

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

17 DECEMBER 2009

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Environment – Lead Cabinet Member – Councillor Mrs Jennie Beaumont

SUSTAINABLE CONSTRUCTION POLICY

1. Summary

This policy sets out the framework through which Stockton Council will be able to meet the requirements of a number of national, regional and local policies that aim to achieve sustainable development.

It is a policy that will be applicable to all new build commissioned on behalf of the Council as well as major refurbishment schemes, extensions to existing buildings, highway construction and maintenance as well as significant civil engineering projects.

The delivery of the policy will be achieved by adopting a range of design criteria such as the Building Research Establishment Environmental Assessment Method (BREEAM) and the Design Quality Indicator approach.

Implementation of the policy will see a significant contribution towards reducing our carbon footprint and meeting our climate change obligations both in terms of mitigation and adaptation.

2. Recommendations

It is recommended:

1. That the draft sustainable construction policy is adopted as a delivery mechanism to achieve sustainable development in construction schemes delivered on behalf of the Council.
2. Performance against the policy is subject to annual reporting.
3. The policy is applicable to projects commissioned from 1 April 2010.

3. Reasons for the Recommendations/Decision(s)

1. The sustainable construction policy will provide consistency of approach in the delivery of construction projects delivered for and by the Council.

2. The policy will align the Council with the policy principles within the Local Development Framework and policies that will be developed under that.
3. It provides a position of leadership to the community and sets a standard against which other developments can be measured.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

It is a policy that will be applicable to all new build commissioned on behalf of the Council as well as major refurbishment schemes, extensions to existing buildings, highway construction and maintenance as well as significant civil engineering projects.

Implementation of the policy will see a significant contribution towards reducing our carbon footprint and meeting our climate change obligations both in terms of mitigation and adaptation.

RECOMMENDATIONS

It is recommended:

- 1 That the draft sustainable construction policy is adopted as a delivery mechanism to achieve sustainable development in construction schemes delivered on behalf of the Council.
- 2 Performance against the policy is subject to annual reporting.
- 3 The policy is applicable to projects commissioned from 1 April 2010.

DETAIL

Drivers for the Policy

National Policy:

- 1 The government has confirmed a number of policy and legislative initiatives to secure sustainability in construction which include:
 - Zero Carbon New Non Domestic Buildings – where all new commercial buildings are to be zero carbon from 2019;
 - Zero carbon New Homes – from 2016 all new homes are to be zero carbon
 - Building Regulations – amendments to the building regulations mean that new homes will have to reduce CO2 emissions from energy consumption by 25% in 2010 against 2006 requirements and 44% by 2013;
 - Climate Change Act 2008 – legally binding greenhouse gas reduction targets, 80% by 2050;
 - Renewable Energy Strategy – to deliver on EU targets for renewable energy generation of 15% by 2020;

- Strategy for Sustainable Construction 2008 – a joint industry and government strategy to deliver sustainability in construction;
- Water Efficiency in New Buildings – building regulations to include minimum water efficiency standards in new dwellings;
- Site Waste Management Plans – introduced in 2008 to enable effective management of waste on construction and demolitions sites and to encourage reduction and recycling of waste;

Regional Policy:

- 2 The regional Spatial Strategy has a number of policies to support sustainable development for example Policy 24 Delivering Sustainable Communities - “ensuring that development has low consumption of natural resources both in construction and in operation, and incorporates embedded renewable energy generation where appropriate”.

Local Policy:

- 3 Locally we have a number of policies that have been adopted to move towards sustainable development principles in particular:

- The Local Development Framework Core Strategy Policy 3 - All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of ‘very good’ up to 2013 and thereafter a minimum rating of ‘excellent’;
- The Climate Change Action Plan 2009 which sets out how we will reduce greenhouse gas emissions by 21% by 2020 against the 2005 baseline; it also establishes a series of actions that we need to take in order to adapt to the inevitable consequence of climate change;
- Carbon Management Programme – sets a target to reduce carbon emissions by 25% by 2013 part of which will be delivered through better design of new building and refurbishment of existing stock;
- Sustainable Procurement and Commissioning Strategy 2009 – 2012 – “All *new build and major refurbishment shall aim for at least BREEAM level ‘very good’*. This shall be validated through a peer review process involving Technical Services and the Council’s consultant partners.”

Application of the Policy

- 4 The policy will be applicable to:-
- All new build commissioned by or on behalf of the council;
 - All major refurbishment of buildings owned by the council;
 - Extensions to buildings owned by the council with a value of £500,000 or above;
 - Highway constructions and maintenance schemes;
 - Significant civil engineering projects;

Delivery

- 5 It is proposed that this policy be applied to all new projects that meet the criteria outlined previously from 1 April 2010.
- 6 Monitoring the outcomes from the policy will be through a series of indicators that are already in place, eg National Indicator 185 CO₂ emissions from Council operations as well as some new measures, eg the percentage of material recycled from construction sites.

7 A copy of the policy document is attached at **Appendix 1**.

FINANCIAL IMPLICATIONS

8 Achieving a higher level of sustainability in design can add additional capital costs to a scheme.

9 It is difficult to quantify the additional costs although a study was commissioned by the Department for Children, Schools and Families on the cost of sustainability in schools. That concluded that to achieve a BREEAM rating of “Good” had little or no extra cost, “Very Good” was £19/m² additional cost and “Excellent” may cost an extra £60/m². To achieve an “Excellent” rating would require on site renewable energy generation which may become a mandatory requirement for future projects to meet planning policies.

10 Additional capital costs should be seen against the long term savings in energy consumption, building in adaptation to climate change and the changing legislative drivers through the revisions of the Building Regulations for example.

LEGAL IMPLICATIONS

11 The policy is in part linked to changes to the Building Regulations.

RISK ASSESSMENT

12 Failure to adopt a sustainable construction policy places the Council at risk of losing funding opportunities.

COMMUNITY STRATEGY IMPLICATIONS

Economic Regeneration and Transport

13 Sustainability will be built into the design, construction and maintenance of the highway network.

Environment and Housing

14 The policy contributes to the delivery of the sustainability agenda, climate change action plan and the carbon management programme.

Safer Communities

15 No impact.

Children and Young People

16 No impact.

Liveability

17 No impact.

EQUALITIES IMPACT ASSESSMENT

18 Not needed.

CONSULTATION INCLUDING WARD/COUNCILLORS

Extensive external consultation has taken place on the Core Strategy of the Local Development Framework, the Sustainable Procurement and Commissioning Strategy and within the various service areas impacted by this policy.

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Background Papers

Sustainable Construction Policy.

Ward(s) and Ward Councillors:

Not ward specific.

Property

Contributes to the asset management programme through sustainable design and construction.