

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	22ND MARCH 2010
TITLE OF REPORT:	SUSTAINABILITY AND PROPERTY PROCUREMENT
PORTFOLIO AREA:	RESOURCES

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To update the Committee on the procedures in place to ensure that the Council incorporates sustainability within building contracts and to advise Members of the Display Energy Certificate performance of the Council's major operational buildings.

Recommendations

THAT Committee:

- (a) notes the steps already being taken to improve sustainability in building construction procurement;
- (b) notes the closer working relationship with HALO on strategic matters, including energy management and sustainability; and
- (c) notes the work done to date on the provision of Energy Performance Certificates (EPC) and Display Energy Certificates (DEC) for publicly accessed buildings.

Key Points Summary

- Regular strategic meetings between Council and HALO.
- Tender documentation includes sustainability.
- We are responding to the requirements of the Use of Resources section of the Comprehensive Area Assessment.

Alternative Options

- 1 There are no alternative options. This is an information report.

Reasons for Recommendations

2 This is an information report.

Introduction and Background

3 Members received a report on asset management and its contribution to carbon reduction at its meeting on 2nd March 2009.

4 Committee made two recommendations:

- a) **The Committee recommend the Cabinet Member (Environment) consider entering into joint working arrangements with HALO to address/reduce the Council's energy usage/carbon footprint; and**
- b) **The Committee recommend to the Executive that when entering into a contract the contractor be given clear guidance on the need for energy /carbon management efficiency within the contract.**

5. This report aims to respond to those recommendations

6. In addition, the report includes a section on the work done to date on Display Energy Certificates for the Council's publicly accessed buildings. Appendix B shows the individual building scores and the display assessment. This information was requested by the Committee at its meeting on 14 September 2009.

Key Considerations

9 Asset Management and Property Services (AMPS) and HALO have existing regular meetings between the organisations with respect to the day to day management of the revenue and capital expenditure programmes for HALO properties. In addition to these regular meetings, AMPS and HALO now hold monthly meetings to discuss items of strategic value to both organisations.

10 Specifically, we are working with Halo to come forward with a facilities strategy for leisure provision over the next 10 years.

11 A member of HALO's senior management team has joined the Council/NHS Herefordshire partnership's Shared Property Review Group, which meets on a monthly basis to consider and discuss the joint and individual organisational accommodation needs. As a partner organisation, which works closely with the Council, the ability to discuss and share information on strategic property issues and on day to day operational matters improves the working relationship between the organisations and identifies wider opportunities for co-location and alternative methods of service delivery.

12 With reference to recommendation b) above, the Council does give clear advice to contractors regarding environmental sustainability. Section 1 of the standard contract document is attached as Appendix A. This notes the Council's requirements with respect to Environmental Sustainability:

Contractors must comply with Council policies on:

- a. In general that the contractor is expected to match or exceed the Council's Environmental Policy.

- b. Policies on use of products and materials –
 - i. No Chlorofluorocarbons (CFCs)
 - ii. Ozone depletion potential of zero
 - iii. Avoid, where possible use of Hydrochlorofluorocarbons (HCFCs)
- c. Timber procurement
- d. Waste management
- e. Disposal of unwanted material
- f. Building Insulation and Air Tightness
- g. Acoustic requirements
- h. Environmental Protection Act
- i. Hazardous Materials
- j. Asbestos

- 13 With respect to the wider sustainability agenda, as part of the work to address the requirements of the Comprehensive Area Assessment (CAA), AMPS is concentrating on the Use of Resources (UoR) assessment.
- 14 One of the three main themes of the UoR assessment is the management of natural resources, assets and people.
- 15 This theme has a number of Key Lines of Enquiry (KLOEs) to which the Council must respond.
- 16 The areas of particular interest to AMPS and the sustainability programme is KLOE 3.1

16.1 **KLOE 3.1 Use of Natural Resources**

16.1.1 **Understanding and quantifying the use of Natural Resources**

This is about whether the Council knows what natural resources it consumes in its own operations and what strategic approach it has in place to reduce the use of those natural resources.

Where we need to be:-

- The Council has a strategy which shows how it will reduce its own use of natural resources and its impact on the environment.
- The Strategy is supported by delivery plans to address climate change mitigation and adaptation, achieve energy and water efficiency and optimise the use of renewable resources.
- Other corporate plans within the Council such as the Medium Term Financial Strategy and Human Resources plans support the delivery of this strategy.
- It is working with partners in developing, implementing and monitoring plans.

16.1.2 Managing performance to reduce impact on the environment and managing environmental risks

This is about how the Council manages its performance to reduce its environmental impact. It needs to know where its big environmental impacts are and it needs to set targets to reduce these. It needs to know if it is meeting the targets and can measure progress on the targets. The Council needs to have systems and processes in place across its operations.

It is also about how the Council is delivering against a strategy to manage the environmental risks it faces or might face in the future and how effectively it works with partners to do this.

Where we need to be:-

- The council has reliable information which it uses to monitor its performance and manage progress in achieving its strategy.
- It is communicating performance against its strategy to the public, stakeholders and staff and actively engaging with them.
- It is making progress in delivering against its strategy. It is reducing its environmental impact and consumption of natural resources from its operations in line with its targets. This progress is seen across the organisation. It has quantified the risks in achieving the delivery of its strategy.
- Sustainability impact appraisals are undertaken for all major projects and programmes. Where these are negative, mitigation and impact reduction management are planned.
- The Council considers the environmental impact of its suppliers of goods and services within its commissioning and procurement decisions and is working with them to achieve improvements.

16.1.3 What we are currently doing:-

- Reviewing procurement procedures to introduce enhanced environmental criteria in accordance with the recommendations of Procurement Strategy (revised June 2009).
- A comprehensive ongoing programme of energy efficiency measures which include Boiler Energy Management Systems, improving insulation levels, variable speed fan convectors and combined heat and power installations.
- Enhancing the quality of the data used to calculate Display Energy Certificates (DEC's) and Energy Performance Certificates (EPC's) in order to improve energy management target setting.
- Calculating the effective baseline upon which N1 185 will be measured. (Carbon footprint for Local Authority Property).
- Increasing the requirement for the local sourcing of food in School catering contracts.
- West Mercia Supplies procure the Council's electricity supply and make recommendations on contract renewal with respect to the appropriate type of supply.
- Enhancing the capacity of the Facilities and Premises Management Service to support Officers in Charge to secure efficiencies in the management of corporate buildings.
- Following the recommendation of the Smallholdings Strategy in providing further support to tenants seeking to enter and progress environmental stewardship schemes.

- Supporting continuous improvement of environmental management through compliance with 1S014001.

16.1.4 What we are planning to do over the Asset Management Plan period 2009-2012:-

- Actively work with NHS Herefordshire and other public bodies to ensure optimum occupancy of shared corporate properties thereby minimising environmental impact of the property estate.
- Procuring a Biomass Strategy for the County to establish the feasibility of extending renewable energy provisions for use by the corporate estate and other large scale consumers within the County.
- Undertaking sustainability impact assessments for all major projects supported through the Council/NHS Herefordshire deep partnership. The use of the BREEAM and Passivhaus models to be explored as a basis for evaluating all new build proposals.
- Progress through the Joint Accommodation Strategy for the Council/NHS Herefordshire;
 - More efficient ways of working
 - Improved life/work balance
 - Carbon footprint improvements from reduced reliance on travel between corporate premises.
 - Enhanced remote/home/locality working opportunities.
- Working with Advantage West Midlands (AWM) to support the development of live/work opportunities at Model Farm, Ross-on-Wye.

- 17 As new techniques and technologies come forward, the tender forms and accompanying documentation are updated as appropriate to improve the Council's response to carbon reduction targets. A list of some of the technologies currently considered is given below.

Rainwater Harvesting:

- Utilisation of rainwater for recycling and application to WC flushing and landscape watering etc.

Heat Recovery (Air Systems):

- Various methods of extracting heat energy from extract air stream and applying it to supply air streams e.g. plate heat exchanger, thermal wheel, run-around coil.

Sunpipes:

- Reflective ducts used to transfer natural light into internal or deep plan spaces.

Windcatchers:

- A method of passive/natural ventilation, reliant on the stack effect through a duct/penthouse, usually roof mounted. Can also provide Night Pre-cooling Ventilation by opening up the dampers at night to pre-cool the building.

Non-touch Water Applications:

- Sensor operated taps and WC flush controls to give a regulated amount of water.

One-touch Water Appliances:

- Single touch button or handle operated taps to give a regulated amount of water.

Urinal Flush Control:

- Ceiling or wall mounted sensors to operate and control the regular flushing of single or multiple urinals.

Flow Restrictors:

- Method of restricting water flow in hot and cold water pipework and appliances to avoid wastage, via inline devices, or shower heads etc.

Natural Ventilation:

- Use of operable windows to permit summer time cooling of the interior.

18 **DISPLAY ENERGY CERTIFICATES (DEC)**

18.1 **LEGISLATIVE BACKGROUND**

18.1.1 The need to have DEC Certificates is covered under the Statutory Instrument 2007.991 The Energy Performance of Buildings (Certificates and Inspection) England and Wales 2007.

18.1.2 Under the legislation, as from the 1st October 2009, it is the responsibility of every occupier of the building affected by the regulations to display a DEC Certificate in a prominent position and clearly visible to the public.

18.1.3 The DEC shows the energy performance of a building based on the actual energy consumption as recorded annually over a period up to the last three years and the DEC needs to be updated every year. In order to calculate this performance annual meter readings are taken and floor areas calculated.

18.1.4 The legislation affects any buildings occupied or part occupied by either a public authority or an institution that provides a public service and is expected to be visited by the public and has a total floor area greater than 1000m². This total floor is defined as the total area of all enclosed space measured to the internal face of external walls.

18.2 **IMPLEMENTATION**

18.2.1 The Council engaged external consultants to carry out the survey of all Council buildings coming under the above category. This includes both owned and leased buildings with a floor area greater than 1000m². The survey must be conducted by a suitably qualified person. Neither the Council nor our strategic partner Amey has this resource.

18.2.2 As a result of this survey a report and certificate was prepared on each building and the certificate displayed in the entrance of each building. The building is given a rating of A to G, with A being excellent and G being poor. The results are shown in Appendix B.

18.2.3 After the initial report has been compiled, a new certificate is issued each year, based upon the energy consumption during the previous year. If there has been a major change to the construction of the building a new survey would also be required.

18.2.4 This survey has now been completed and the first phase of annual reviews will be completed by March 2010.

18.2.5 Only two buildings have been excluded from survey to date; these being Wigmore High School (which is now a Foundation school) and Gorsley Goffs school which has

an area of 1002m². Both these buildings are scheduled to be surveyed during the next few weeks.

18.2.6 The list of premises surveyed to date is shown in Appendix B.

18.2.7 There are no major works specifically proposed to any of the buildings except the ongoing maintenance of boilers and the building fabric. In many instances a 'G' rating was obtained, not because of the poor energy performance of the building, but because the energy was not synchronised, especially on meters to gas (LPG and oil installations on the large sites).

18.2.8 The government has proposals to extend the requirement to provide DEC certificates to include any property over 750m² in size and we will respond to that and any further changes as they are introduced.

Community Impact

19 Reduced environmental impact.

Financial Implications

20 There are no specific financial implications in respect of this information report.

Legal Implications

21 Not applicable.

Risk Management

22 Not applicable.

Consultees

23 Not applicable.

Appendices

24 Appendix A – Building Contract Tender Document Extract

25 Appendix B – Display Energy Certificate Results

Background Papers

- None identified.

APPENDIX A

BUILDING CONTRACT TENDER DOCUMENT EXTRACT

SECTION NO 1

PRELIMINARIES/GENERAL CONDITIONS

Environmental Sustainability

The Employer is registered under ISO 14001 and Contractors are expected to meet or exceed the standards set out in the Employer's Environmental Policy (copies available from Ms. T. Marsh, Environmental Sustainability Officer (Tel.: 01432 - 261930)). The Contractor is required to comply with environmental laws and the prevention of pollution on site. All Contractors with more than 5 full time employees undertaking works for the Employer will be required to produce an Environmental Policy which shall be submitted to the Architect/Contract Administrator for checking.

- | | |
|-----|---------------------|
| A1. | Fixed charge |
| A2. | Time related charge |

Environmental Policies Regarding Materials and Products

Preference should be given to products classified as having an ozone depletion potential of zero. Products containing CFCs shall not be used. Where practical do not use products or materials containing HCFCs.

- | | |
|-----|---------------------|
| A3. | Fixed charge |
| A4. | Time related charge |

Timber Procurement Policy

This policy covers all timber and products containing wood intended for incorporation into buildings owned by the Employer. The term timber used below includes all such products.

The Contractor shall ensure that no timber shall have derived from any species of tree that is protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) unless the supplier can prove, by producing official documentation, that he has complied with the CITES requirements that permit trading in the particular species of tree so listed under that Convention. All timber other than recycled material shall derive from trees that have been harvested and exported in strict accordance with the applicable law(s) of the country in which the trees grew. The Contractor shall require the supplier to obtain

documentary evidence to prove such legality and to prove that the evidence does in fact match the products supplied by establishing a chain of custody from the source of the timber through to the delivery of the final product.

The Contractor shall ensure that only timber that derives from trees that were grown in forests or plantations that were managed to (a) sustain their biodiversity, productivity and vitality and (b) to prevent harm to other ecosystems and any indigenous forest dependent people is used. The Contractor shall obtain documentary evidence to demonstrate that this requirement has been met.

It is the Contractor's responsibility to produce documentary evidence, in respect of these requirements, that will enable the Employer to verify the authenticity and credibility of the claims made. The Contractor shall, if requested by the Employer, obtain independent verification of the claims being made and shall meet the full costs involved in so doing. In this context "independent" means a body or organisation that is accepted by the Employer as having the competence and capacity to provide an objective assessment of the evidence presented and as having no interests that would conflict with their duty to provide impartial advice. **One way in which the Employer will accept that the Contractor has met his obligations in proving the source of his timber is if those products are certified, by properly accredited organisations, as meeting the standards set up by the Forest Stewardship Council or such other standards set by other bodies as are listed in the Contract Specification.**

A5. Fixed charge

A6. Time related charge

Waste

Remove rubbish, debris, surplus material and spoil regularly and keep the site and Works clean and tidy.

Remove all rubbish, dirt and residues from voids and cavities in the construction before closing in.

Ensure that non-hazardous material is disposed of at a tip authorised by a Waste Regulation Authority.

Remove all surplus materials and their containers regularly for disposal off site in a safe and competent manner as approved by a Waste Regulation Authority and in accordance with the relevant regulations.

Retain waste transfer documentation initially on site and subsequently for a period of two years.

A7. Fixed charge

A8. Time related charge

Disposal of unwanted materials

Dispose of all unwanted materials by removing from site to a registered tip. Include for the payment of all costs arising, including Land Fill Tax and tip charges incurred, and provide the Architect/Contract Administrator with receipts and documentation, on request.

A9. Fixed charge

A10. Time related charge

The Contractor is reminded that he has a Statutory Duty of Care with regard to the disposal of waste under the Environmental Protection Act. The statutory duty of care imposes four main constraints:

- a): to prevent other persons committing an offence through unlicensed disposal, breach of disposal conditions or to cause pollution or harm,
- b): to prevent escape of waste material,
- c): to ensure that waste is only transferred by a Registered Waste Carrier, to a holder of a Waste Management License,
- d): to ensure that, when waste is transferred to an authorised Waste Manager, an adequate description of the material involved, and any information required by law, is maintained for a period of two years to prevent an offence under a) or b) above.

A11. Fixed charge

A12. Time related charge

Continuity of Insulation/Air Tightness

The Contractor shall comply with the requirements of Section 2 of Part L2A of the Building Regulations.

A13. Fixed charge

A14. Time related charge

The Contractor shall obtain from a suitably qualified person a certificate in respect of thermal bridging in accordance with Clause 2.1 of Part L2A of the Building Regulations. Such a certificate will

state:-

- a) that appropriate design details and building techniques have been used and that work has been carried out in ways that can be expected to achieve reasonable conformity with the specifications that have been approved for the purposes of compliance with Part L2A; or
- b) that infra red thermography inspections have shown that the insulation is reasonably continuous over the whole visible envelope. (BRE Report 176 gives guidance as to the use of thermography for building surveys).

A15. Fixed charge

A16. Time related charge

The Contractor shall undertake an air leakage test, carried out in accordance with CIBSE TM 23, to achieve a standard not worse than 10m³/hr/m² at 50 Pa. The Contractor will allow a suitable period in his programme to undertake this test in agreement with the Architect/Contract Administrator.

A17. Fixed charge

A18. Time related charge

Acoustic Requirements

A copy of the Acoustic Assessment of the New Building is included in Appendix G to this Schedule of Works. The Contractor's attention is drawn to Appendix C of the document which outlines construction detailing and workmanship guidance. The contractor should allow for complying with this information and allow for testing during the works and on completion to confirm that the acoustic insulation required are being and will be achieved.

A19. Fixed charge

A20. Time related charge

Environmental Protection Act

The Contractor's attention is drawn to the Environmental Protection Act 1990 and the Contractor and all Sub-Contractors shall comply with the provisions of the Act and observe the requirements of the Code of Practice for Waste Management - The Duty of Care, published by HMSO.

A21. Fixed charge

A22. Time related charge

Hazardous materials

Substances containing chemicals listed in the EH40 series published by the Health and Safety Executive and listing "Occupational Exposure Limits" shall be avoided if possible but if necessary shall be used in accordance with the manufacturer's COSHH statement.

A23. Fixed charge

A24. Time related charge

Paint containing lead shall not be used. Products containing asbestos shall not be used. The use of glass fibre insulation is not permitted unless it is fully enclosed from habitable spaces in polythene sacking. The use of products containing volatile organic compounds (VOC's) shall be avoided in occupied buildings. Use water based paints, stains and adhesives wherever possible.

A25. Fixed charge

A26. Time related charge

Asbestos

All work should be carried out in accordance with the Employer's Asbestos Policy. Copies of the policy are held: 1) by asbestos removal specialists who have previously carried out work for the Employer; 2) at the premises; 3) at Herefordshire Council Property Services (contact Mr. R Cheasley Tel.: 01432 261534)).

A27. Fixed charge

A28. Time related charge

Asbestos Reports for these premises have been undertaken and are included as Appendix "F" to this Schedule of Works. The presence or absence of asbestos in any area does not preclude the possibility of other asbestos being present in concealed areas which the Reports will not have identified. The Contractor must ensure that all operatives are aware of the contents of the Asbestos Reports for the premises.

A29. Fixed charge

A30. Time related charge

The Contractor must see, and sign that he has seen, the Asbestos Register held on the premises.

A31. Fixed charge

A32. Time related charge

APPENDIX B

DEC CERTIFICATE RESULTS

LIST OF PREMISES SURVEYED AS AT 31st January 2010

Premises	DEC Letter	DEC Value	NOTE
Wigmore High School		0	To be certificated
Gorsley Goffs		0	To be certificated
Bridge Street Sports Centre	B	41	→ B 41
Leominster, Infants School	B	26	
Leominster, Junior School	B	30	
Ross-on-Wye, The John Kyrle High School	B	48	
Hereford, St Martin's Primary School	B	40	
Hereford, Bishop of Hereford's Bluecoat School	B	30	Gymnasium
Ross Swimming Pool	B	44	↑ B 41
Ledbury Leisure Centre	B	38	↓ B 45
Hereford Library, Museum and Art Gallery	B	47	↓ C 62
Hereford, Town Hall	B	45	↓ C 61
Hereford, County Offices Bath Street	C	68	
Hereford, The Brookfield School	C	73	
Hereford Education Centre	C	57	↓ C 74
Leominster, The Minster College	C	62	
Hereford, St Thomas Cantilupe C E Primary School	C	60	
Hereford, St Paul's CE Primary School	C	71	
Kingstone High School	C	54	
Leominster, The Priory Offices	C	71	
Hereford Leisure Centre	C	66	↓ C 71
Hereford, Brockington Office	C	73	
Hereford, Plough Lane	C	71	
Cradley, C E Primary School	C	66	
Hereford, Holmer C E Primary School	C	62	
The Bromyard Centre	C	52	↑ B 45
Ledbury Swimming Pool	C	65	↑ C 63
Hereford, Bishop of Hereford's Bluecoat School	D	92	Main Building
Hereford, Hampton Dene Primary School	D	80	
Bromyard, Queen Elizabeth High School	D	82	Main Building
Hereford, Hayward High School (Hereford Academy)	D	92	Main Building
Hereford, Aylestone High School	D	80	Humanities Block
Hereford, Our Lady's R C Primary School	D	86	
Bromyard, St Peter's Primary School	D	94	
Hereford, Barrs Court School	D	77	↓ G 200 (new pool)
Ledbury, John Masefield High School	D	94	
Hereford, Broadlands Primary School	D	76	
Bromyard, Queen Elizabeth High School	D	82	North Building
Hereford, Aylestone High School	D	93	Main Building
Hereford, St Owen's Day Centre	E	108	
Hereford, Blackmarston School	E	120	
Hereford, Leisure Pool	E	109	↑ E 103
Hereford, St Francis, Xavier's R C Primary School	E	105	↑ D 97
Hereford, Trinity Primary School	F	142	
Leominster Leisure Centre	F	135	↓ F 137
Rotherwas, Herefordshire Council IT Contracts Section Office	G	200	
Hereford, Garrick House	G	200	
Hereford, County Records Office	G	200	
Hereford, Aylestone High School	G	200	Broadlands House
			Part of Hereford
Hereford, Oak Centre (Hereford Academy)	G	200	Academy
Lugwardine, St Mary's R C High School	G	200	
Sutton Primary School	G	200	

Premises	DEC Letter	DEC Value	NOTE
Hereford, Shire Hall	G	200	↑ C 62
Ross, The Ryefield Centre	G	200	↑ F 142
Weobley, High School	G	200	
Weobley, Primary School	G	200	
Wellington Primary School	G	200	
Ross-on-Wye, Ashfield Park Primary School	G	200	
Kingstone & Thruxton Primary School	G	200	
Peterchurch, Primary School	G	200	
Hereford, Hunderton Primary School	G	200	
Ledbury, Primary School	G	200	
Kington, Lady Hawkin's High School	G	200	
Rotherwas, Unit 3	G	200	
Kington Primary School	G	200	
Hereford, Blueschool House	G	200	
Hereford, Marlbrook Primary School	G	200	
Hereford, Lord Scudamore Primary School	G	200	
Peterchurch, Fairfield High School	G	200	

Note: G certification indicates a lack of sufficient data to make an assessment.

This can be for a variety of reasons and is not necessarily an indication of a poorly performing building.

Reasons can include:

New building with less than 1 year of data

New extension with less than 1 year of data

Incomplete meter readings

Data provided late (limited response time)

Some data held by West Mercia Supplies is not translatable