Environmental Justice and the City

Executive Summary

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October 2012
Environmental Justice and the City: Executive Summary

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October 2012

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24 November 2011 Workshop

- Chair: Professor Simin Davoudi (NIReS Justice and Governance Theme)
- Philip Hunter (Head of Policy and Research, Newcastle City Council)
- Dr Paul Crawshaw (Social Futures Institute, Teesside University)
- Dr Lucy Grimshaw (School of Social Sciences and Law, Teesside University)
- Dr Jane Midgley (School of Architecture Planning and Landscape, Newcastle University)
- Professor David Schlosberg (University of Sydney, Visiting Professor, SAPL, Newcastle University)

22 March 2012 Workshop

- Chair: Professor Paul Younger (Newcastle Institute for Research on Sustainability, NReS)
- Professor William Rees (University of British Columbia, Visiting Professor, SAPL, Newcastle University)
- Adrian McLoughlin (Newcastle City Council)
- Professor Tanja Pless-Mulloli (Institute of Health and Society, Newcastle University)
- Dr Derek Bell (School of Geography, Politics and Sociology, Newcastle University)

Finally, we would like to thank Minh Dung Le for his support with designing this document and the full report of which this is the summary. (Please refer to the end of this summary for details of how to obtain the full report).

Disclaimer

The opinions expressed in this executive summary and the full report upon which it is based are entirely the responsibility of the authors and do not necessarily reflect the views of those acknowledged above.
Environmental Justice and the City

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The current economic reality is one in which inequality has the potential to become significantly worse, not better. However, if we make the right decisions then we could make significant progress in reducing inequalities – in these difficult economic times we can choose to become a more equal city. (NCC, 2012a:4).

Newcastle: From cradle of the industrial revolution to green capital

Newcastle has changed from a city which was the cradle of carbon-based industrialisation in the nineteenth century to one that is now at the cutting edge of the low-carbon revolution. Scars from heavy industry have been erased, rivers and coastal waters have been cleaned up and the air is much less polluted. The City has made major progress with reducing its energy use and tackling climate change impacts to the extent that it has been twice recognised by Forum for the Future as the greenest city in the UK.

Reducing inequalities, however, has proved more challenging. Despite decades of investment in area based schemes, “some parts of the city continue to suffer from multiple forms of deprivation that severely restrict the life chances, and indeed the life expectancy, of the people who live in them. Whichever aspect of inequality or lack of social justice is being considered, it is at its worst in Benwell and Scotswood, Elswick, Byker and Walker, together with parts of Kenton” (NCC, 2012b: 2).

Figure 1: Castairs Index of Socio-economic deprivation 2001 by Census Ward

For the purpose of improving electoral equality, Newcastle’s wards were changed on 10th June 2004 (see http://www.newcastle.gov.uk/your-council/statistics-and-census-information/definitions-terms). As some of the most recent publicly-available data for important aspects of this report date back to the 2001 census, the analysis will refer to both new and old Newcastle wards, clarifying in each case which set of wards are under discussion.
In 2011, Newcastle City Council (NCC) established a Fairness Commission to develop a set of guiding principles for the governance of the City at a time of financial austerity. The focus of the Commission is on the socio-economic aspects of fairness. However, the Council recognised that these cannot be examined fully without considering fairness in environmental terms. This study was commissioned by NCC and funded by the Institute for Local Governance to fill the gap. Its aim is to inform and complement the work of the Fairness Commission by:

- Defining the environmental dimension of justice and fairness
- Mapping the socio-spatial distribution of environmental benefits and burdens in the City and highlighting potential and actual injustices
- Identifying current trends in national and local policy
- Providing recommendations on how to reduce injustices in the context of local political and budgetary constraints.

Why environmental justice matters

Environmental justice matters because it is a critical component of social justice; because environmental inequalities, like other forms of social inequalities, worsen health and well-being, hamper economic performance and diminish social cohesion. It also matters because access to environmental benefits and protection from environmental harms constitute basic human rights. Concern about environmental justice has increasingly been incorporated into the UK government’s environmental priorities and sustainability strategies.

Distributive justice and the question of ‘fair’ share

According to John Rawls, a just society is one in which everyone receives a ‘fair’ share of the benefits and resources that are available. While the principle is acceptable to most, there is much disagreement about what counts as ‘fair’, often arising from different philosophical and political stances. In simple terms, there are three criteria that are often used to define fairness: equity (what people receive from society should be based on what they contribute to it), equality (everyone should receive the same amount regardless of their input or need), and welfare (what people receive should be based on their need).

In this study, we adopt a welfare-based principle of distributive justice which is also advocated by the Chair of Newcastle’s Fairness Commission, suggesting that “those who are most disadvantaged should receive greater benefit, and that more effort should go towards creating opportunities for them”; that in unequal societies like ours, “unequal allocation of resources can be regarded as fair” (Brink, 2011: 4; NCC, 2012c: 16). While recognising that justice, like democracy, is an unfinished business, we should nevertheless seek ways of judging how to reduce injustice and advance justice, rather than focusing on “what would be perfectly just institutions” (Sen, 2009:9).
Understanding fairness is about knowing:

<table>
<thead>
<tr>
<th>Who gets what?</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who counts?</td>
<td>Recognition</td>
</tr>
<tr>
<td>Who gets heard?</td>
<td>Representation</td>
</tr>
<tr>
<td>What matters?</td>
<td>Capability</td>
</tr>
<tr>
<td>Who contributes?</td>
<td>Responsibility and reciprocity</td>
</tr>
</tbody>
</table>

Advancing fairness is about knowing:

<table>
<thead>
<tr>
<th>Why things are unfair?</th>
<th>Practical judgement</th>
</tr>
</thead>
<tbody>
<tr>
<td>What can be done about it?</td>
<td>Actions</td>
</tr>
</tbody>
</table>

The political project of social and environmental justice is informed by values, rights, and the acceptance of difference and diversity. Its aims are to: achieve fairness, recognise dignity and self-worth, encourage the self-esteem of all, meet people’s basic needs, reduce inequalities in wellbeing for current and future generations, and ensure greater participation in political processes. This may seem to be an idealistic goal, but in a non-ideal world we need what Rawls calls a ‘realistic utopia’ to enable us to seek potential alternatives beyond the political reality of the moment.

When unequal distribution becomes unfair

The initial claims to environmental injustice which led to the 1950s/60s American Environmental Justice Movement were based on the premise that environmentally polluting activities tended to concentrate in areas where deprived (and often Black and Minority Ethnic) people live. Since then, both the political reach and the substantive scope of Environmental Justice has been expanded to cover a wide range of environmental benefits and burdens, and their distribution and impact in relation not just to race but also to income, gender, age, ethnicity and culture. Traditionally, measuring proximity to environmental burdens and physical access to environmental benefits has been the key methodology for assessing Environmental Justice. Today, it is increasingly acknowledged that, for example, the same level of exposure to pollution can have profoundly different impacts on different groups of people depending on their income, health, life experiences, values, culture and wellbeing. Furthermore, distributional
inequalities per se are not necessarily an indication of injustices or a cry for policy intervention. The following key principles provide guidance on when an uneven distribution of environmental burdens and benefits becomes unfair.

## A test of fairness

<table>
<thead>
<tr>
<th>Principles</th>
<th>Environmental burdens</th>
<th>Environmental benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distribution</td>
<td>People in deprived communities have an unfair share of the environmental burden</td>
<td>People in deprived communities have disproportionately less access to the environmental benefit</td>
</tr>
<tr>
<td>Vulnerability</td>
<td>People in deprived communities are more vulnerable to the impacts of environmental burden</td>
<td>People in deprived communities are more vulnerable to the impacts of having less access to the environmental benefit</td>
</tr>
<tr>
<td>Cumulative</td>
<td>Environmental burden adds to other environmental and social inequalities</td>
<td>Lack of access to environmental benefits adds to exclusion from other environmental and social benefits</td>
</tr>
<tr>
<td>Representation</td>
<td>The decision making processes for locating the environmental burden are unfair</td>
<td>The decision making processes for locating the environmental benefit are unfair</td>
</tr>
<tr>
<td>Mobility</td>
<td>People in deprived communities are less able to exercise free choice in where they live and how to protect themselves against potential risks</td>
<td>People in deprived communities are less able to exercise free choice in where they live and how to gain access to environmental benefits</td>
</tr>
<tr>
<td>Compensation</td>
<td>People experiencing a disproportionate environmental burden are not adequately compensated by the benefits from it</td>
<td>Lack of access to environmental benefit is compounded by the environmental burden attendant upon this</td>
</tr>
<tr>
<td>Contribution</td>
<td>People experiencing a disproportionate environmental burden are the least contributors to its cause</td>
<td>People experiencing lack of access to environmental benefit are deprived from contributing to it</td>
</tr>
</tbody>
</table>

*Source: Adapted and considerably expanded from Walker et al. (2005:373)*
Like social justice, defining and assessing environmental justice is not straightforward. What is certain is that questions of justice and fairness are not technical or statistical questions, but rather ethical and political questions. Furthermore, in judging a society to be just or fair, we should focus not so much on individuals’ happiness or pleasure (utility-based), or their income and wealth (resources-based), but on their freedom and capabilities; not so much on means of living but the actual opportunities of living (Sen, 2009:233). Placing the emphasis on people’s capability and freedom leads to the need for accountability and responsibility towards for example environmental care and sustainability. As Sen puts it, “Freedom to choose gives us the opportunity to decide what we should do, but with that opportunity comes the responsibility for what we do… [S]ince capability is the power to do something, the accountability that emanates from that ability – that power – is part of the capability perspective, and this can make room for demands of duty” (Sen, 2009:19).

**Key findings: environmental burdens in Newcastle**

**Air pollution**

Air quality is important. At its present levels, air pollution is estimated to reduce UK life expectancy by 6-9 months. It aggravates existing health conditions and is linked with low birth weights and possibly with childhood-onset asthma. Road traffic is the greatest source of air pollution, producing in particular raised levels of airborne particulate matter (PM) and nitrogen oxides (NOx), which include NO2.

There is evidence of a close link between deprivation indices in the UK and higher levels of NO2 with a traffic origin. Higher levels of NO2 are found in high concentrations beside busy roads, but also contribute to elevated background levels throughout the year. While they do not exceed European set threshold limits, higher levels of background NO2 are found in Newcastle’s most deprived wards. Emphasising the vulnerability of the population affected, we note that some of the most polluted wards are those where there are high levels of hospital admissions for respiratory illness and where a high proportion of the population report a limiting long-term illness. Some of the most polluted wards are also those with low levels of car ownership. So, without claiming any direct link between population health and local air quality, the overlapping of a number of fairness issues listed in the above table is cause for environmental justice concerns.

There are also high levels of NO2 in Newcastle City Centre, which is the workplace for thousands of people and is regularly visited by a large proportion of residents for shopping and leisure. Tackling air pollution in the centre requires strong measures such as introducing a congestion charge for the most polluting vehicles. Newcastle and Gateshead are currently conducting a feasibility study on a related type of Low Emission Zone scheme, but its results were not available at the time of writing.

City-wide, a greater coordination and joint efforts between transport, land use and

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4 The evidence for the statements in this summary section is provided in the relevant sections of the Full Report

5 While not having air pollution as their main cause, respiratory and other long-term illnesses can be aggravated by it, as explained in the Air Pollution section of the Full Report for this study.
climate change planning could alleviate conditions in some of the worst-hit areas. A joint air quality strategy that combines policy on greenhouse gas and road transport emissions would be a positive way forward, tackling, for example, some of the unintended effects of the dieselisation of the vehicle fleet on air pollution.

**Landfill and contaminated land**

In line with national policy, Newcastle’s waste disposal strategy has led to a reduction of waste going to landfill and an increase in recycling and energy recovery. Accompanying this trend is an increasing role for waste processing, which means expanding existing plant and building new facilities. Most waste-processing plants are situated in the more deprived riverside wards in the city and some of these are likely to be expanded in the future. One example is the projected expansion of the plant in Benwell to include a facility for extracting recyclables from bulky items. It is as yet unclear what the consequences may be for these locations in terms of heavy industrial vehicles and the associated noise, odours and so on.

Contaminated land has long been a significant issue for Newcastle, largely due to its role as a cradle for the industrial revolution, at a time when the long-term impacts of polluting industries were not fully understood or protected against. Many of the worse-contaminated sites were largely in the former industrial riverside wards. Since the introduction of contaminated land legislation in the 1990s, a long-term process of remediation has restored many of these, while others have been put on hold largely due to the current economic conditions. One example of this is St Anthony’s Tar Works, a site of significant contamination in the deprived Walker ward and adjacent to the Hadrian’s Wall National Trail, a major tourism asset for the city and the wider region.

**Rundown neighbourhoods**

Several aspects of rundown neighbourhoods appear to have an environmental justice dimension, connected with the prevalence of social problems such as crime and anti-social behaviour. The information available from Newcastle’s Local Environmental Quality Indicators suggests that the more deprived wards of the city perform slightly less well on environmental measures; although as more detailed information on how the LEQI has been generated is not in the public domain, the extent of disparities in environmental quality between different parts of the city remains unclear.

Up until recently, Newcastle’s neighbourhoods were governed through participatory Neighbourhood Charters, each setting out a distinctive number of priorities for the local ward. These have been replaced by a raft of Decent Neighbourhood Standards, applied city-wide, whose content has been put to public consultation. The interviews carried out for this study suggested that considerable potential disparities between neighbourhoods were being levelled out to some extent through the standards set for contracted out services (for example, street lighting), as well as through supplementary input to services provision in the city’s more deprived areas. For example, there is said to be a higher level of street cleaning service to compensate for higher levels of littering and flytipping in some city ‘hotspots’.
The model set out for the Decent Neighbourhood Standards initiative suggests that the next step in addressing problems such as littering may be to gain greater involvement from people at street level in the upkeep of their neighbourhoods. Certain obstacles to achieving equal levels of co-ownership of Decent Neighbourhood Standards in all city areas are presented by Newcastle’s distinctive social and demographic characteristics, including greater proportions of mobile or transient (e.g. student, international) residents and probably the fear of reprisals for complaints in some areas. Furthermore, the impacts of the recent welfare reforms are likely to reduce the resources available in the more deprived neighbourhoods for upkeep of the home environs.

**Poor housing conditions**

Housing conditions have an important relationship with the physical and mental health of residents, and indirectly, school achievements and employability. People at both ends of the age spectrum are particularly vulnerable to poor housing conditions: in later life, people spend a greater proportion of their time in the home due to health issues and sometimes poor conditions outdoors; while children are, in some areas, constrained to stay indoors because of a lack of safe play spaces. People on the lowest incomes tend to experience the worst housing conditions and are also more likely to experience multiple poor housing conditions in combination, which have greater health impacts.

According to government statistical data for 2007, in Newcastle poor housing conditions have been associated with the deprived riverside wards of the city. In the interim, however, considerable investment has been made to raise the quality of public sector housing to meet Decent Homes Standards. The Arms-Length Management Organisation which manages the vast majority of the city’s social housing was said to have upgraded 94% of its stock by end of the 2011/12 financial year. However, the private sector remains a problem, in particular the private rented sector. The highest proportion of private sector housing with vulnerable householders that fails Decent Homes Standards is not in the riverside wards, but in parts of Kenton, Fawdon and Blakelaw wards.

The most common reason that homes fail the Decent Homes Standards is a lack of affordable thermal comfort, but almost as significant is the prevalence of various Category 1 Hazards relating to falls inside the home. Interventions in the private sector include a Helping Hand scheme that supports homeowners to make repairs, and schemes to control who is allowed to operate as a landlord for houses in multiple occupation and areas with low income populations.

Having largely improved standards in social housing over the last decade, the focus is likely to turn to improving conditions for particular groups of vulnerable occupants. One interviewee expressed the aspiration to target older householders in the future, which seems appropriate given the high level of falls risk in private sector housing, the severe consequences of falls for older people, and the rising proportion of retirees in the Newcastle population. Given children’s vulnerability to poor housing conditions, families with children in the private rented sector might also be an appropriate focus of future interventions.
Road traffic accidents

Road safety trends in the UK have been generally positive, with the Department of Transport’s goals for reducing road traffic accidents more than achieved between the date when they were set in 2000 and the target date of 2010. The impact of road traffic accidents on individuals and the economy is nevertheless still substantial, in 2010 costing almost 2,000 lives and an estimated £15 billion to the economy. Not only do accident victims themselves suffer high physical, psychological and economic consequences, but a substantial psychological and economic price is also paid by their relatives.

People from more deprived areas are more likely to be injured in road traffic accidents. The association between such accidents and living in a disadvantaged community is especially strong for children, and in particular, child pedestrians. A number of causal factors underlying the higher accident rates in poor areas have been pinpointed, including poor driving and parking habits, poor enforcement of the ‘rules of the road’, less safe play areas for children, children less likely to travel by car, and adult drivers less likely to use child restraints and safety belts.

It has not been possible to disaggregate a socio-economic analysis of accident victims for the city. However, at the Tyne and Wear level, a strong link between child pedestrian casualties and living in a deprived area has been found. Newcastle City Council’s road safety interventions are targeted at children, students and adults. At present, action on road safety issues seems to be based on local initiatives, such as ward-level Safe Neighbourhoods Action and Problem-solving partnerships. Given the serious impacts noted above, there is a strong case for taking up the suggestion from the recent consultation on Decent Neighbourhood Standards to include enforcement of parking regulations, traffic speed monitoring and 20mph residential zones as part of the finalised Decent Neighbourhood Standards for the city.

Key findings: environmental benefits in Newcastle

Greenspaces

Newcastle City Council is concerned with the allocation and quality of its greenspace and has an evolving greenspaces strategy that sets out its aims. However, achieving a fair allocation is difficult, because although well-provided in aggregate, greenspace is unevenly distributed across the city. Based on current analysis, there appears to be an environmental justice dimension in that some of the city’s more deprived areas are underprovided with greenspace and residents have to traverse longer average distances to access the 2 hectare-and-over level of greenspace than those in more advantaged communities. Using GIS, and a more fine-grained analysis according to different types of greenspace than has yet been undertaken, it may be possible to create a more sophisticated account of access that could give greater confidence in whether this is an issue of inequality or actual injustice.

Considerable gains have been achieved in terms of the quality of the city’s greenspace over the past ten years, including support
deriving from successful bids to public and charitable funds. Empowering local people to take responsibility is one effective way of improving greenspace, as shown by the Greening Wingrove Project. Specialised community groups such as Groundwork have also made a major contribution to the city’s parks and gardens. Given the role played not just by the location of greenspace, but by the quality of its upkeep and facilities in making it accessible to various vulnerable and minority groups, maintaining recent gains in quality and upkeep should be a priority. In the mid-term, better data analysis methods could support a targeted approach to improving greenspace provision and access for the city’s most deprived neighbourhoods.

Natural places

Natural places include nature reserves, woodland and sites of special scientific interest. These are places where people encounter nature, as opposed to greenspaces which are often designed for other purposes such as sport and recreation. Access to natural places is likely to have a positive impact on people’s physical and mental health. The majority of Newcastle wards are within 2km of a woodland or natural space of 2 ha or over. Only the north-west rural wards of Castle and Woolsington appear to be underprovided with natural spaces of 2 ha. They are, however, well-provided with smaller plots of woodland. To gain a greater understanding of access to different kinds of natural places, it would be helpful to separate natural places out from overall greenspace provision and complete a GIS mapping of access to these kinds places in the city.

Blue spaces and water

Water quality and water management are one of the assets of living in Newcastle. Investment in resources such as the capacious Kielder Reservoir, constructed in anticipation of regional industrial needs that never materialised, have secured the city against even the more severe predictions of climate change impacts on water scarcity. However, questions arise regarding the level of water consumption by different social groups and the need to detect early signs of potential water poverty in the city, particularly...
Following imposition of metering for all new housing, post 1989.

Since its nadir in the 1970s, where 95% of sewage was discharged untreated into its waters, the River Tyne has been restored to a high quality by concerted investment from the local authority and water companies, so that it is now the best salmon-fishing river in England and Wales. The city’s parks and gardens are enhanced by a range of blue space features ranging from Victorian-style circular duck ponds to the 3km chain of Ouseburn Riverside parks that includes Jesmond Dene Park. By contrast, in the more deprived areas, such as Walker, although subject to considerable restoration in recent years, the riverside is a less appealing prospect: facing onto graffito-ed banks in Gateshead, and with riverside walks that are in places dark and overhung with foliage, it is potentially discouraging to vulnerable users.

This is also the area where the untreated site of contamination, St Anthony’s Tar Works, continues to discharge toxic effluent into the Tyne at low tide. However, more systematic data is needed on the quality of blue space environs in order to judge to what extent this is a wider environmental justice issue in the city.

Flooding is an issue of growing concern for the future, although the sole flood with large-scale impacts occurring in the city since records began in 2000 has been the flash flood occurring in the summer of 2012, which created major disruption. While future flood risk is estimated to be high due to the effects of climate change, it is dispersed over the city. Nevertheless, disadvantaged groups are likely to be more vulnerable to its impacts. Further environmental justice implications may arise from future decisions about where to invest in flood defences.

Local public transport

Public transport has an important role to play in giving low income, disabled and young people access to their urban environment – for work, school and play. Public transport in Tyne and Wear is overseen by Nexus, a Passenger Transport Executive, which is one of six such bodies in English cities. Newcastle has a relatively good provision of public transport, including a ‘tube’ style light rail system, and also has the highest level of bus use outside of London. Even so, after a brief surge at the beginning of the current economic downturn, bus use in Newcastle is again on the decline, losing around 6% of passengers in the year from 2011/2012 alone. This may be due to the longer-term impacts of recession with fewer people travelling to work or for leisure.

There are two main potential environmental justice issues connecting with public transport: quality of service and distribution of service. According to the interviews for this study, because the transport authorities place a priority on linking all areas of the city to the centre, cuts to bus subsidy in 2010 have affected orbital services more severely. This means that non car users in peripheral areas may experience long and complex journeys to access important city facilities in outlying areas, such as hospitals. In terms of quality, the peripheral areas are also at a disadvantage, as older and more polluting buses tend to be deployed in these areas in which the service generates less profit for the bus company (i.e. vehicle upgrades are less affordable). However, the more precise data that might allow conclusions to be drawn about the environmental and social justice of vehicle quality and cuts to services is hard to access due to the fragmentation of the service between different providers and issues around commercial confidentiality.
Green jobs

Much of the literature on ‘green’ jobs focuses on major industrial sectors such as ‘eco-friendly’ energy generation and waste management. However the concept of green jobs can be logically extended to include services, education and work in the public and voluntary sectors. Some European countries already collect data on this sector, but the UK has not yet followed suit, so there is as yet little accessible information on quantity and distribution.

Green jobs are increasing as countries commit themselves to reducing the past and present impacts of industry and energy generation. But to be able to answer any questions about distributive justice and green jobs in the UK, or in Newcastle, more information is required. The main justice issues with green jobs are likely to be social ones, concerning where green employment is located in the city, and whether the existing workforce is reskilled to make it

Affordable warmth

Newcastle, as a northerly city with an ageing housing stock, has higher energy consumption for heating than other English cities. Compounded with this, the high levels of deprivation in the city entail high levels of fuel poverty. The city has several schemes that together support low income households in both the public and private sectors with improving energy efficiency and affordability. The Warm Zone scheme, which has supplied government grants to meet, or partly-meet, the cost of energy efficiency adaptations in both the private and public sector since 2004, is now in its final year of running. With regard to renewables, apart from existing customers, whose feed-in tariff is guaranteed for 25 years, the value of the feed-in tariff is also being reduced from 2012. The new Green Deal and Energy Company Obligation initiatives, which will come into effect in October 2012 in England, and not until 2013 in Newcastle, are focused more on the characteristics of the housing than those of the occupants.

They will rely upon respectively, householders being prepared to take out loans for energy efficiency measures, and energy companies recouping their subsidy for solid wall property insulation from their customer base. This may be compromising to the social justice element of retrofitting measures, particularly in Newcastle, where much of the social stock has already been made energy efficient by the council in partnership with Housing Associations and energy companies in order to meet Decent Homes Standards by 2012. In particular, Newcastle’s large privately rented sector may be the area least likely to benefit from the Green Deal programme, due to the tenant needing to take responsibility for a loan for improvements which will be made to the landlord’s property. In theory, the incentive for the tenant is that they will recoup the cost through savings on their energy bill, but in practice with rising electricity prices the saving might not be very evident. This suggests the need to monitor the justice implications of the uptake of the new scheme in this sector.
employable in this emerging job market; or displaced by skilled workers from elsewhere or new entrants to the workforce. The main environmental justice issues relating to green jobs are to what extent they coincide with green businesses, and to what extent they do not so much remove environmental harms, as displace them.
Bibliography


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