

PLANNING COMMITTEE AGENDA



Friday 16 July 2010

at 10.00 a.m.

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brash, Cook, Cranney, Hargreaves, James, G Lilley, Lawton, London, J Marshall, Morris, Richardson, Sutheran, Thomas, H Thompson, P Thompson, Wells and Wright.

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 June 2010.

4. **ITEMS REQUIRING DECISION**

4.1 Planning Applications – *Director of Regeneration and Neighbourhoods*

- | | | |
|----|-------------|--|
| 1. | H/2010/0191 | Land Adjacent to Hartfields Retirement Village |
| 2. | H/2010/0339 | 16, 19, 21 and 22 Sylvan Mews, The Wynd, Wynyard, Billingham |
| 3. | H/2010/0274 | Norton House, Thetford Road, Hartlepool |
| 4. | H/2010/0277 | The Woodcutter, Waverley Terrace, Hartlepool |
| 5. | H/2010/0250 | 36A Catcote Road, Hartlepool |

6. H/2010/0338 Teesbay Retail Park, Brenda Road, Hartlepool
 7. H/2010/0234 Abbey Hill Farm, Dalton Piercy Road, Dalton Piercy, Hartlepool
 8. H/2010/0375 Fox Covert, Three Gates, Dalton Piercy Road, Dalton Piercy, Hartlepool
 9. H/2010/0390 Dyke House Secondary School, Mapleton Road, Hartlepool
- 4.2 Appeal Ref APP/H0724/A/10/2124360/NWF: H/2009/0671 Formation of new access road and associated works. Crows Meadow Farm, Dalton Back Lane, Hartlepool - *Director of Regeneration and Neighbourhoods*
 - 4.3 Appeal By Michael Liddle Appeal Ref: APP/H0724/D/09/2126463 Site at: 273 Stockton Road, Hartlepool - *Director of Regeneration and Neighbourhoods*
 - 4.4 Appeal Ref: APP/H0724/D/10/2131140 H/2010/0007 Erection of a Rear Single Storey Extension to Provide Garden Room, Bathroom and Lobby 35 The Green, Elwick, Hartlepool - *Director of Regeneration and Neighbourhoods*
 - 4.5 Appeal by Mrs Allison Willis Appeal Ref: APP/H0724/D/09/2131143 Site at: 15 Warwick Grove, Hartlepool - *Director of Regeneration and Neighbourhoods*
 - 4.6 Appeal by Mr Pennick Appeal Ref No: APP/H0724/H/10/2123858 Site at: Tail End Fisheries, Church Street, Seaton Carew, Hartlepool - *Director of Regeneration and Neighbourhoods*
 - 4.7 Update on Current Complaints - *Director of Regeneration and Neighbourhoods*
 - 4.8 Monitoring Of the MARAD Contract ABLE UK Ltd, Graythorp - *Director of Regeneration and Neighbourhoods*

5. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006

6. ITEMS REQUIRING DECISION

- 6.1 Complaints File to be Closed - *Director of Regeneration and Neighbourhoods* (para 6)
- 6.2 Enforcement Action – 5 Mayflower Close, Hartlepool - *Director of Regeneration and Neighbourhoods* (paras 5 and 6)

7. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

8. FOR INFORMATION

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of Friday 13 August, 2010 at 9.00 am

Next Scheduled Meeting - Friday 13 August, 2010 at 10.00 am

PLANNING COMMITTEE

16 July 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: MONITORING OF THE MARAD CONTRACT
ABLE UK LTD, GRAYTHORP

1. PURPOSE OF REPORT

- 1.1 To provide further information on the monitoring of the Marad Contract at the Able UK Ltd Graythorp yard by Scott Wilson Ltd following concerns expressed by the Friends of Hartlepool at the last meeting when this issue was considered.

2. BACKGROUND

- 2.1 As part of the permission for the Able ship dismantling operation there is a requirement that independent monitoring by an approved Environment Inspector of the Marad contract related works takes place. Scott Wilson Ltd fulfil the role of the Environment Inspector.
- 2.2 Scott Wilson's latest monitoring report was presented to the Committee at its last meeting. A letter of objection from the Friends of Hartlepool was tabled at the meeting. This raised a number of issues and the Development Control Manager indicated that further information would be sought from Scott Wilson in response to that objection. Discussions are continuing on this matter and an update will be provided before the meeting. A copy of the monitoring report and the email from the Friends of Hartlepool are attached for information.



Hartlepool Borough Council

Environmental Inspection Report – Year 2, Second Quarter

MARAD Contract

May 2010



Prepared for:



Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – Year 2, Second Quarter

Revision Schedule

MARAD Contract Environmental Inspection Report – Year 2, Second Quarter
May 2010

D115634

Rev	Date	Details	Prepared by	Reviewed by	Approved by
01	May 2010	Final issue	Brad Hall Environmental Specialist	Hugh Smith Principal Planner Adrian Milton Associate	Neil Stephenson Technical Director

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Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – Year 2, Second Quarter

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Appendix

1. Completed Site Inspection Proformas

1 Introduction

- 1.1 Scott Wilson has been appointed by Hartlepool Borough Council to provide planning and environmental advice with respect to the development and operation of the Teesside Environmental Reclamation & Recycling Centre (TERRC).
- 1.2 Paragraph 5 of the Section 106 agreement for the development approved under planning permission HFUL/2007/543, HFUL/2007/544 and HFUL/2007/545 states that:
- "During the period of dismantling the ships comprised in the MARAD contract the Council may appoint an environmental inspector (or inspectors to a single person full time equivalent) for the purpose of monitoring the ship dismantling. The Developer shall pay the reasonable employment costs of the environmental inspector, afford him daily access to the Site in accordance with arrangements agreed in consultation between the Council and the Developer and supply all such information as he shall reasonably request (including the opportunity to meet with the Environmental Manager), PROVIDED ALWAYS that before being supplied with information that is commercially confidential the auditor shall first have signed an appropriate confidentiality agreement in respect of such confidential information and whilst at TERRC shall comply with the health and safety requirements of the Developer;"*
- 1.3 Hartlepool Borough Council (HBC) has appointed Scott Wilson Ltd to fulfil the role of Environmental Inspector for the purpose of monitoring the dismantling of the MARAD ships. The Environmental Inspector is independent of Able UK and HBC and supplements the formal regulator inspections of, for example, the Environment Agency and the Health and Safety Executive. Furthermore, Able UK's asbestos removal activities are monitored by an independent specialist contractor (Franks Portlock Consulting Limited).
- 1.4 This report is the sixth inspection report and covers the period from December 2009 to February 2010 inclusive. The report provides details of the inspection methodology, observations from inspections completed during this period and recommendations for future inspections. Any environmental issues identified or addressed during the course of this monitoring period are highlighted as are any remedial actions or agreements made with regard to these issues by either Able UK or HBC.

2 Inspection Methodology

- 2.1 With the agreement of HBC and Able UK, the nominated Environmental Inspector has carried-out a number of site visits commensurate with the level of environmental risks associated with the ongoing works. These visits have included both pre-announced and unannounced visits.
- 2.2 Each visit followed the general programme set-out below:
- general update from MARAD project manager on the progress and status of ship dismantling;
 - review of environmental monitoring reports/data completed by Able UK and their contractors since the last inspection;
 - visual inspection of areas around MARAD ships; and
 - visual inspection of asbestos removal and demolition activities on-ship.
- 2.3 During each visit a site inspection proforma was completed and the findings agreed and signed by both the inspector and the MARAD project manager. Completed proformas are attached as Appendix 1.
- 2.4 Due to a confidentiality agreement with the MARAD ship owners, no photographic record is generally collected. However, if required, photographs can be taken by an Able UK representative and special dispensation sought for their release. This is the only restriction on the inspections, with free and open access available to all areas of the MARAD dismantling operations. This restriction does not compromise the efficiency of the inspections since if significant environmental concerns were identified then a photographic record could be collected and held until approval for release is obtained from the MARAD owners.
- 2.5 During this reporting period and due to increased remediation and dismantling activity on site, a total of fifteen inspection visits have been completed. These were undertaken on:
- | | |
|--|--|
| Tuesday 1 st December 09 (Unannounced) | Wednesday 27 th January 10 (Announced) |
| Monday 9 th December 09 (Unannounced) | Tuesday 2 nd February 10 (Unannounced) |
| Tuesday 15 th December 09 (Unannounced) | Friday 5 th February 10 (Announced) |
| Tuesday 22 nd December 09 (Unannounced) | Monday 8 th February 10 (Unannounced) |
| Friday 15 th January 10 (Unannounced) | Friday 12 th February 10 (Announced) |
| Tuesday 19 th January 10 (Unannounced) | Tuesday 16 th February 10 (Unannounced) |
| Friday 22 nd January 10 (Announced) | Tuesday 23 rd February 10 (Unannounced) |
| | Friday 26 th February 10 (Announced) |

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – Year 2, Second Quarter

- 2.6 As agreed with Able UK site representatives and to increase transparency, 66% of all site visits this quarter were unannounced.
- 2.7 Observations made during the visits have been classified using a traffic light system. The following classes of observation have been used.
- **GENERAL:** Routine site observation. No corrective action(s) needed;
 - **NOTABLE:** Observation with potential environmental impacts; however risks associated with observations are not immediately significant and/or corrective actions can be (and have agreed to be) quickly implemented; and
 - **CRITICAL:** Observation has immediate and/or major environmental risks. Urgent/immediate corrective action required, which may affect site operations or cannot be quickly implemented.

3 Observations and Corrective Actions

- 3.1 During the reporting period, site activities carried-out by Able UK under the MARAD contract have primarily focused on the removal of asbestos from the ships, activities associated with the construction of the dry dock (around the ships) and ship dismantling activities. All stripped asbestos has been double bagged and stored in accordance with the agreed method statements.
- 3.2 The following **GENERAL** observations have been made during the site visits.
- Site perimeter asbestos monitoring results have been regularly reviewed. All results have been below the reportable airborne fibre concentration of 0.01 f/ml. This indicates that asbestos control measures and management procedures are operating within the required limits. In addition the frequency of the perimeter monitoring is considered commensurate with the risks given the local asbestos control measures in areas where removal activities are being carried out.
 - Asbestos enclosures¹ around the engine room of the Compass Island have been inspected during visits and works are being undertaken with the necessary environmental controls and monitoring in place.
 - Completed components of the site drainage system (Phase 1) have been constructed and move surface water run-off and cofferdam seepage (Seaton Channel inflow) through a network of sumps and pipes to the storage ponds (located near the Dirty Dismantling Pad) from where they are discharged (after water quality testing) to Seaton channel. The operational procedures for the dry dock storage ponds have been reviewed and are considered suitable to ensure the correct operations of the system.
 - Cutting works, to reduce the size of ship pieces, being undertaken around the perimeter of the dry dock (cutting ship sections into 5 ft sections).
 - **Compass Island:** Asbestos removal works are now completed on the Compass Island. The ship is now undergoing dismantling. The vessel is being dismantled concurrently from the bow and stern towards the engine room and from the upper decks down to the hull to improve access for breaking machines. Strategic weakening cuts (using oxyacetylene cutting tools²) are made in the vessel to form sections approximately 5m x 5m x 2.5m which are then removed by crane. The sections are then placed on the dry-dock floor where they are then dismantled by breaking machines and then further reduced by cutting into 5ft sections.
 - **Canopus:** Preparatory works on the Canopus prior to asbestos removal and ship dismantling are ongoing; this includes removal of non-fixed furniture and the laying of power supply cables.

¹ An asbestos enclosure is a sealed barrier erected around an area of asbestos removal works to prevent the escape of asbestos fibres into the surrounding environment. All works conducted within an enclosure is undertaken in a controlled and monitored environment in accordance with approved method statements.

² Oxyacetylene cutting is a process that uses oxygen to cut metal by heating the metal to kindling temperature before using a stream of oxygen to cut through the heated metals.

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- **Canisteo:** No asbestos removal or demolition works undertaken during this monitoring period. Ballast water removal ongoing during the period.
 - **Caloosahatchee:** Demolition works have been ongoing and approximately two thirds of the ship has been broken into smaller sections which are stockpiled in or around dock. The main sections remaining in the dry dock are the boiler room and the port side of the ship from the upper deck to the hull and keel.
 - The site is generally well maintained and house-keeping across the site and on the ships is good.
 - Inspection of oil spillage kits located around the site has been carried out. All noted to be in appropriate locations (i.e. near where oil spill could occur) with adequate equipment in place.
 - Waste segregation and movement is well managed and suitably documented.
- 3.3 One **NOTABLE** observation has been made during the site visits undertaken during the reporting period.
- A pump, with associated pipework, was observed pumping channel inflow from the inner face of the coffer dam (inside the dry-dock) into Seaton Channel. This removal of Seaton Channel inflow water was not in accordance with submitted and approved drainage plans. This was reported to site management who immediately rectified the situation. The pumping was immediately discontinued and the equipment removed by site management to prevent reuse.
- 3.4 No **CRITICAL** observations have been made during the site visits undertaken during the reporting period.

4 Conclusions and Recommendations

Conclusions

- 4.1 No **CRITICAL** environmental issues have been identified during the current reporting period.
- 4.2 One **NOTABLE** issue has been identified during the current reporting period. However, overall, Scott Wilson is satisfied that, on the basis of the inspections of the MARAD ships, dismantling carried-out to date has involved no activities that results in a breach of the agreed environmental protection measures or that were assessed to have a significant risk of causing significant environmental pollution or damage.
- 4.3 There are no outstanding issues identified in previous inspection reports.

Recommendations

- 4.4 With the ongoing ship breaking and recommencement of asbestos removal (due shortly on the Canopus) environmental inspection visits should continue at a frequency commensurate with this potential level of environmental risk.
- 4.5 The inspection visits should also continue on a random basis, and include a proportion of both announced and unannounced visits.

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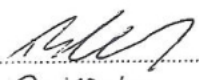
Appendix 1 Completed Site Inspection Proformas


Environmental Inspection Report (Q6)

April 2010



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 1/12/2009
		Time:
Location:	Comments:	Action:
OFFICE	PERIMETER MONITOR REPORTS INSPECTED, NO FIBRES DETECTED	NIL
SITE	GENERALLY CLEAN AND TIDY	NIL
SHIPS	DISMANTLING OF SHIPS ONGOING NO EVIDENCE OF ENVIRONMENTAL IMPACT OR CONTAMINATION	NIL
DOCK	ROBOTS REMOVAL ON COMPASS ISLAND ONGOING DISMANTLING OF SHIPS ON DRY DOCK FLOOR ONGOING	NIL

Inspector
Signed: 
Print: B. MALL

Environmental Manager
Signed: 
Print: M. DITTON



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 4/12/2009
		Time: 12.00 (UNANNOUNCED)
Location:	Comments:	Action:
SHIPS	SOFT STRIPPING STARTED ON CANOPUS PRIOR TO ASBESTOS REMOVAL	NIL
	INSPECTED ASBESTOS ENCLOSURE ON COMPANY ISLAND (GOOD CONDITION)	NIL
	ADDITIONAL WORKS IDENTIFIED ON COMPANY ISLAND. (ASBESTOS ROPE FOUND BEHIND TIN SHEETING ON SUPPORT BEAMS IN BOILER HOUSE)	SMALL LEAK ON MAINS WATER PIPE NOTED ON SHIPS. RECTIFIED IMMEDIATELY BY SITE REP. NO FURTHER ACTION REQUIRED.
	ASBESTOS REMOVAL WORKS TO BE CARRIED OUT IN LINE WITH BEST PRACTICE CURRENTLY EMPLOYED	NIL
	OBSERVED A SECTION OF THE COMPANY ISLAND (BOW) REMOVED AND DROPPED INTO DRY DOCK	NIL
SITE/DOCK	NO ENVIRONMENTAL ISSUES AROSE	
	GENERALLY CLEAN + Tidy GOOD HOUSE KEEPING	

Inspector
Signed: B. HALL
Print: B. HALL

Environmental Manager
Signed: M. DITTON
Print: M. DITTON



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 15/12/2009 Time: 11 am (UNANNOUNCED)
Location:	Comments:	Action:
OFFICE	PERIMETER MONITORING REPORTS INSPECTED ALL RESULTS BELOW REPORTABLE AIRBORNE FIBRE CONCENTRATION	NIL
SHIPS/ DOCK	INSPECTED THE DISMANTLING WORKS ON CALOOSAKATCHEE WITH RECLAMATION MANAGER OBSERVED VIDEO OF DISMANTLING WORKS SOFT STRIPPING ONGOING ON CANOPUS POBATES RESUME WORKS ONGOING IN ENCLIVE ROOM OF COMPAN ISLAND. ALONG WITH DISMANTLING WORKS ALL WORKS BEING CARRIED OUT IN ACCORDANCE WITH PRECED MENTION STATEMENTS	 NIL NIL NIL
SITE/ SHIPS	WOOD HOUSEKEEPING AND WASTE SEPARATION ON SITE AND SHIPS	NIL

Inspector
Signed: _____
Print: _____

Environmental Manager
Signed: M. DITTON
Print: M. DITTON

D:\15634\ Environmental inspections\Environmental Daily Site Diary

Rev C1

August 2008



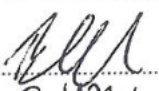
DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRAC		Date: 22.12.09
		Time: 09:30
Location:	Comments:	Action:
SITE	ALL SITE TIDY, LOTS OF SNOW + V. ICY CONDITIONS	NIL
SHIPS	NO ASBESTOS WORK DUE TO FREEZING CONDITIONS. SOME CONCRETE BREAKING.	NIL.

Inspector Signed: J. Atkinson
 Print: J.D. ATKINSON

Environmental Manager Signed: [Signature]
 Print: C. S. [Signature]



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 15 January 2010 Time:
Location:	Comments:	Action:
OFFICE	PERIMETER ASBESTOS MONITORING RESULTS CHECKED. NO RESULTS ABOVE NOTIFIABLE LEVELS	NIL
DRY DOCK	SHIP DISMANTLING CRACKING ON MARAD SHIP	NIL
DRAINAGE	WATER MANAGEMENT SYSTEM INSPECTED. ONE PUMP NOTED REMOVING WATER FROM INNER SIDE OF COFFERDAM. WATER WAS NOTED AS CLEAN INFLOW CHANNEL WATER. DRAINAGE SYSTEM OPERATING NOT AS SUBMITTED	NOTABLE OCCURRENCE: SITE MANAGEMENT IMMEDIATELY RECTIFIED THE SITUATION WHEN INFORMED BY REMOVING THE PUMP NO FURTHER ACTION REQUIRED.

Inspector
Signed: 
Print: B. Hall

Environmental Manager
Signed: _____
Print: _____

DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 19/01/2010
		Time: 11.30
Location:	Comments:	Action:
SITE	<p>ESCORTED AROUND SITE BY IAN RAWLINSON TO VIEW THE GENERAL SITE CONDITIONS, COFFER DAM & DRY DOCK</p> <p>OBSERVED DRY DOCK SUMP AND DRAINAGE SYSTEM. OK</p> <p>WALKED THE COFFER DAM. OK</p> <p>DRY DOCK ACCESS ROUTES GOOD AND SITE GENERALLY TIDY</p> <p>GOOD WASTE SEGREGATION</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
SHIPS	<p>VISITED ABANDONED ENCLOSURE COMPA'S ISLAND AND OBSERVED BREAKING OF PORT AND STARBOARD JUST OFF BOW. OK</p>	N/A
OFFICE	<p>PERIMETER MONITOR REPORT INSPECTED. ALL RESULTS BELOW REPORTABLE AIRBORNE FIBRE CONCENTRATION</p>	N/A

Inspector
Signed: B. WALL
Print: B. WALL

Environmental Manager
Signed: M. DITTON
Print: M. DITTON

1992

Inspector
Signed:
Print: B. H. M. L.

Environmental Manager
Signed: _____
Print: M DITTON

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC

Date: 28 / 01 / 200

Time: 11.00 ANNOUNCING

Location:

Comments:

Action:

SITE

GOOD MADE KEANK
ACROSS THE SITE/DOCK
AND SHIPS

NIL

Doc li

GOOD WASTE SEGREGATION
IN ORY DOCK OF BAGGED +
FERROUS MATERIALS

NIL

SHIPS

VISITED ABSTAIN ENVELOPE
COMPASS ISLAND AND OBSERVED
DEMOLITION WORKS. ALL WORKS
UNDERTAKEN AS PER METHOD
STATEMENTS

NIL

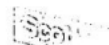
CALLOSATHATCHEE, OBSERVED
DENAMAY WORK, AND
GENERAL HOUSE KEEPING

FOR INFORMATION:
TALKED THROUGH OIL SPILLAGE
PROCEDURE AND KIT AND
NOTED THAT THEY WERE ALL IN
PLACE

FIL

Inspector
Signed: _____
Print: B. Mac

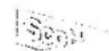
Environmental Manager
Signed: Mark Ditton
Print: MARK DITTON:



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 2/2/2010 Time: 2pm (UNANNOUNCED)
Location:	Comments:	Action:
SITE	GOOD HOUSE KEEPING AND WASTE SECREATION	NIL
DOCK	OBSERVED DRAINAGE SYSTEM IN DRY DOCK. ALL PIPES AND PUMPS IN WORKING ORDER	NIL
SHIPS	COMPASS ISLAND ABANDONED WORKS ONGOING REMEDIATION ONGOING	NIL
	CANOPS SOFT STRIPPING REEF WORK BANK UNDERTAKEN	NIL
	CALCOOSAHATCHEE REMEDIATION WORKS ONGOING	NIL
	CANISTED NO WORK	NIL

Inspector
Signed: B Hall
Print: B HALL

Environmental Manager
Signed: M DITTON
Print: M DITTON



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 5/2/2010 Time: 12pm (ANNOUNCED)
Location:	Comments:	Action:
	<p>DUE TO A FIRE ON A NON MARAD VESSEL THE SITE WAS EVACUATED TO ALLOW THE FIRE BRIGADE TO ISOLATE THE AREA AND UNDER HEALTH + SAFETY GROUNDS</p> <p>A SITE VISIT WAS THEREFORE NOT UNDERTAKEN AT THIS TIME</p>	

Inspector
Signed: [Signature]
Print: BHALL

Environmental Manager
Signed: [Signature]
Print: MARK DITTON

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRAC		Date: 8/2/2010
		Time: 1pm (UNANNOUNCED)
Location:	Comments:	Action:
DRAINAGE PONDS	WATER LOOKS CLEAN AND POND AND DRAINAGE SYSTEMS APPEAR IN GOOD CONDITION AND ALL WORKING	NIL
OFFICE	PERIMETER ASBESTOS REPORTS INSPECTED. ALL RESULTS BELOW REPORTABLE AIRBORNE FIBRE CONCENTRATIONS	NIL
SHIPS	COMPASS ISLAND: ASBESTOS WORK COMPLETED DEMOLITION WORKS ONGOING CANDLES: SOFT STRIPPING WORKS ONGOING CALLOWMACHES: DEMOLITION WORKS ONGOING CANISTERS: NO WORKS	NIL NIL NIL NIL NIL NIL NIL
SITE	GOOD HOUSEKEEPING AND WASTE SEGREGATION	NIL

Inspector
Signed: *[Signature]*
Print: G. HALL

Environmental Manager
Signed: *[Signature]*
Print: MARK DITTON

Inspector
Signed: B. Hall
Print: B. HALL

D:\15634\ Environmental inspections\Environmental Daily Site Diary

August 2008



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 16/2/2010
		Time: 11 am (UNANNOUNCED)
Location:	Comments:	Action:
SITE	GOOD HOUSEKEEPING AND WASTE SEGREGATION	NIL
	INSPECTED A NUMBER OF OIL SPILLAGE KITS - ALL PRESENT	
SHIPS	DEMOLITION WORKS ONGOING ON COMBES ISLAND AND CALLED SMITHS	NIL
	SOFT STRIPPING WORKS BEING UNDERTAKEN ON CANOPS	NIL
DOLK	SEWAGE WATER FROM THE COFFER DAM APPEARS CLEAN AND IS BEING FED INTO SITE DRAINAGE SYSTEM FOR REMOVAL	NIL

Inspector: B.H.M.
 Signed: B.H.M.
 Print: B.H.M.

Environmental Manager: M. DITTON
 Signed: M. DITTON
 Print: MARK DITTON

DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRAC		Date: 23/2/2010
		Time: 12 pm (UNANNOUNCED)
Location:	Comments:	Action:
SHIPS	CURRENTLY NO PROPOSED WORKS ON MARAD SHIPS. DEMOLITION WORKS ONGOING ON COMPTON ISLAND AND CALLOSA HATCHES.	NIL
	SOFT STRIPPING / PREP WORKS ONGOING ON CANPUIS, WORK IN ACCORDANCE WITH METHOD STATEMENT.	NIL
	NO WORK ON CANISTED	NIL
DR1 DOCK	OBSERVED THE REMOVAL OF SURFACE WATER AND ITS MOVEMENT INTO THE DRAINAGE SYSTEM. DRAINAGE SYSTEM LAYOUT EXPLAINED BY MARK DITTON, ROBERTS MANAGER	NIL

Inspector
Signed: [Signature]
Print: BHALL

Environmental Manager
Signed: [Signature]
Print: MARK DITTON



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 26/2/2010 Time: 10.30
Location:	Comments:	Action:
OFFICE	PERIMETER MONITORING REPORT INSPECTED. ALL RESULTS BELOW REPORTABLE AIRBORNE FIBRE CONCENTRATIONS.	NIL
DOCK	GOOD WARE KEEPING OBSERVED COLLECTION OF SURFACE WATER	NIL
SHIPS	DEMOLITION WORKS ENDING ON COMPAIS ISLAND AND CALLOUS HATCHES IN LINE WITH METHOD STATEMENTS. SAFE WORKING CONDITIONS MAINTAINED NO WORKS ON CANISTED COFT STRIPPING WORKS UNDERTAKEN ON CANCIOUS PRIOR TO BASES + DEMOLITION WORKS GOOD WORKING PROCEDURES	NIL NIL

Inspector Signed: [Signature]
Print: B. HALL

Environmental Manager Signed: [Signature]
Print: M. DITTON

From: iris ryder [mailto:iris_ryder@yahoo.co.uk]
Sent: 15 June 2010 18:38
To: Richard Teece
Cc: Development Control
Subject: Planning Committee 10am on 16th June (complaint)

TERRC , a company run by Able UK 's Peter Stephenson operating at Graythorp on the Tees Road.

Recently *Able UK* attempted to refurbish some oil platforms resulting in, amongst other things, haphazard paint spraying taking place. The adjacent nuclear power station has had numerous cars parked on their property covered in both sand and paint from this attempted refurbishment of the modules. Whilst part of the Station's car park is literally just over the fence from the *Able UK* site, the paint and various substances have drifted as far as the contractors car compound. That car park is located at the far end of the nuclear power station site.

We are all acutely aware of the danger posed by fibres from the asbestos removal taking place on *Able UK*'s site. However, given that these additional contaminants have travelled such a distance from *TERRC*, Friends of Hartlepool, are also concerned about what the Nuclear Power Station and Huntsman Tioxide workers may have breathed in during this time. Standard precautions such as brush, or roller, painting the structures and erecting shielding should have been in place to avoid such an obvious occurrence.

The company should be facing penalties from the statutory agencies for infringements of working regulations. *Able UK* has now admitted the event occurred though claims that the spray painting was done by a sub contractor when the overspray travelled off site and painted cars at the nuclear plant. It is strange how *Able UK* always claims their problems are the fault of subcontractors. Doesn't *Able* have any staff of its own carrying out the work? After all, they promised the Planning Inspectorate in 2007 that they would be employing thousands of workers. Why then would they need to rely on sub contractors? Even if the fault was caused by sub contractors the overall responsibility still falls to *Able UK* as the overseeing company.

Following our intervention, Chris Gillies of HSE investigated and has brought this matter to the attention of Hartlepool Borough Council who can act on nuisances arising from such a work activity. We also understand that there's a civil action being taken by the car owners against the painting contractors insurance company.

Friends of Hartlepool are most perturbed that Scott Wilson, the independent Inspector appointed by HBC, failed to mention this occurrence which was highly visible to the untrained eye. In fact previous reports by this company have failed to mention two serious fires on the ships, one serious fire at the site, serious accidents to workers and a crane falling over three times since they have been monitoring the *TERRC* site! Even the fact that the promised reinforced concrete dry dock had never been constructed (resulting in the debris and contamination falling onto the mud floor) was never reported. Just what are this company supposed to be monitoring? Nothing appears to be in their remit. At least this latest report mentions the discharge of foul water to the River Tees- although even then the seriousness of this breach is not stressed.

We are also concerned that the inspection routine was only 15 visits. The planning application granted in 2007 at the Historic Quay distinctly stated that there would be 24/7 monitoring and the results would be available to the public on a dedicated website. This website has never materialised even though there have apparently been 6 reports submitted. As for the frequency of their monitoring - the last time we challenged Scott Wilson about this their reply was that they hadn't been physically checking TERRC because the ships weren't being dismantled!

The monitoring is supposed to be a reassurance for the public and to make Able's operation more transparent. How can this happen when the public can't access all the results, as previously agreed, and those results they do give aren't comprehensive? It is pointless putting an occasional report onto the council website given that members of the general public accessing the internet at the library only have an hour to use the computers. It would be difficult for the average person to negotiate around the Hartlepool portal and take in the information within that hour. In addition the planning part of the portal is frequently inaccessible.

Speaking of transparency of operation, Able UK made great play of the open access for inspection when he took on the French contract. Why is it that now there is a "no photograph" clause in the inspectors contract? Why did the French Trade Unions who came over to inspect the dock get turned away? Why was an asbestos expert who had actually worked on the Clemenceau turned away at TERRC's gate after he had travelled all the way from France to inspect the ship dismantling? Able's excuse of "its the school holidays" has no bearing whatsoever on their ability to deconstruct a ship. How is this being transparent?

Friends of Hartlepool had previously submitted signed statements from the members of the public and various groups who were present when the application was granted. These people, together with members of the press, confirmed that the monitoring was supposed to be 24 hours a day 7 days a week. The monitoring was to be paid for by Able UK and continue for the life of the dock. Certainly not for the life of the Marad contract as has since been suggested. All those members of the public who were present cannot all have misheard these conditions.

The Clemenceau contract was to dismantle the ship, in an empty dry dock, entirely within a year. But the dry dock was never built, the bund wall was only constructed when no more ships could be squeezed into the basin. What's more the ship remained in situ when the year was up. Able UK's excuse that asbestos had been found unexpectedly and they required more time, just doesn't wash. The ship had been fully X rayed by the French for asbestos prior to Able signing the contract so they knew what was on every inch of that ship. This extension is now coming to an end. Another extension of contract time is clearly not warranted.

Therefore we at 'Friends of Hartlepool' are disappointed that the expert conclusion is that there are no problems at this site. Perhaps questions should be asked not only of TERRC's operation but also of a suitable Inspector to replace Scott Wilson Ltd who have failed in so many respects to ensure that the workers around that area and the public are protected?

Yours sincerely, Iris Ryder and Jean Kennedy,
on behalf of 'Friends of Hartlepool'

Please consider the environment before printing this e-mail

UPDATE

Planning Committee – 16 July 2010

4.8

PLANNING COMMITTEE

16 July 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: MONITORING OF THE MARAD CONTRACT ABLE
UK LTD GRAYTHORP

1. PURPOSE OF REPORT

- 1.1 To provide Members with comments from Scott Wilson Limited on issues raised by the Friends of Hartlepool at the last meeting when this was first discussed and as indicated in today's main Committee report on this matter.

2. BACKGROUND

- 2.1 In today's main Committee report officers indicated that Scott Wilson's views would be sought on issues raised by the Friends of Hartlepool on the monitoring of the Marad contract. A copy of Scott Wilson's reply is attached. It is considered that their comprehensive reply clarifies the position.

3. RECOMMENDATIONS

- 3.1 Members note this report.

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Our Ref: D115634

Your Ref: H/2007/0543,
H/2007/0543 and H/2007/0544

Date: 05 July 2010

By email

Dear Richard,

Re: Complaint from Friends of Hartlepool re TERRC site

Thank you for the email from Friends of Hartlepool dated 15 June 2010 which you forwarded for our comments.

In summary, the complaint states that Able UK activities at TERRC are not adequately reported by the appointed environmental inspector (Scott Wilson).

Specific elements of complaint include the failure to report on:

- the drift of sand and paint spray from an oil platform refurbishment project onto adjacent land (with a suggestion that asbestos fibres or other hazardous material may also be similarly dispersed);
- two ship fires;
- one other fire on site;
- various worker accidents;
- three instances of crane falling;
- the absence of constructing a reinforced concrete dry dock;
- contamination of existing dry dock mud floor by falling debris;
- not stressing the seriousness of the foul water discharge to the Tees; and
- ship inspections before dismantling started.

Friends of Hartlepool suggest that the environmental inspections are deficient in:

- restricting the inspection routine to individual visits, when monitoring 24 hours a day/ 7 days a week was agreed;
- maintaining that monitoring was agreed for the period of the MARAD contract rather than for the life of the dock;
- not publishing monitoring results or inspection reports on a dedicated website;
- allowing photographs to be excluded from the inspection reports;
- not adequately explaining why French trade unions and a French asbestos worker familiar with the former Clemenceau (Q790) were not allowed access to the site; and
- failing to enforce the former Clemenceau (Q790) contract of dismantling within 12 months, and subsequently granting an extension to this period.

Cont/1...

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Friends of Hartlepool asks for clarification of what the inspectors are monitoring, and suggests that it is not comprehensive. Friends of Hartlepool suggests that problems at TERRC are understated in the quarterly inspection reports, and that they have failed to protect people in the surrounding area. Friends of Hartlepool requests that Scott Wilson be replaced in the role of inspector.

Scott Wilson was appointed by Hartlepool Borough Council to provide independent environmental monitoring of the TERRC facility for the duration of the dismantling of the ships in the MARAD contract. The inspector role was a clause of the section 106 agreement (s106 agreement). The ships that form the MARAD contract are the former Compass Island, Canopus, Canisteo, and Caloosahatchee, which were all American owned.

The role of the environmental inspector is independent of Able UK and Hartlepool Borough Council and supplements the formal regular inspections of the Environment Agency and the Health and Safety Executive. Able UK's asbestos removal activities are also monitored by an independent specialist contractor (Franks Portlock Consulting Limited).

Requirements of the section 106 agreement

The Section 106 agreement comprises ten sections. Section 5 (Monitoring Requirements) sets out the requirement for Able UK to use a suitably qualified environmental manager to carry out environmental monitoring.

Section 5.5 states *'During the period of dismantling the ships comprised in the MARAD contract the Council may appoint an environmental inspector...for the purpose of monitoring the ship dismantling. The Developer shall pay the reasonable employment costs of the environmental inspector, afford him daily access to the site in accordance with the arrangements agreed in consultation between the Council and the Developer...'*

Section 5.6 states *'A copy of all reports submitted by the environmental auditor and the environmental inspector shall be provided to the Council and the Developer at the same time. The environmental auditor shall submit a draft report to both the Council and the Developer for consideration and to provide a reasonable opportunity for any representations to be made and discussed with the auditor. Neither the Developer nor the Council shall, without prior consultation make any public statement of any description concerning the environmental inspections of environmental audit.'*

Under the requirements of the s106 agreement Scott Wilson acts as environmental inspector for the ships comprising the MARAD contract. Copies of reports produced by the environmental inspector are sent electronically to Able UK and the Council at the same time.

Response to Friends of Hartlepool's complaint

We address the points raised by Friends of Hartlepool in the order in which they were made.

Drift of sand and paint spray from oil platforms

The oil platforms are not part of the MARAD contract and do not form part of the ship dismantling and therefore are not the subject of our environmental inspections. Furthermore, the activities relating to oil platform refurbishment are some distance from the MARAD ships and therefore it is not likely that observations would be made of activities on or near them.

Fires

Friends of Hartlepool refers to two fires that have been reported on ships at the TERRC site, one on the former Caloosahatchee (a MARAD ship) and one on the former Clemenceau (Q790) which does not form part of the MARAD contract. The fire on the former Clemenceau (Q790) occurred during the period reported in the sixth quarterly report but because the ship is not a MARAD vessel it was not included in the report. The fire on the former Caloosahatchee occurred during the seventh quarterly monitoring period and is reported in the seventh quarterly report which is currently being finalised.

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In addition flames were seen on the former Caloosahatchee by environmental inspectors during a site visit. This third incident is separate from the reported fire above and is also reported in the seventh quarterly report.

Accidents to workers and crane toppling

No accidents to workers and crane toppling incidents were witnessed by environmental inspectors during visits and therefore were not referred to in reports. Notwithstanding, these issues relate to health and safety at work and do not fall within the inspectors' remit of environmental monitoring. However, should any accident, near miss or hazardous situation be observed during an inspection that was considered to have potential environmental implications then it would be reported. Observation of any health and safety hazards would be brought to the attention of Able UK as a matter of course.

Concrete dry dock floor

Friends of Hartlepool's email makes reference to a reinforced concrete dry dock floor. Sections 12.5.10 and 12.5.11 of the 2007 Environmental Impact Statement submitted with the planning application describe the structure of the dock floor and provides an assessment of its suitability for decommissioning works. No reference is made in the planning conditions or s106 to a reinforced concrete dock floor being constructed, although extensive reinforced concrete works have been carried out in relating to quay construction and refurbishment.

There is a commitment to sampling the dock floor sediments for contamination (Section 12.5.10) prior to decommissioning works. Able UK has completed and reported a contamination survey of the dry dock (*Dismantling of Units in the Dry Dock - Background Contamination Survey of the Dock Floor*) and this has been reviewed by environmental inspectors and the Environment Agency. This report was required by the Environment Agency permit 'EAWML 66170 Able UK' and the Agency has confirmed that the survey was acceptable for their purposes and that decommissioning works could be undertaken.

Contamination of the dry dock floor by falling debris

The dry dock floor is a lattice of concrete beams with hardcore infill, and is underlain by a drainage network. The floor is subject to examination by environmental inspectors during site visits.

Any contaminated materials within the ships are removed subject to detailed method statements and agreed strict control measures. For example asbestos is removed within a negative pressure environment set up inside the ship and is double bagged for off-site disposal.

Debris falling to the dock floor includes steel sections of the ships as they are cut, (having already been stripped of hazardous materials) and fixtures such as wood, lockers, toilets and pipework.

Not stressing the seriousness of foul water discharge into the Tees

No foul water (which is usually taken to be water contaminated by sewage) has been observed being pumped into the River Tees. Similarly, no 'dirty water' (taken to be water potentially or actually contaminated with oil or other pollutants) from the dry dock floor, dismantling areas or other areas associated with the MARAD site activities has been observed. However, during the inspection in question Seaton Channel inflow water (i.e. water that had seeped through the dock walls from the Seaton Channel) was being pumped from the inner face of the coffer dam (inside the dry-dock) back into Seaton Channel.

Whilst this sump is separate from the run-off water collected from the dry dock floor, and is not directly exposed to the MARAD contract activities, it has the potential to be indirectly contaminated, and so is treated with precautionary measures before being discharged. On this occasion, the removal of Seaton Channel inflow water was not in accordance with submitted and approved drainage plans for the site. Water that had seeped into the dry dock was being immediately discharged into the River Tees without being subject to oil interception, collection and testing beforehand.

Cont/3...



This was reported to site management who immediately rectified the situation. The pumping was immediately discontinued and the equipment removed by site management to prevent reuse. Surface water run-off from the working area of the dry dock, and therefore water at risk from direct contamination as a result of dismantling activities, has always been isolated from that being returned to the Seaton Channel by a bund partially formed by the concrete sett of the original dry dock gates, and this 'dirty water' has always been treated appropriately. No evidence of contamination was recorded in the dry dock gate sump or water either mistakenly discharged or subsequently collected.

Ship inspections before dismantling started

Section 5.5 of the s106 agreement states that the environmental inspections are to take place *'During the period of dismantling the ships comprised in the MARAD contract...'*

Notwithstanding, all MARAD ships were subject to environmental inspection before dismantling activities commenced and inspections of MARAD ships continue to take place during the dismantling process.

24 hours a day/ 7 days a week monitoring

The s106 agreement requires Able UK to provide 'daily' access to the site for environmental inspection. The TERRC site does not normally operate on a 24 hours a day or 7 days a week basis. Environmental inspections currently take place at least twice weekly and have more recently occurred up to three times a week. This level of inspection is considered to be appropriate for the potential environmental hazards associated with the work being undertaken, but is currently reviewed and adapted.

Some of these visits are agreed in advance and some are unannounced. Since monitoring started in September 2008 a total of eighty-one (81 No.) site visits have been undertaken, of which 36 (44%) were announced and 45 (56%) were unannounced.

It should also be noted that since the start of inspections the frequency of visits and proportion of unannounced visits has been adjusted to reflect the potential environmental risks associated with the works being undertaken. In conjunction with the Council, the inspectors continually review the levels of environmental risk associated with dismantling activities on the MARAD ships and the appropriate frequency of monitoring.

Period of monitoring on site

Section 5.5 of the s106 agreement identifies that the environmental inspections are for the period of the MARAD contract.

Section 5.4.3 of the s106 agreement identifies that *'the continuing need for external environmental audit....shall be reviewed annually by the Developer and the Council after the end of the third year after the agreement has come into force.'*

Publishing of environmental monitoring reports

Under the requirements of the s106 agreement environmental audit and inspection reports are to be provided to the Council and Able UK at the same time. These reports are emailed to both parties.

Photographs being excluded from the inspection reports

Under the terms of the MARAD contract between Able UK and its client (the US government) photographing the MARAD vessels is not permitted. Environmental inspectors are bound by this requirement.

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UPDATE

Planning Committee – 16 July 2010

4.8



Not explaining why French Trade Unions and a French asbestos worker familiar with the Clemenceau were not allowed access to the site

This matter is not related to the scope of environmental inspection works, and the former Clemenceau (Q790) is not a MARAD ship. However, it is understood that workers from France have visited the site and inspections of the former Clemenceau (Q790) have been undertaken.

Failing to enforce the Clemenceau contract of dismantling within 12 months, and granting an extension to this period

The former Clemenceau (Q790) is not part of the MARAD contract and falls outside of the remit of the environmental inspections. Contractual issues are a matter for Able UK and its clients.

We trust our comments are of value and address the concerns raised by Friends of Hartlepool. However should you have any further queries or wish to discuss the issues in further detail then please do not hesitate to contact either me or Adrian Milton.

Yours sincerely,
for **Scott Wilson Ltd**

A handwritten signature in black ink, appearing to read 'Hugh Smith'.

Hugh Smith
Principal Planner

Tel: 0113 2045000
hugh.smith@scottwilson.com

cc: Dr Adrian Milton, Environmental Specialist, Scott Wilson
Neil Stephenson, Technical Director, Scott Wilson

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PLANNING COMMITTEE

16 July 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: GOVERNMENT ADVICE ON PLANNING MATTERS

1. PURPOSE OF REPORT

- 1.1 To advise members of the latest advice from the Department of Communities and Local Government on regional strategies.

2. BACKGROUND

- 2.1 Members have already been made aware of the new Government's intention to abolish regional strategies. This had now been confirmed. I have attached a copy of the letter and the supporting advice for Member's information.

3. RECOMMENDATIONS

- 3.1 Members note this report.

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Planning Committee – 16 July 2010

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The Chief Planning Officer
Local Planning Authorities in England

6 July 2010

Chief Planning Officer Letter:

REVOCATION OF REGIONAL STRATEGIES

Today the Secretary of State announced the revocation of Regional Strategies with immediate effect.

I have attached some 'questions and answer' advice on immediate issues that may arise from this announcement. It will be important for local planning authorities to carry on delivering local development frameworks and making decisions on applications and the attached document focuses on how to continue taking these forward.

Please address any queries to Eamon Mythen at CLG in the first instance
(Eamon.Mythen@communities.gsi.gov.uk).

STEVE QUARTERMAIN
Chief Planner

Department for Communities and Local Government
Eland House
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Guidance for Local Planning Authorities following the revocation of Regional Strategies

The Secretary of State for Communities and Local Government confirmed today that Regional Strategies will be revoked (see the attached copy of the Parliamentary Written Statement). In the longer term the legal basis for Regional Strategies will be abolished through the "Localism Bill" that we are introducing in the current Parliamentary session. New ways for local authorities to address strategic planning and infrastructure issues based on cooperation will be introduced. This guidance provides some clarification on the impact of the revocation; how local planning authorities can continue to bring forward their Local Development Frameworks (LDFs); and make planning decisions in the transitional period.

1. Under what powers are Regional Strategies being revoked?

Regional Strategies have been revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. This guidance covers the period between revocation of Regional Strategies and legislation to abolish them altogether.

2. Do Planning Policy Statements (PPSs) remain in force?

Yes. The Policy Statement on Regional Strategies (February 2010) is cancelled, and references to Regional Strategies in other Policy Statements are no longer valid. But all other PPSs will continue to apply until they are replaced by the National Planning Framework.

3. Will this affect the London Plan?

The London Plan will continue to provide the planning framework for London boroughs. As part of a wider process of decentralisation in London, we are reviewing how powers and discretion can be shifted downwards from central government to the Mayor and Assembly, to London Boroughs and to local neighbourhoods. This will include reviewing the scope for devolving power from the Greater London Authority down to the Boroughs and below.

The following sections provide advice on some of the issues likely to arise following revocation of Regional Strategies, until the "Localism Bill" and the new National Planning Framework are in place. This guidance should be regarded as a material consideration by local planning authorities and the Planning Inspectorate in their decisions.

4. How will this affect planning applications?

In determining planning applications local planning authorities must continue to have regard to the development plan. This will now consist only of:

- Adopted DPDs;
- Saved policies; and

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- Any old style plans that have not lapsed.

Local planning authorities should also have regard to other material considerations, including national policy. Evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case.

Where local planning authorities have not yet issued decisions on planning applications in the pipeline, they may wish to review those decisions in light of the new freedoms following the revocation of Regional Strategies. The revocation of the Regional Strategy may also be a material consideration.

5. Should we continue preparing LDF documents?

Yes – the revocation of Regional Strategies is not a signal for local authorities to stop making plans for their area.

Local planning authorities should continue to develop LDF core strategies and other DPDs, reflecting local people's aspirations and decisions on important issues such as climate change, housing and economic development.

These local plans will guide development in their areas and provide certainty for investors and communities. Local authorities may wish to review their plans following the revocation of Regional Strategies. We recommend reviews should be undertaken as quickly as possible.

6. How does this affect adopted local plans / LDFs?

Adopted DPDs and saved policies will continue to provide the statutory planning framework. Local authorities may decide to review these now that Regional Strategies have been revoked. There is no need to review the whole LDF, only those issues or policies which local authorities wish to revisit. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

7. What if my LDF document is still being prepared?

Where local planning authorities are currently bringing forward development plan documents they should continue to do so. Authorities may decide to review and/or revise their emerging policies in the light of the revocation of Regional Strategies. Where authorities decide to do this they will need to ensure they meet the requirements for soundness under the current legislation. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

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8. Will Examinations in Public continue for DPDs?

Yes – where local planning authorities are bringing forward new development plan documents or reviewing adopted plans they should present evidence to support their plans. The examination process will continue to assess the soundness of plans, and inspectors will test evidence put forward by local authorities and others who make representations.

9. Will data and research currently held by Regional Local Authority Leaders' Boards still be available?

Yes. The regional planning function of Regional LA Leaders' Boards – the previous Regional Assemblies – is being wound up and their central government funding will end after September this year. The planning data and research they currently hold will still be available to local authorities for the preparation of their local plans whilst they put their own alternative arrangements in place for the collection and analysis of evidence. Notwithstanding, the new Government regards the Regional Leaders' Boards as an unnecessary tier of bureaucracy.

Clarification on policy issues

There are a number of areas where Regional Strategies supplemented the national policy framework. Further clarification on these areas is set out below.

10. Who will determine housing numbers in the absence of Regional Strategy targets?

Local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. We would expect that those authorities should quickly signal their intention to undertake an early review so that communities and land owners know where they stand.

11. Will we still need to justify the housing numbers in our plans?

Yes – it is important for the planning process to be transparent, and for people to be able to understand why decisions have been taken. Local authorities should continue to collect and use reliable information to justify their housing supply policies and defend them during the LDF examination process. They should do this in line with current policy in PPS3.

12. Can I replace Regional Strategy targets with "option 1 numbers"?

Yes, if that is the right thing to do for your area. Authorities may base revised housing targets on the level of provision submitted to the original Regional Spatial Strategy examination (Option 1 targets), supplemented by more recent information as appropriate. These figures are based on assessments undertaken by local authorities. However, any target selected may be tested during the examination process especially if challenged and authorities will need to be ready to defend them.

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13. Do we still have to provide a 5 year land supply?

Yes. Although the overall ambition for housing growth may change, authorities should continue to identify enough viable land in their DPDs to meet that growth. Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments can help with this. Local planning authorities should continue to use their plans to identify sufficient sites and broad areas for development to deliver their housing ambitions for at least 15 years from the date the plan is adopted. Authorities should also have a five year land supply of deliverable sites. This too will need to reflect any changes to the overall local housing ambition.

14. How do we determine the level of provision for travellers' sites?

Local councils are best placed to assess the needs of travellers. The abolition of Regional Strategies means that local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPDs. They should continue to do this in line with current policy. *Gypsy and Traveller Accommodation Assessments* (GTAAAs) have been undertaken by all local authorities and if local authorities decide to review the levels of provision these assessments will form a good starting point. However, local authorities are not bound by them. We will review relevant regulations and guidance on this matter in due course.

15. How do we establish the need for minerals and aggregates supply without Regional Strategy targets?

Minerals planning authorities will have responsibility for continuing to plan for a steady and adequate supply of aggregate minerals to support economic growth. They should do this within the longstanding arrangements for minerals planning. Technical advice provided by the Aggregate Working Parties, including their current work in sub-apportioning the CLG guidelines for 2005-2020 to planning authority level will assist with this.

Planning authorities in the South East should work from the apportionment set out in the "Proposed Changes" to the revision of Policy M3, published on 19 March 2010.

Planning authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base. We will work with the minerals industry and local government to agree how minerals planning arrangements should operate in the longer term.

16. How do we establish the need for waste management without Regional Strategy targets?

Planning Authorities should continue to press ahead with their waste plans, and provide enough land for waste management facilities to support the sustainable management of waste (including the move away from disposal of waste by landfill). Data and information prepared by partners will continue to assist in this process. For the transitional period this will continue to be the data and information which has been collated by the local authority and industry and other public bodies who

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currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course.

17. Does the abolition of the hierarchy of strategic centres mean the end of policies on town centres?

No. Local authorities must continue to have regard to PPS 4: *Planning for Sustainable Economic Growth* in preparing LDFs and, where relevant, take it into account in determining planning applications for retail, leisure and other main town centre uses.

In assessing any planning applications proposing unplanned growth in out of town shopping centres, particularly those over 50,000 sqm gross retail floor area, local authorities should take account of the potential impacts of the development on centres in the catchment area of the proposal.

18. What about regional policies on the natural environment?

Local authorities should continue to work together, and with communities, on conservation, restoration and enhancement of the natural environment – including biodiversity, geo-diversity and landscape interests. Authorities should continue to draw on available information, including data from partners, to address cross boundary issues such as the provision of green infrastructure and wildlife corridors.

19. What about regional policies on Flooding and Coastal Change?

Local authorities should continue to work together across administrative boundaries to plan development that addresses flooding and coastal change. For flooding matters local authorities already have a duty to co-operate under the Floods and Water Management Act. The Environment Agency will continue to work with local authorities individually and/or jointly to provide technical support on these matters. The Coalition agreement is clear that we should prevent unnecessary building in areas of high flood risk.

20. What about regional policies on Renewable and Low Carbon Energy?

Through their local plans, authorities should contribute to the move to a low carbon economy, cut greenhouse gas emissions, help secure more renewable and low carbon energy to meet national targets, and to adapt to the impacts arising from climate change. In doing so, planning authorities may find it useful to draw on data that was collected by the Regional Local Authority Leaders' Boards (which will be made available) and more recent work, including assessments of the potential for renewable and low carbon energy.

21. What about regional policies on Transport?

Local authorities should continue to ensure their land use and local transport plans are mutually consistent, and deliver the most effective and sustainable development for their area. Local authorities should work with each other and with businesses and communities to consider strategic transport priorities and cross boundary issues.

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22. Does the end of Regional Strategies mean changes to Green Belt?

No. The Government is committed to the protection of the Green Belt and the revocation of Regional Strategies will prevent top-down pressure to reduce the Green Belt protection. Local planning authorities should continue to apply policies in PPG2. As part of their preparation or revision of DPDs, planning authorities should consider the desirability of new Green Belt or adjustment of an existing Green Belt boundary, working with other local planning authorities as appropriate.

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Parliamentary Statement Revoking Regional Strategies

Today I am making the first step to deliver our commitment in the coalition agreement to *"rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils"*, by revoking Regional Strategies.

Regional Strategies added unnecessary bureaucracy to the planning system. They were a failure. They were expensive and time-consuming. They alienated people, pitting them against development instead of encouraging people to build in their local area.

The revocation of Regional Strategies will make local spatial plans, drawn up in conformity with national policy, the basis for local planning decisions. The new planning system will be clear, efficient and will put greater power in the hands of local people, rather than regional bodies.

Imposed central targets will be replaced with powerful incentives so that people see the benefits of building. The coalition agreement makes a clear commitment to providing local authorities with real incentives to build new homes. I can confirm that this will ensure that those local authorities which take action now to consent and support the construction of new homes will receive direct and substantial benefit from their actions. Because we are committed to housing growth, introducing these incentives will be a priority and we aim to do so early in the spending review period. We will consult on the detail of this later this year. These incentives will encourage local authorities and communities to increase their aspirations for housing and economic growth, and to deliver sustainable development in a way that allows them to control the way in which their villages, towns and cities change. Our revisions to the planning system will also support renewable energy and a low carbon economy.

The abolition of Regional Strategies will provide a clear signal of the importance attached to the development and application of local spatial plans, in the form of Local Development Framework Core Strategies and other Development Plan Documents. Future reform in this area will make it easier for local councils, working with their communities, to agree and amend local plans in a way that maximises the involvement of neighbourhoods.

The abolition of Regional Strategies will require legislation in the "Localism Bill" which we are introducing this session. However, given the clear coalition commitment, it is important to avoid a period of uncertainty over planning policy, until the legislation is enacted. So I am revoking Regional Strategies today in order to give clarity to builders, developers and planners.

Regional Strategies are being revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and will thus no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004.

Revoking, and then abolishing, Regional Strategies will mean that the planning system is simpler, more efficient and easier for people to understand. It will be firmly

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rooted in the local community. And it will encourage the investment, economic growth and housing that Britain needs.

We will be providing advice for local planning authorities today and a copy has been placed in the house library.