Decision: East Riding of Yorkshire Council: direction on Environment Agency functions

Updated: Published a new version of this direction. The previous direction had an incorrect European Waste Catalogue (EWC) code within it and has been revoked and replaced by this one.

This direction gives East Riding of Yorkshire Council (rather than the Environment Agency) the role of regulating H + H UK Ltd for the operation of a facility receiving, storing and using Enhanced Pozzolanic Biomass Ash in the manufacture of concrete and other cement blocks in Heck Lane, Pollington, Goole, East Riding of Yorkshire.

The direction is made by the Secretary of State under the powers in regulation 33(1) of the Environmental Permitting (England and Wales) Regulations 2016.

Press release: Tesco hit with major £8million fine for pollution incident

Tesco Stores Ltd has been ordered to pay over £8million in fines and costs after pleading guilty to a pollution incident.

The incident, which occurred in July 2014, sparked a huge multi-agency operation involving the Environment Agency, Lancashire County Council, United Utilities, Lancashire Fire and Rescue Service and Lancashire Police.

It had a massive impact on the local community and environment with residents having to leave their homes due to petrol odours coming from the sewer network.

The Environment Agency's joint investigation with partners found that the incident resulted from Tesco's failure to address a known issue with part of the fuel delivery system and an inadequate alarm system and was compounded by poor emergency procedures.

Tesco were fined a total of £8million – £5million for the health and safety offence and £3million for the environmental offence.

Between Wednesday 2 July and Thursday 3 July 2014 approximately 23,500 litres

of petrol escaped from a petrol filling tank at a petrol station in Haslingden operated by Tesco.

Petrol entered the sewerage system with the odours affecting residents up to 1km away causing people to seek medical attention with headaches and sickness. The odours remained in the homes for a number of days.

Some of the petrol also entered Langwood Brook and the River Irwell causing a significant environmental impact killing fish and other aquatic life.

Samples taken from the River Irwell detected oil up to three miles downstream. Over 40 dead fish, including brown trout, were found within 1.5 miles of where the pollution entered. Anglers reported dead fish in Bury, over six miles downstream.

About 23,500 litres of unleaded petrol leaked from the tank over a 29 hour period. Around 7,000 litres was later recovered at the site and the remainder escaped into the sewer system and watercourse.

Mark Easedale, an Environment Manager for the Environment Agency, said:

> This pollution incident had a dramatically negative impact on the local community and the environment with Langwood Brook and the River Irwell severely affected. A week after the pollution incident an investigation by Environment Agency officers found fish populations in the River Irwell immediately downstream of Langwood Brook were around 90% lower than those found upstream.
>
> The sentencing today sends out a clear message to anyone whose recklessness causes serious pollution to the environment – we will be relentless in our investigations and take action wherever needed.
>
> Our staff work 24/7 to protect people and wildlife from pollution incidents and we encourage people to report such incidents to the Environment Agency’s Incident Hotline on 0800 80 70 60.

This was a joint prosecution with Lancashire County Council and Tesco Stores Ltd also pleaded guilty to an offence under the Health and Safety at Work Act.

County Councillor Albert Atkinson, deputy leader of Lancashire County Council with responsibility for Trading Standards, said:

> This was a major leak of fuel in a relatively built-up area and close to a busy superstore. The potential consequences are only too obvious.
>
> The fact that the leak was allowed to continue for more than 24 hours undoubtedly contributed to a risk of harm to people living

and working nearby, as well as emergency services and other professionals attending the incident.

- Tesco Stores Ltd were fined a total of £8million at Preston Crown Court – £5million for the health and safety charge and £3million for the environmental offence. They were also ordered to pay Environment Agency costs of £35,434.30 and (approx.) £22,000 to Lancashire County Council.

- Tesco Stores Ltd pleaded guilty to causing a water discharge activity not under and to the extent authorised by an Environmental Permit, contrary to Regulation 12(1)(b) and 38(1)(a) of the Environmental Permitting (England & Wales) Regulations 2010. A guilty plea was entered at an earlier hearing at Burnley Crown Court on 12 September 2016.

- There was a further indictment led by Lancashire County Council: Contravention of Regulation 6(8) of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002 contrary to s.33(1)(c) of the Health and Safety at Work etc. Act 1974. A guilty plea was also entered for this charge.

Research and analysis: The contribution of shipping to the English economy

Requirement R100

Requirement detail

This requirement is to provide a fuller picture of the economic contribution of the ports and shipping sectors. It will do this by identifying datasets that could be combined, or used alongside each other to gain a fuller picture of the economic contribution of ports and shipping.

There are a number of data sets that have been used on a shipping sector basis, primarily: economics (attaching £ values to shipping activities and employment values); shipping activity (vessel types and number of transits); and ports activity (port traffic categorisation, volume and value). These all relate to parts of shipping trade flows – the movement of goods and services relating to shipping. Linking these up should give a clearer picture of the economic importance of ship-based trade and its use of space within a plan

area. This would also allow for an improved understanding of the composition of activity of each port allowing the question ‘what proportion is for recreation and what is for commercial shipping?’ to be answered.

The requirement will need to explore what datasets are available to complete this task for example, economic datasets from the Office for National Statistics. It will then need to look at developing a method for combining them, bringing together spatial and non-spatial information. The method will need to be tested, possibly through stakeholder engagement, before a report is produced to highlight its limitations and capabilities for marine planning. For example, this will most likely include an assessment of how robust the outputs are and whether they could be used to justify marine plan policies that differentiate between various ports and shipping routes.

MMO use

Marine Planning:

This will improve delivery of marine plan policies relating to ports and shipping and their consideration alongside other uses of space in marine plan areas.

External interest

The ports and shipping industry

Delivery target

Q2 2018

Research and analysis: Marine species migration pathways

Requirement R014

Requirement detail:

Improved information on the migratory pathways, timings and relative conservation importance of marine species is required to inform balanced evaluation of the cost and benefits of protecting those pathways.

Though information on all migratory species would be useful, early work will be to identify the species that are of most interest (including migratory fish), particularly species that are subject to statutory conservation measures.

This requirement focuses on migration (predictable large-scale movement in space and time) rather than just mobility e.g. dispersal.

MMO use

Marine Planning:

This will improve identification of intensively used sites or times of year when a species uses an area to migrate. This will help Marine Planning to better understand compatibility with human pressures and to consider addressing current or potential impacts in the marine plans, therefore improving delivery of marine planning.

Marine Licensing:

This will improve the consideration of migratory species in licence applications and could influence the need for, or nature of, conditions reflecting the importance of that area for migratory species. Information on timings will be of particular importance to increase the accuracy of time based conditions applied to licences, potentially increasing the effectiveness of advice given to the MMO but also ensuring any burden placed on activities is proportionate to the risk identified.

External interest

Natural England, JNCC, Cefas, Scottish Natural Heritage

Delivery target

Q3, 2018

News story: Cleantech startups set sights on US market

The businesses, which all have an innovation that can benefit the environment, went on an Clean + Cool Mission this week (10 to 17 June 2017).

The mission is backed by Innovate UK and Long Run Works. It supports early-stage, high-potential companies to connect with opportunities through being part of an organised programme. This means they are able to explore cross-border opportunities and find faster routes to their target market.

Innovative UK SMEs

All of the businesses were selected to take part by a panel of judges. The panel was made up of representatives from Clean + Cool, Innovate UK,

Department for International Trade, Knowledge Transfer Network, Greenhouse PR, PwC, Silicon Valley Bank, Volans, Whitefox Technologies and Women in Cleantech & Sustainability.

Businesses on the mission include:

- Aceleron, which produces low-cost remanufactured battery packs from used lithium ion batteries
- Arborea, whose carbon bio-converter 'bionic leaf' tiles enable photosynthesis to happen in the built environment
- Bowman Power Group, a provider of electric turbo compounding technology, that improves the efficiency of gas and diesel-fueled engines in industrial stationary power generation
- BuffaloGrid, which gives people in off-grid locations the ability to charge their phones and access internet services through remote solar-powered hubs
- Cellular Agriculture, a company looking to change how protein is produced for food consumption through tissue engineering technology
- CCell, which has pioneered a wave energy, delivering more power while weighing less. Potential users include sea-water desalination plants and remote inhabited islands dependent on diesel generated electricity.
- Gravitricity, which is developing grid-scale energy storage system that uses gravitational potential to store electricity
- Green Fuels, the biodiesel equipment manufacturer that converts waste oils and fats into biofuels, such as jet fuel
- H2GO Power, a University of Cambridge spin-out that uses solid-state, controllable hydrogen storage and generation for fuel cells
- Hexigone Inhibitors, which is developing environmentally-responsive organic and metallic coatings that are protected from degradation
- Kelda Technology, whose digital shower system improves water efficiency to use 50% less water
- Meteor Power, which is developing a new electric, high-performance motorcycle
- Perpetual V2G Systems, producing power systems that harvest energy from vehicles that would be otherwise lost and store it onboard to be used later
- Rotaheat, which has pioneered compact technology that converts mechanical rotational energy to heat fluids at over 120C
- SEaB Energy, whose patented anaerobic digestion systems in shipping containers generate clean energy from organic waste
- Senergy, which designs and manufactures integrated polymer solar thermal panels. It is now part of Lloyd's Register
- SOMI Trailers, using a novel truck trailer design to to utilise the space underneath and carry 31% extra pallets
- Stickyworld, a Software as a Service (SaaS) platform to collect and sort ideas, consult on proposals or engage and educate different stakeholder groups
- Tevva Motors, which has developed electric range-extended vehicles that lower emissions and operational costs
- Topolytics, which combines mapping, machine learning and geospatial analytics to make industrial waste visible, verifiable and valuable

Connecting innovators

Ian Meikle, Director – Infrastructure Systems, Innovate UK says:

> Clean + Cool is a great example of the role Innovate UK plays in connecting innovators with the right partners they need to succeed. The Mission tackles the human challenges to innovation, helping early stage CEOs grow their ambition, profile and network, while improving their pitch and insight.

Find our more about our work in this sector.

Engineering success

This is the sixth Clean + Cool mission. Previous missions have resulted in success, including UK engineering company Whitefox Technologies.

Through 2 missions to San Francisco and Brazil, they were able to make connections and gain knowledge of the biofuels industry and legislation in the US. This led to them pitching their solutions to US biofuel producer Pacific Ethanol. They now have a commercial deal, and are receiving interest from other companies in North America and Europe.

See the Whitefox Technologies success story.