plume of dust stretching from the Van Dalen operations to the Headland. The Environment Agency was provided with video footage from residents confirming that a dust plume is produced above the waste movement activities but the Agency are unable to conclude from this footage the distribution and impact that this may be having off site. The representative from the Environment Agency did conclude that dust particles are capable of travelling hundreds of metres, as highlighted in the Environment Agency's M17 Technical Guidance Document on the Monitoring of Particulate Matter in Ambient Air around Waste Facilities.
- 7.36 Members were informed that in 2009, the Environment Agency and Van Dalen, regardless of the presence or absence of evidence of pollution have discussed what reasonably practicable measures are being, or could be, taken to manage the site to minimise emissions. Since then Van Dalen has updated their management system to more clearly specify roles and responsibilities for measures to prevent pollution, including minimising dust emissions. Van Dalen has dust suppression arrangements in place on their site and these currently appear adequate to protect the environment. However, Van Dalen has agreed to install an impemeable kerb around the base of the scrap storage area which will minimise direct run-off from the storage heap. This work is expected to be completed in April 2010.
- 7.37 The Environment Agency has also confirmed to Van Dalen that they can benefit from an exemption to abstract water from Hartlepool Dock for use on their site. The Environment Agency will keep working with Van Dalen to identify practicable measures to further minimise emissions but do not consider that it is reasonably practicable to prevent all dust emissions from ship loading operations on the site.
- 7.38 One suggestion was to conduct a monitoring activity after a professional clean up to enable fresh dust samples to be taken. Although, there are many types of monitoring that can be undertaken there is still the issue of background dust. Therefore, it was suggested by the Environment Agency that the best way forward is to minimise emissions from the site as opposed to elaborate monitoring programmes.

- 7.39 Members and residents were concerned about the dust and materials from wider port activities entering and polluting the waters of Hartlepool Dock. The Environment Agency, at this time, does not believe that the site operations are having any significant impact on the water environment. Visual inspections of the dock have been made with a view to collecting samples if contamination was visible or discharge was identified. A surface and sub surface sample has been collected adjacent to Van Dalen's site which identified levels of metals that would typically be identified in seawaters in this area, none of which were of concern. The Environment Agency informed members that they will continue to inspect the dock and investigate any unusual accumulations. It was confirmed that the dock floor is dredged regularly with all dock based habitat completely removed.
- 7.40 Residents highlighted their concerns about the contamination of the marine environment as lobsters taken from the area surrounding the dock appeared ginger in colour as a result of the scrap deposits. The Environment Agency did request to see evidence of this. The Forum did also invite comment from the Hartlepool Boatsman Association asking for their views on the marine environment, however, to date, a response has not been received.
- 7.41 Members questioned whether removing contaminated water by tankers may be better than using the current method of the foul sewage system. It was confirmed by the Environment Agency that discharge to a foul sewer was the preferable method of discharge and this presented no conceivable risk.
- 7.42 The Environment Agency, since the start of 2008 has recorded 8 reports of environmental concerns. Members and residents were encouraged to report concerns of environmental harm at any time by contacting the Environment Agency on their incident hotline.

8. THE ROLES AND RESPONSIBILITIES OF PD PORTS, VAN DALEN AND HEEREMA IN RELATION TO HOW THEY OPERATE TO ENSURE THAT THEIR ACTIVITIES HAVE MINIMAL ENVIRONMENTAL IMPACT

- 8.1 Members of the Forum invited the key companies, (PD Ports, Van Dalen and Heerema) to outline to the Forum the ways that they operate to ensure that their activities have minimal environmental impact.

Evidence from Van Dalen

- 8.2 Members received a written report from Van Dalen which outlined that they operate to the waste management licence and site plan as issued and agreed with the Environment Agency. In addition to the controls and methods described within these legal documents Van Dalen have also gone further and arranged improved working practices with PD Ports and voluntarily placed restrictions onto their working hours.
- 8.3 Members were informed that in order to minimise any potential effect that operations may have on their neighbours on the Headland, Van Dalen do

not work 24 hours, although they could on shredded materials. Regarding the material, Plat and Girder, Van Dalen have cut back their hours as it is a noisier material to load. Clarification was sought from Members on the operational hours of the loading of ships. It was confirmed that Van Dalen's usual operations commenced at 7am although on occasions when a ship was in dock, operations commenced at 6am. In all cases Van Dalen do not operate any heavy plant machinery before 8.00pm, and no longer work on Saturdays and weekends except for essential maintenance or possible delays with ship loading.

- 8.4 It was highlighted to Members that as a further precaution, working in conjunction with the Environment Agency, Van Dalen has removed all the sleepers from the bund wall and replaced the bottom sleepers with a sealed concrete base, which has been protected, on Van Dalen's side, with steel plates to prevent any damage. This will ensure that there is no possibility of any water entering the dock during heavy rainfall. Members queried whether Van Dalen was able to establish if any run-off water is contaminated. However, Members were informed that the vast majority of water used within Van Dalen's operations evaporated with any excess water being discharged straight into the foul sewer.
- 8.5 In terms of loading of ships the dock crane operatives are under strict instruction to lower their grabs as far down into the hold as possible and not drop the material from a great height onto the stowed cargo. If there is a possibility of any prevailing winds or any risk of dust becoming airborne in the surrounding area Van Dalen has an operator spraying water intermittently onto the stockpile. It is not doused so that the cargo does not become flooded in order to prevent any run-off into the dock.
- 8.6 Members questioned whether there was a limit / tonnage on the height of the scrap. It was confirmed by both Van Dalen and the Environment Agency that there is no limit / tonnage on the amount of scrap that can be stored. Reference was made to the height of the scrap in a meeting that was held back in 1994 between the Council, residents and the Port Authority and in this meeting it was agreed that the height of the scrap would be kept to a minimum wherever possible. Members suggested that this could be a possible agreement that could be re-instated.

Evidence from PD Ports

- 8.7 PD Ports highlighted to the Forum the types of cargoes they handle, which are rutile sand; scrap; talc; coke; steel pipes and plate; timber; and offshore projects. In order to consider their neighbours on the Headland PD Ports only carry out stockyard work on weekdays and in relation to minimising dust from cargoes, PD Ports highlighted to the Forum that they use the best available techniques including investing in new cranes, hoppers and

grabs. In relation to coke, PD Ports comply with the licensing conditions by using a selected berth and have minimal stockpiles on the quay.

- 8.8 PD Ports informed Members that they have implemented a change in operating hours and will continue to invest in the training of employees.
- 8.9 It was confirmed by PD Ports that all residents in the area are stakeholders of the Port and that PD Ports have a duty of care to all its stakeholders. Reference was made to a recent complaint during which dust was spilling out of one of the hoppers. PD Ports were aware of this complaint which was investigated immediately. The result of the investigation highlighted that it was an operator error in overfilling the grab and that particular operator had been appropriately reprimanded. Members queried whether other equipment had been considered for the loading / unloading of ships, for example, a suction method as opposed to a grab. Members were informed that there is suction equipment available but it was highlighted to the Forum that it was not suitable for rutile sand or talc. Following on from this, Members questioned whether using containers or sacks had been considered as an option for transferring the products. PD ports confirmed that the companies purchasing / transporting the product would be keen to see no dust escaping during transition and was sure that alternatives will have been examined. However, quarterly liaison meetings are held with the companies involved and PD Ports gave a reassurance that they would raise this issue at the next scheduled meeting.
- 8.10 Members questioned whether operations could be transferred to a different location, as it was noted by the Forum that the Managing Director of PD Ports in 1994 had said in a letter to a resident that it may be possible to transfer the scrap metal trade to Tees Port so long as this can be done with the consent of the customer. PD Ports confirmed that the vast majority of products handled within the Port served local industry and if operations were to be transferred to an alternative site elsewhere, the additional cost in terms of transport and relocation may be cost prohibitive to the companies gaining new contracts. Although, in terms of moving the scrap metal, further examination of the possibility of moving the scrap metal may be considered.
- 8.11 Residents did understand why rutile sand was imported to Hartlepool but questioned why scrap metal was stored on the site as it was only stored for export and reference was again made to the possible relocation of the scrap metal operations to Tees Dock area as there appeared to be a lot of available land in that area. PD Ports indicated that there was not a vast amount of land available in the Tees Dock area and there had recently been a huge increase in the number of container and ferry terminals needed. Discussions were already ongoing to expand the operations within the Tees Dock area to include the import of materials for the operations of power stations as well as for the construction of wind turbine machinery.

Evidence from Heerema

- 8.12 Heerema provided an outline to the Forum of the Heerema Group of companies including the locations of their sites. A number of current and previous projects were highlighted including a breakdown of employment levels on the Hartlepool site.
- 8.13 Members of the Forum referred to the recent compensation paid out to residents on the Headland by Heerema's insurance company to replace residents' windows and noted that there is a test window within the Heerema site. Members asked to view the photographs of this test window. However, Heerema confirmed that a presentation was given to a Member of the Forum in October 2009 prior to the Health Scrutiny Forum meeting held in the Borough Hall on the Headland on the 27 October 2009, which included photographs of the test window. Members were informed that the test window and subsequent photographs were taken for internal monitoring purposes due to the extent of claims incorrectly paid out on Heerema's behalf. Heerema feel that any information provided may be used in the wrong context resulting in Heerema Hartlepool being compromised by providing the information and in view of the above unfortunately, Heerema are reluctant to provide the information that was requested.
- 8.14 Members asked Heerema whether any damage had been caused to vehicles in and around the Heerema site due to dust emissions and Heerema clarified that no-one had raised any problems.

9. SITE VISITS TO THE PORT AREA AND TOWN WALL TO OBSERVE THE LOADING / UNLOADING OF SHIPS TO EXAMINE THE POTENTIAL DAMAGE THAT PORT ACTIVITIES MAY HAVE ON PROPERTIES AND THE ENVIRONMENT

- 9.1 As part of the investigation, Members of the Forum visited PD Ports; observed ships loading and unloading from the Town Wall; and also residents very kindly offered to show Members around their homes to view the damage and to speak to them directly about their concerns. The Forum thanked all residents for inviting Members of the Forum into their homes.
- 9.2 Members visited PD Ports on 19th February 2010 to observe a ship unloading. However, the ship had finished unloading before members arrived. Although, Members did find the visit very useful in terms of gaining an understanding of the layout of the Port but were disappointed as they would have liked to have seen activity on the Port.

- 9.3 Throughout the investigation Members were encouraged to view the loading / unloading of ships from the Town Wall. Members were kept informed of the ships that were due into the Port on a regular basis.
- 9.4 When Members visited residents on the Headland, a short questionnaire was distributed to Members in order to collate comments and views. The following questions were asked with the answers and comments listed below:-

1) Was there any dust deposits inside or outside of the property?

- (a) Only slight
- (b) Yes
- (c) dust around and sharp particles

2) If yes, had these dust deposits caused damage to the property?

- (a) Yes
- (b) Not sure
- (c) difficult to say as do not have expert knowledge in this area

3) If yes, can you give a brief description of the damage?

- (a) There was dust around but do not have expert knowledge to conclude that the dust was causing the damage.
- (b) One resident highlighted that a service road at the back of his house used by Heerema was not tamaced and this caused a lot of dust on his property.
- (c) There was not very much dust around, a ship came into dock while I was visiting one property on the Town Wall. I am not sure dust causes as much damage as resident's state. There was certainly no dust on cars in fact they were really clean. However, there was a small amount of metal type dust in window frames. I was shown rusty window hinges but I felt it could have been caused by the salty sea air. I visited the Headland at approx 9.30am 1/3/10 and again approx 3pm it was a lovely day no dust anywhere. Again visited Tues 2/2/10 the ship was being unloaded of its cargo which I believe could have been white powder, the crane lowered the cargo into the hopper, it was not dropped from a height, the lorries were filled then drove off. My husband and I watched this process for

quite a while, no evidence of dust anywhere. Brown spots on own windows.

- (d) Rusted hinges on windows. Interior damaged P.V.C window sills and door frames. Garages filled with brown / grey abrasive dust. Black mould marks on furnishings and laundry. Rutile sand creates black pitted markings and grime on plaster work and paintwork.

10. CONCERNS OF RESIDENTS IN RELATION TO THE POTENTIAL DAMAGE THAT PORT ACTIVITIES MAY HAVE ON PROPERTIES, THE ENVIRONMENT AND PEOPLE'S QUALITY OF LIFE

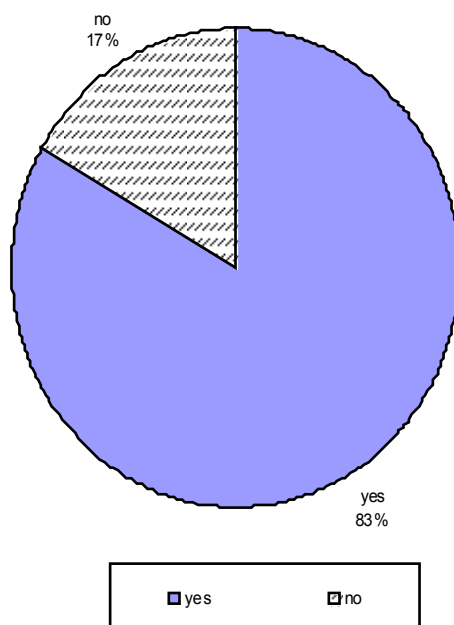
- 10.1 The Forum was very keen to engage with members of the public to hear their views and concerns in relation to the possible environmental impacts of dust deposits on the Headland and Surrounding Areas.

Feedback from Leaflets / Focus Group

- 10.2 In order to gather views from members of the public, the Forum agreed to hold a Focus Group on 23 February 2010. The event was well publicised in the local press together with the distribution of 3600 leaflets to all households on the Headland, Marina and Central Estate inviting people to attend the focus group and the formal meeting of the Neighbourhood Services Scrutiny Forum on 1st March 2010.
- 10.3 A short questionnaire was printed on the back of the leaflet and people were asked to complete the questionnaire and submit their written views / comments / questions if they were unable to attend the focus group or the 1st March meeting. 18 questionnaires were completed and returned. The graphs below show the responses to each question.

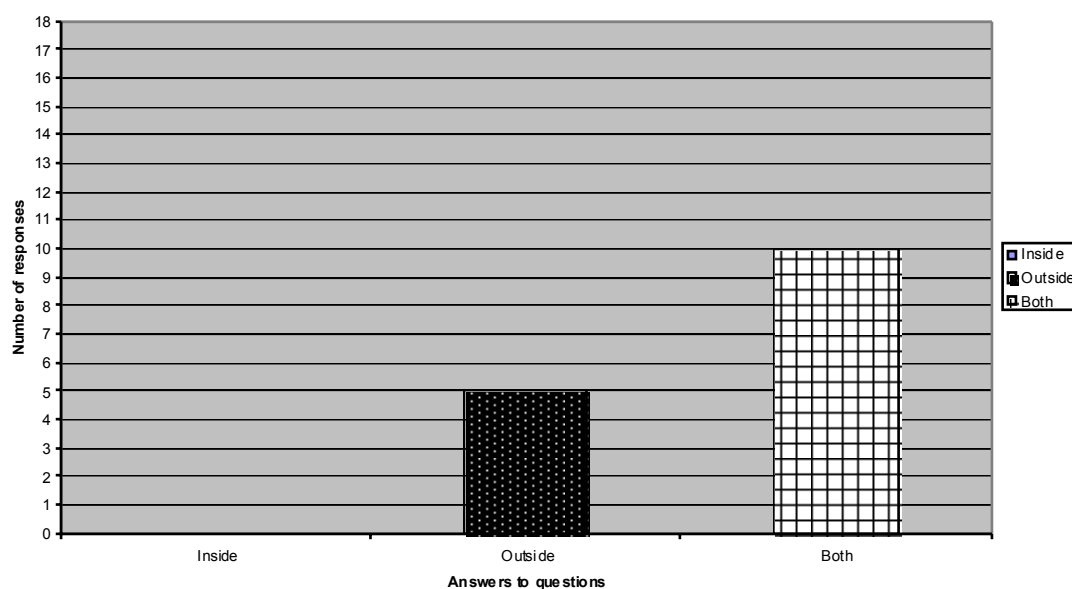
10.4 Question 1

Do you think that your property has been damaged by dust from the port area?



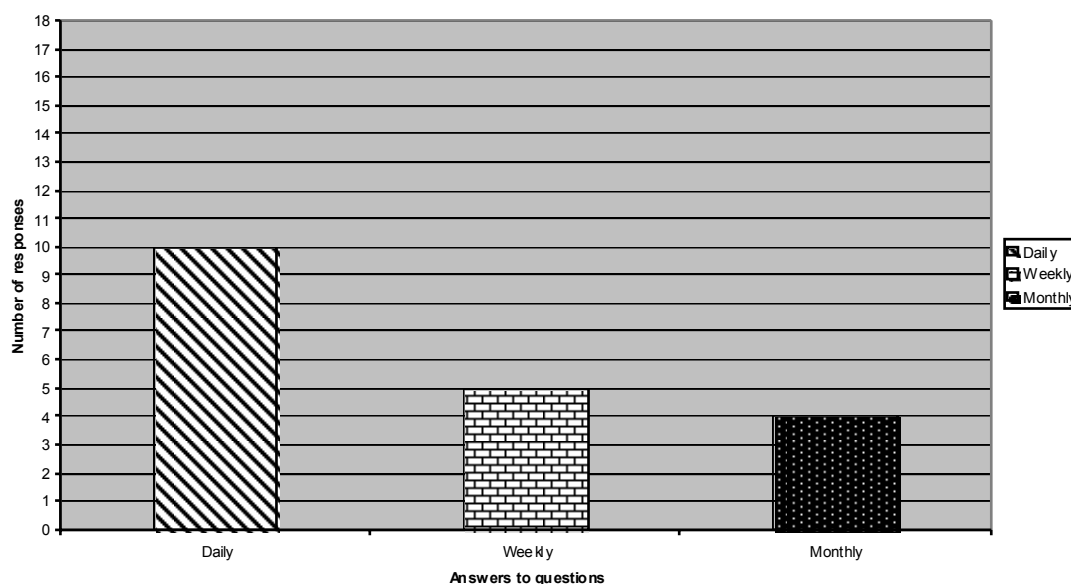
10.5 Question 2

2) If yes, was the damage inside, outside or both?



10.6 Question 3

3) How often has this happened?



(Please note that 3 people gave more than one answer to the above question – for example it happens daily and weekly)

10.7 The following views / comments were received from residents and have been written how they were received (minus the health aspects):-

- (a) **Prissick Street** – no issues.
- (b) **Slake Terrace** – In my opinion the dust does not cause damage to buildings.
- (c) **Throston Street** – My property is a newly built house and have noticed rust around window ledges, fragments are spread across the whole of the window ledge and cannot be removed when cleaning. Also our windows are cleaned on a regular basis but always seem to have a thin layer of dust over them. Never really thought anything about it until this letter arrived through my letterbox. Do you think there is a possible connection?
- (d) **Town Wall** – Have had to paint rendering and woodwork more frequently to front of house. Don't keep windows open. Door step often covered in dust. Have to wash more often. Also noise has started again but keeps well within time limits
- (e) **Town Wall** – I've had double glazing installed for less than a year and specs of rust already appearing on the paintwork. The dust from the scrap heap on the docks is constantly settling on the windows and doors. No attempt is made to lessen this and noise from loading is bad.

- (f) **Town Wall** – How much longer do we have to put up with this filth, it is damaging our properties, would any of the Council Members like to live among this filth, we have to do something and get it moved now.
- (g) **Town Wall** – This is now getting beyond a joke. Constant black / red dust in house and outside. Worse when ships loading up or unloading. Please give me a clean street to live.
- (h) **Town Wall** – This dust settles on everything inside and out even in the summer you can't open your windows as they thick with dust and black spots.
- (i) **Darlington Street** – I would appreciate an honest inquiry into the problem and for it not to be covered up and any truths buried.
- (j) **Northgate** – A number of years ago houses on the Headland used to have a reduction in rates etc. Noise when Heerema was starting building rigs outside and piling for docks.
- (k) **Northgate** – we need to know why our properties are at risk for the sake of profits of PD Ports
- (l) **Northgate** – we should not have to live in the atmosphere from the dust it affects our lives and property
- (m) **Cliff Terrace** – My view is that it is another way for residents of that particular part of the Headland to try and con the Council out of more cash. I think it's disgusting. I don't know how many more times this has to be addressed. A complete waste of money.
- (n) **Cobb Walk** – Within a few months of having new windows and doors installed they were (and still are) covered in brown coloured specks. Who (if anybody) will re-imburse me with the cost of my windows and doors.
- (o) **Heronspool Close** – Very bad stench from T.M.D on a daily basis, ongoing since 2001. Houses, cars contaminated. Other contamination – TMD Friction, Oaksway Ind. Estate, Hartlepool.
- (p) **Telford Close** – We have been resident in Telford Close TS24 0UE for 10 years and are not aware of any problems relating to environmental dust. One of our sills being used for monitoring purposes. The council staff who discussed the matter with me before installation referred to 'red spots' on UPVC. A friend who lives well to the west of the railway says that he frequently cleans off such marks. Major movement of stored pipes south of Cleveland road have caused short term visible dust clouds and noise. Observations of shipping at Hartlepool suggests that nearby residents may well be occasional subject to levels of contamination that are unacceptable in the 21st century.

- (q) **Somersby Close** – Regarding the issue's of dust myself and my family have lived in this property since 1984 when it was first built. Myself and neighbours past and present have remarked how dusty the houses are. You can dust and by the end of the day it looks as if it's never been touched. When we open a window grime gets on our blinds and the window sills are covered in grime too. I can wash my car and the following day it's covered in a film of dirt without it moving. We always blamed the Steetly Plant but it can't be because since its closure it's remained the same, it can be a nuisance but over the years we have had to live with it. Also, in the last year or so I have noticed a very low pitched rumble noise, its more noticeable at night time even with the windows closed you can hear it. It does sound a lot like a diesel car outside with the engine ticking over but if you look outside there is nothing there. It doesn't keep you awake but if you wake up during the night it's annoying enough to make it hard for you to drop back off to sleep. Does anyone know the causes for the dust and the low rumble noise? Its not the police helicopter because that noisy, this noise is the very low end of the noise range hertz not kilohertz. Its not tinnitus because my wife hears it too.

10.8 The focus group which was held on 23rd February 2010 at the Headland Borough Hall gathered views / comments / questions from residents in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

10.9 Four questions were asked at the focus group. The questions are detailed below along with the responses:-

- (1) **Do you think that you have suffered environmental damage to your property as a result of port activities?**

Yes

- (2) **If yes, what was the damage and how often does it happen?**

Damage to:-

- (i) cars / gardens / clothing (washing cannot be dried outside) / curtains / carpets / furniture / heating / gas fires / windowsills / interior walls / wallpaper / exterior walls / frames of doors and windowsills / gardens / plants / lawns / paving / plant pots / garden furniture / outside fences / walls / blinds / damage to caravettes and caravans / boats in dock / paintwork / door furniture / motorbikes / windscreens / wiper blades / contamination to home grown vegetables / hinges rust / fibre glass pitted / stainless steel rust coated / discolouration of UPVC and aluminium windows i.e rust marks / marine life (ginger lobsters living in scrap)
- (ii) Cleaning the house and contents require more power use i.e carbon footprint and extra money from residents to pay for.

- (iii) Depending on the direction of wind / actual activity on dock – If wind direction is on Headland then we get covered with dust on homes / cars etc and this can be up to a few centimetres thick. If wind direction is away from Headland we can still get a slight covering. Either way we have to continuously clean this dust away resulting in scratches on windows and what you don't get off gets into window frames etc and leaves brown / red marks
- (iv) Continuously decorating, waste of time as we know it will be dirty again soon. Move scrap to Teesport where there is no housing because all scrap is brought in by road
- (v) Rust dust scours materials / rust scum floats on water, sinks.
- (vi) Quay washed down into dock.
- (vii) Loss of value to property
- (viii) From heavy metal exposure / black dust

Frequency:-

24 hours 7 days a week for ever, daily occurrence whether there is activity going on at the Port or not, due to the stock piles of scrap on Irvines Quay, on going

(3) Do you think that port activities affect the quality of your life? If yes, can you explain how? (answer to be non – health related – i.e not stress, anxiety, depression etc)

- (i) Can't open windows / can't sit in gardens / walk the streets when we are being bombarded with dust
- (ii) Lack of sleep due to noise causes tiredness to people on shifts etc
- (iii) Feeling of worthlessness
- (iv) Children playing in a dirt environment
- (v) Volume of traffic when Heerema is in operation – change of shift has cars going in both directions creating noise and danger to the public.
- (vi) No where else in Hartlepool is close to industry – makes you feel like a second class citizen.
- (vii) Living in a deprived area (a council made slum / ghetto like)

(viii) The noise is intolerable some days it means that we can't have our windows open

(4) If you have any specific questions relating to the possible environmental impacts of port activities please detail below.

During the Focus Group residents submitted a range of questions and answers to these questions were provided at the Forum's meeting on 16th March 2010.

Written evidence from Headland residents

- 10.11 Residents of the Headland submitted written evidence to the Forum which was circulated and highlighted their concerns regarding the dust that comes from the docks area which lands on properties, cars and leaves everywhere covered in a reddish/brown dust. Residents highlighted that when it is windy it is really thick and it marks property if it is not removed straight away and when it is removed it scratches the paint work of the car and the UPVC windows.

11. CONCLUSIONS

11.1 The Neighbourhood Services Scrutiny Forum concluded:-

- (a) That the information received from residents on the Headland has been invaluable throughout this scrutiny investigation and the Forum would encourage residents to continue to carry out their own monitoring and report their findings to the Council and Environment Agency;
- (b) That Petri dishes are not the most effective way to collect evidence of dust particulates and that the Forum welcome the installation of a new monitoring station in consultation with residents over the location of the station;
- (c) That the roles, remits and contact details for all relevant organisations needs to be clearly publicised;
- (d) That there is an acceptance of why rutile sand is imported into Hartlepool but not the scrap metal;
- (e) That there should be a height limit on the amount of scrap metal that can be stored at the Van Dalen site;
- (f) That the unloading of talc at the OMYA site on Middleton Road needs further exploration by the Regeneration and Neighbourhoods Department as concern was raised about the amount of dust that is created when unloading hoppers;

- (g) That the statutory nuisance law should be reviewed and changes be made to better reflect residents problems, as for example those being experienced by the residents of the Headland;
- (h) That a Dust Management Plan is a requirement of Van Dalen's operating permit but this plan needs to be as effective and robust as possible; adhered to; and if not adhered to then enforced by the Environment Agency;
- (i) That throughout the investigation noise of port activities has not been raised as an area of great concern to members of the public and where individual cases did arise these have been investigated separately by the Regeneration and Neighbourhoods Department;
- (j) That, at this time, the Environment Agency do not believe that the site operations are having any significant impact on the water environment; and
- (k) That the Environment Agency has, to date, not identified any unacceptable emissions or impacts on the environment after responding to reports and carrying out their own inspections

12. RECOMMENDATIONS

12.1 The Neighbourhood Services Scrutiny Forum has taken evidence from a wide variety of sources to assist in the formulation of a balanced range of recommendations. The Forum's key recommendations to the Cabinet are as outlined below:

- (a) That the Council write to the Environment Agency outlining the residents concerns highlighted throughout this investigation;
- (b) That the Council lobby the Member of Parliament for Hartlepool and the Secretary of State for the Environment for changes to the statutory nuisance law to better reflect residents problems, as for example those being experienced by the residents of the Headland;
- (c) That the Council work with the:-
 - (i) the Environment Agency and Van Dalen to review and improve Van Dalen's Dust Management Procedures to minimise emissions from the site; and
 - (ii) the Environment Agency and PD Ports to enhance their dust suppression arrangements

- (d) That Council Officers be instructed to pursue action for a statutory nuisance claim whilst recognising that this goes against professional advice;
- (e) That the Council facilitate discussions with Van Dalen to reinstate the informal agreement made between Van Dalen and residents on a maximum height for the scrap metal;
- (f) That the Council explores with the relevant companies the option of moving the scrap metal and provides an update to Cabinet on the discussions which have been undertaken within three months;
- (g) That the Council, in relation to monitoring:-
 - (a) consult with residents to identify a suitable location for the new monitoring station;
 - (b) that given residents concerns regarding the effectiveness of the evidence received from Petri dishes they ceased to be used and alternative methods of collecting samples be explored; and
 - (c) that residents be encouraged to carry out their own monitoring and continue to report their findings back to the Council and Environment Agency
- (h) That the Council produce a document in consultation with residents that clarifies the remit and contact details for all the relevant organisations; and
- (i) That residents of the Headland and surrounding areas be kept up to date on the progress of all recommendations.

15. ACKNOWLEDGEMENTS

- 15.1 The Forum is grateful to all those who have presented evidence during the course of the scrutiny review. We would like to place on record our appreciation for all those witnesses who attended the Forum. In particular the Forum would like to thank the following for their co-operation during the scrutiny review:-

Hartlepool Borough Council:

Councillor Peter Jackson – Portfolio Holder for Transport and Neighbourhoods

Dave Stubbs – Director of Regeneration and Neighbourhoods

Sylvia Tempest – Environmental Standards Manager

Adrian Hurst – Principal Environmental Standards Officer

Resident Representatives

External Representatives

Ken Smith – PD Ports

Sean Beach – PD Ports

Ian Baxter – Van Dalen

Paul Quayle – Heerema

Graeme Hull – Environment Agency

Members of the public

COUNCILLOR STEPHEN AKERS-BELCHER
CHAIR OF THE NEIGHBOURHOOD SERVICES SCRUTINY FORUM

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BACKGROUND PAPERS

The following background papers were used in preparation of this report:-

- (i) Report of the Health Scrutiny Forum entitled 'Interim Report – Dust Deposits on the Headland' presented to the Scrutiny Co-ordinating Committee of 11 December 2009.
- (ii) Report of the Scrutiny Support Officer entitled 'Suggested Proposals to amend the Neighbourhood Services Scrutiny Forum's Work Programme for the 2009 / 10 Municipal Year presented to the Neighbourhood Services Scrutiny Forum of 26 January 2010.

- (iii) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Scoping Report' presented to the Neighbourhood Services Scrutiny Forum of 16 February 2010.
- (iv) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Verbal Evidence – Covering Report' presented to the Neighbourhood Services Scrutiny Forum of 1 March 2010.
- (v) Report of the Director of Regeneration and Neighbourhoods entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' presented to the Neighbourhood Services Scrutiny Forum on 1 March 2010.
- (vi) Report of the Environment Agency entitled 'Report on Environment Agency Regulation of Operations within Hartlepool Docks' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 1 March 2010.
- (vii) Report of the Scrutiny Support Officer entitled 'Evidence from the Portfolio Holders – Covering Report' presented to the Neighbourhood Services Scrutiny Forum of 1 March 2010.
- (viii) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from Key Groups – Covering Report'– presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (ix) Report of Van Dalen entitled 'Neighbourhood Services Scrutiny Forum – 16th March 2010 – Written Evidence from Van Dalen' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (x) Presentation from PD Ports entitled 'PD Ports Hartlepool – Minimising Environmental Impact' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (xi) Presentation from Heerema presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (xii) Report of the Director of Regeneration and Neighbourhoods entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from the Regeneration and Neighbourhoods Department' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xiii) Report of the Scrutiny Support Officer entitled 'Possible Environmental

Impacts of Dust Deposits on the Headland and Surrounding Areas – Feedback from the Site Visit held on 19th February 2010, the Observations of Ships from the Town Wall, the Visits to properties on the Headland and the Focus Group held on 23rd February 2010 – Covering Report – presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.

- (xiv) Feedback from Focus Group held on 23 February 2010 presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xv) Feedback from visits to properties on the Headland presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xvi) Feedback from Focus Group leaflets / questionnaire presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xvii) Minutes of the Scrutiny Co-ordinating Committee of 11 December 2009.
- (xviii) Minutes of the Neighbourhood Services Scrutiny Forum held on 16 February 2010, 1 March 2010, 16 March 2010 and 24 March 2010.
- (xix) Envoy Report – Dust and Particulate Monitoring – 2 May 2008.
- (xx) Monitoring of Particulate Matter in Ambient Air around Waste Facilities – March 2004.
- (xxi) Review and Assessment of Air Quality 2003 – Update and Screening Report.
- (xxii) Copies of Environmental Permits.
- (xxiii) Minutes of Liaison and officer meetings and contact list.
- (xxiv) Chronological list of events.
- (xxv) Background information – pre 1996.
- (xxvi) Questions received from focus group and answers.
- (xxvii) Port operations planning history.
- (xxviii) Memo's from PD Ports.
- (xxix) Written statement from Headland residents.
- (xxx) Safety Data Sheets.

(xxxi) Van Dalen Dust Management Procedures.