

**Minutes
Environment Scrutiny Panel**

**12 December 2007
5.30 p.m.
Abbey Leisure Centre, Pity Me**

Present: Councillors Wolstenhome (in the Chair), Carr, Colledge, Crooks, Kelly, Mavin, Mitchell, Moderate, Simpson and Wilkinson

Also in Attendance: Councillors Kellett, Marsden and Thompson.

Mr Jonathan Elmer – Sustainable Development Manager, City of Durham

1. Apologies

There were apologies for absence received from Councillor Turnbull.

2. Minutes of the Meeting held on 12 December 2007

2.1 Subject to the amendments as set out below, the minutes of the previous meeting were confirmed as a correct record.

Item No.3, Para.4

“From 6 April 2008 a new property cannot...”

Item No.3, Para.5

“New powers **will be** available to Building Control departments...”

Item No.3, replaces Para 11

“A document “The future of the Code for Sustainable Homes – Making a rating mandatory” produced by the Department for Communities and Local Government (DCLG) was issued as a consultation document to relevant stakeholders in July 2007. The Summary of Responses issued in November 2007 refers to a Carbon Improvement of 25% in comparison with the limits within current 2006 regulations. This would be followed up with an improvement of 44% by 2013, and with Zero Carbon being achieved by 2016.”

Item No.3, Para.14

“Members were informed that the North-East **was embracing** many of the new technologies”

3. Scrutiny Topic – Climate Change
Witness in Attendance – Mr Jonathan Elmer, Sustainable Development Manager

- 3.1 The City of Durham's Sustainable Development Manager was in attendance to answer any final questions from Members on issues associated with Climate Change prior to Members finalising their Report.
- 3.2 The Sustainable Development Manager explained the work accomplished so far including an emissions audit and self assessment, largely completed. Also it is noted that new National Performance Indicators include “per capita carbon emissions” and Local Authority carbon emissions, both of which have been included in the Local Area Agreement Priorities Framework. There is now a need to have various Officers across the City of Durham to assess how, if possible, to modify services to reduce carbon emissions.
- 3.3 Within a report to Cabinet, “Climate Change” (*Minute No.113, July 2007*) it was set out that in order to facilitate work to combat the City of Durham’s impact on Climate Change a cross-departmental working group should be set up. Whilst this recommendation within the report was agreed by Cabinet, there was no timescale attached to the setting up of this group. Now that preliminary work has been completed, the Sustainable Development Manager felt that the formation of this working group should be a priority in order to move forward.
- 3.4 Members asked whether it would be beneficial if the Panel were to request regular updates from those Officers who would be involved, to help reinforce the seriousness and urgency of tackling climate change issues. The Sustainable Development Manager suggested that once the relevant Officers were identified, reporting should be monthly to the Climate Change Working Group. Therefore it was felt that in order to help bolster the Working Group that a Senior Officer or a Councillor be made the Chair of the Climate Change Working Group.
- 3.5 Members agreed that Officers should prepare a form of words for recommendations encompassing the abovementioned points and Members would review these at the next meeting.

4. Information on “Go Warm” formally “Warm Front”
Witness in Attendance – Mr Jonathan Elmer, Sustainable Development Manager

- 4.1 The Sustainable Development Management informed Members that the City Council was working in partnership with Durham Energy Solutions (DES) to deliver “Go Warm Durham City”. This would entail DES staff going out to properties to perform initial assessments for 3,500 homes across the District by 31 March 2008, with a further 3,000 homes to be assessed over the next two years. Priority cases are determined through the indices of multiple deprivation for the City of Durham area. Priority customers would then receive a detailed household survey and measures fitted where appropriate.

- 4.2 Assessments are paid for by the City of Durham's portion of a £835,000 grant for Durham County area. The works are free to customers who are in receipt of certain benefits. Indeed, advice can be given by DES staff to customers as regards benefits customers may be eligible to that they may not be claiming at that time. These works and materials are paid for by energy providers under statutory obligations.
- 4.3 However, customers not entitled to the works for free may pay a fee of £99 to receive the measures (either cavity wall insulation or a loft insulated to the minimum standard), which is a substantially lower cost than if obtained independently.
- 4.4 The scheme is currently being delivered in the Gilesgate and Pelaw Ward. It was noted that customers can contact Go Warm to ask for an initial assessment, even if they are not within the trial Ward.
- 4.5 Members requested further information to be given as regards which benefits customers would need to be claiming to be eligible for free works. The Sustainable Development Manager said he did not have the exact information to hand, but would forward this to the Clerk for circulation as soon as possible.
- 4.6 It was noted that homes that were energy efficient not only helped to save on bills for those in fuel poverty, but also there is a positive impact on Climate Change if less fuel is burnt to provide heating.
- 4.7 The Panel thanked the Sustainable Development Manager for his attendance and the information he has provided to the Panel.

5. Any Other Business

- 5.1 No further matters of business were raised.

6. Actions for the next meeting:-

- 6.1 Review of the amended Climate Change Report with a mind to forward the agreed Report to the next Scrutiny Committee, 18 March 2008.

The Meeting terminated at 6.00 p.m.

REPORT OF THE ENVIRONMENT SCRUTINY PANEL

SCRUTINY TOPIC – CLIMATE CHANGE

1. BACKGROUND

Climate Change is one of the most important issues facing governments around the world. Many steps have been taken, for example the United Nations Framework Convention on Climate Change (1988) and the Kyoto Protocol (1997), but it is only in the last few years that efforts to reduce emissions, reuse and recycling are beginning to filter down to peoples' everyday lives.

The Earth Summit in Rio de Janeiro (1992) set out "Agenda 21" which aimed to be a blueprint for sustainability.

More recently on the world stage, Bali, Indonesia hosted a two week United Nations Conference on Climate Change attended by representatives from over 180 Countries. The main outcome was that of agreement to the "Bali Roadmap" a document outlining the new negotiating process to be concluded by 2009 that is hoped will lead ultimately to a post-2012 international agreement on climate change.

Also the Intergovernmental Panel on Climate Change (IPCC) released a series of reports (1990, 1995, 2001 and 2007), outlining the latest research and developments within the climate change community, assessing the information provided by climate change Scientists worldwide.

At a national level there has been the Stern Report on the Economics of Climate Change (2006) which outlines the potential detriment to the economy as a consequence of climate change. Also there has been the draft Climate Change Bill (2007). This Bill has which received some amendments subsequent to consultation and scrutiny of the draft bill (the scrutiny taking the form of the document - Taking Forward the UK Climate Change Bill: The Government Response to Pre-Legislative Scrutiny and Public Consultation). It is aimed to receive Royal Assent for the Bill by Summer 2008.

Whilst tackling Climate Change could be perceived as an issue the is for central government to tackle through legislation, many people feel that it is at the Local Government level that action can be taken. Indeed as a response to the Earth Summit in Rio de Janeiro, "Local Agenda 21" (LA21) was conceived (1994) through recognition that two-thirds of the actions required to be taken to reverse global trends would need to be taken at the local level. In 2004, to celebrate its 10 year anniversary, LA21 was re-branded for Durham as the County Durham Local Action 21 Partnership.

A recent report from the Local Government Association (LGA) Climate Change Commission entitled "A Climate of Change" contains recommendations for Local Authorities in the areas of Transport, Planning, Housing and Procurement which Local Authorities could use to move towards the necessary carbon emission reductions.

More locally, the Association of North East Councils (ANEC) have produced a brief report "Climate Change - Our Commitment to a Greener Future" with their full report "A Green Manifesto" to follow in Spring 2008.

Indeed, ANEC has recently signed up to a North East Declaration on Climate Change alongside many other bodies including Government Office North East (GONE), One NorthEast, the North East Assembly and the North East Chamber of Commerce to name but a few. The declaration will be followed in 2008 by the launch of a North East Climate Change Action Plan which will set out key actions that the region would need to carry out to meet targets for emissions, mitigate against the impacts of climate change, and put in place adaptation measures to counter the consequences of climate change.

Since November 2002 Durham Authorities have worked in partnership to produce a 'County Durham Climate Change Action Plan' as part of the response to the Nottingham Declaration. The Plan aims to raise awareness of climate change issues and make links to regional, national and international action on climate change. Also it aims to highlight examples of good practice in County Durham and encourage further partnership working and cross-sectoral links. In addition, there is an aim to identify priorities, highlight opportunities and make recommendations for future actions.

Also, Durham County Council have been looking at the issues of Sustainability and Climate Change, with a presentation being made by their Head of Environment & Planning Services to their Environment Scrutiny Sub-Committee on the topic of Climate Change (December 2007).

2. AIMS

It was the remit of the Panel to consider the issues relating to Climate Change and to assist, if possible, in helping Officers from the City of Durham Council in creating a positive impact on the causes of Climate Change.

3. ACTIONS

The Panel invited witnesses from various Departments to help Members understand the actions currently being taken and those that would need to be taken in order to meet statutory requirements, minimise any negative impact by Council services, or to produce a positive change.

3.1 Planning

The City of Durham Planning department is committed through current and emerging policy to minimise or prevent the effects of Climate change. This work takes the form of responding to government consultation papers and informing Cabinet, through to the Local Development Framework and also 'on the ground' through the Development Control process.

At a national level, Planning Policy aims to address climate change through the new guidance note 'Planning for Climate Change.' A Cabinet report was prepared for Members in February 2007 to inform them of the wide ranging implications for the District.

The Cabinet report outlined the measures that the new guidance would require from Planning Departments and policy, but also specifically the case for the City of Durham to act.

National Government response is represented also through the Regional Spatial Strategy (RSS). Regional Policy No.39 sets targets for new developments in terms of the sustainability of construction techniques and also how new developments should use a percentage of embedded renewable energy. The City of Durham was present at the Examination in Public of the RSS and fully supported the 'Renewable Energy Policy 39' throughout its development.

The current Local Plan has a variety of renewable energy supporting policies and is gradually being replaced by the Local Development Framework. The LDF documents reflect the regional policy for a percentage of renewable energy, and will work alongside the RSS.

Environment Agency studies conducted on the River Wear show considerable negative effects should weather intensity increase and other studies show negative effects on Cathedrals from increased intensities.

All Development Plan Documents (DPD) created by the Development Plans Section are subject to a rigorous process known as a Sustainability Appraisal. The process goes through 21 headline criteria to assess strategic options and sites for planning. Objective 1 within the Sustainability Appraisal Framework relates to Climate Change, and is the first objective assessed when considering development plans. Recommendations for mitigation and enhancement are made on this basis.

Another study required to ensure that climate change is taken into account is a Strategic Flood Risk Assessment at the sub regional level. This assessment then in turn feeds into plans such as the Housing Sites Allocation DPD and also the City Centre and Retailing DPD ensuring that sites are considered for increased flooding potential.

3.2 Building Control

In the past the primary role of Building Control was to inspect developments to ensure compliance with Building Regulations and Health & Safety Regulations. Additional emphasis has been placed on the issues of sustainability, access ability and energy efficiency.

Building Control departments enforce on health and safety issues such as lack of fire doors in buildings. Central Government are pushing for Building Control departments to enforce on issues relating to energy efficiency just as vigorously.

The legislation that governs building control regulations relating to energy efficiency is "Part L", the latest revision of Part L came into effect in April 2006. From 06 April 2008, a new property cannot be signed off as complete without an energy efficiency certificate.

In the majority of cases, Developers only aim for compliance with the minimum standards rather than maximising any energy efficiency additions. This is simply to minimise development time and cost.

New products that could potentially enhance energy efficiency, until approved in revisions to Part L, cannot be used in isolation and must be used in conjunction with approved materials and / or construction methods. One example is the new multi-foil type loft insulation.

Whilst it may have similar insulation properties to traditional insulation material several times as thick, until it is approved it can only be used in addition to the traditional insulation material.

Often it is in larger developments such as the Rivergreen Centre at Aykley Heads, Cassop School and the recent New College Durham development that there is an opportunity to include energy efficient components such as ground source heat pumps, grey water recycling tanks, solar panel / photovoltaic cells, small scale wind turbines etc.

A document "The future of the Code for Sustainable Homes – Making a rating mandatory" produced by the Department for Communities and Local Government (DCLG) was issued as a consultation document to relevant stakeholders in July 2007. The Summary of Responses issued in November 2007 refers to a Carbon Improvement of 25% in comparison with the limits within current 2006 regulations. This would be followed up with an improvement of 44% by 2013, and with Zero Carbon being achieved by 2016.

In the case where over a certain percentage of an existing building has alterations then there is a requirement to carry out works in order to provide a related percentage improvement in the energy efficiency of the building. In the past a straight "like for like" policy applied when replacing building components. However, replacements must now meet the current building control regulations.

The North-East is embracing many of the new technologies that improve energy efficiency and enhance the sustainability of new developments, such as photovoltaic cladding and wind power.

3.3 Waste Management

The Environment Scrutiny Panel have visited the PARC Aerobic Digester facility at Thornley Crossings and were impressed with the way waste was being usefully processed rather than simply sent to landfill. The Durham County Council's Joint Municipal Waste Management Strategy (which has been reviewed recently and will be published soon) is particularly important as it plans for an increase in the use of aerobic digestion. If approved, then it could be that any pre-emptive decision to increase green waste recycling could be unnecessarily costly and be rendered redundant. Also an increased use of collection vehicles would have an associated increase in carbon emissions.

3.4 Sustainable Development

The Sustainable Development Manager is currently auditing existing levels of Carbon Emissions both those stemming from the Council's own activity and that of the wider community.

Checks were to be made on energy consumption levels and also calculations were being made to assess emissions from landfill that are a consequence of City of Durham waste. There will be closer inspection of the fuel consumption of the Council's fleet vehicles to establish a base line position and with an aim to reduce CO₂ omission levels.

Due to a lack of historic records, the Council's baseline position would be taken from 2005/6.

A process is being developed for Self Assessment of council services, to identify means of achieving further emission reductions. Efficient working practices should be considered to reduce the Council's carbon footprint. Other methods of achieving a reduced Carbon footprint include looking at a travel plan (how employees travel to and from work), home working and teleconferencing.

The City of Durham has recently signed up to the Nottingham Declaration. In signing an Authority pledges to actively tackle climate change in their area and work with Partners to reduce emissions country-wide. City of Durham buildings have been audited for energy efficiency by the Carbon Trust.

One area that could be explored is that of Community Exemplar Projects which would involve 6-10 houses sharing heating and electricity generation.

Also it should be noted that when considering Sustainable Procurement, there needs to be a balance between Gershon efficiencies (a 5% year-on-year saving) and sustainable development.

There may be a possibility of securing cheaper energy through joint procurement via NEPO, the North East Purchasing Organisation. Also, it may be possible to use the large joint buying power of the Organisation to influence how the energy is produced, i.e. an increased percentage sourced from sustainable / renewable sources.

The Council's transport fleet already uses a percentage of bio-diesel within the fuel, and this may be increased in the future. Also TranMan software has been sourced that can help to plan more efficient routes for Council vehicles, helping to reduce carbon emissions.

4. OUTCOMES

4.1 Planning

There are a variety of ways in which the issue of climate change is addressed within the LDF. Emerging policy within the Development Control Policies Document aims to set ambitious targets for renewable energy use in new developments. It requires 10% of energy for new developments to be from embedded renewable energy and for larger developments, requires more on a sliding scale. Although the 10% requirement is the benchmark, it is felt that a greater proportion could be required due to special local circumstances, some of which were outlined in a report to Cabinet (February 2007).

The Planning Department are also currently drafting a 'Sustainable Construction and Renewable Energy Guidance for Developers' document. This document will provide guidance to major Developers right through to householders on how to reduce their energy demand, increase usage of renewable energy and ensure that through sustainable construction methods the development is as sustainable as possible to help meet government targets.

Finally to move forward the renewables policy on a the Development Control level, where planning decisions are made, the City Planning Department are now insisting that new developments are currently meeting the 10% embedded renewable energy benchmark. An example being the Hanro Development at Belmont Business Park, currently at pre application status.

4.2 Building Control

New powers will be available to Building Control departments such that issues of non-compliance older than 12 months can still have enforcement action brought forward. Further powers are expected in future revisions of Part L.

4.3 Sustainable Development

A report ratified by Cabinet 18 July 2007, commits the Council to produce a strategy; this is a high level commitment from the Council.

A Working Group could be made up of various Senior Officers to investigate how the Authority could reduce its carbon footprint. Some of the areas which could be investigated would be Estate Management, Procurement, Housing, Planning and Transport.

5. RECOMMENDATIONS

The Panel understands that whilst only one part of reducing the impact on the Climate is to tackle issues at a Local Government level, it is an important part and one of the areas most likely to help encourage people to “do their part” and help to minimise any negative impact on the environment.

Therefore the following recommendations are made by the Panel:-

1. That the requisite preliminary work, as regards the setting up of a cross departmental Climate Change Working Group, undertaken by the Sustainable Development Manager be noted.
2. That further to the work mentioned above, the Panel reinforces the resolution of Cabinet (Minute No.113, July 2007) to form a Climate Change Working Group. Whilst the Cabinet decision did not include a timescale for this action, the Panel recommends that as preliminary work has been completed, the Climate Change Working Group should be set up as soon as possible.
3. That, in order to ensure that the Climate Change Working Group operates effectively, a Senior Officer or Member be appointed as Chairman of the Group.
4. That the topic be reviewed in 12 months time (February 2009), with an interim report in 6 months time (August 2009).