

**Minutes
Environment Scrutiny Panel**

**19 July 2006
5.30 p.m.
Town Hall**

Present: Councillors Wolstenhome (in the Chair), Colledge, Graham, Kinghorn, McDonnell, Marsden, Simpson, Turnbull.

Also in Attendance: Councillors Cowper, Dickie, Kellett, Lodge, Moderate, Pape, Taylor and Wynn

Legal & Democratic Services Manager – Clare Greenlay

Apologies

There were apologies for absence from Councillors Carr, Pitts and Walton.

Minutes of the Meeting held on 20 June 2006

The minutes of the previous meeting were confirmed as a correct record.

Note: *Councillor Moderate entered the meeting at 5.35 p.m.*

Discussions of Draft Report; Recommendations – Litter Pickers

The Panel considered the draft Report and the following amendments and additions were made:

1. That the City of Durham's Environmental Services Department research how best to implement any requisite legislation regarding litter and litter pickers contained within the Clean Neighbourhoods and Environment Act 2005 *and that the Panel report back to Cabinet as soon as possible.*
4. That in the wider street scene, dog foul bins should be better identified by use of stickers, and also that in key important areas, i.e. the City Centre, *Village Centres*, Tourist spots, more ornate bins are recommended.
6. *When future developments are being considered at the planning stage that, where appropriate and subject to planning procedure, attention is given to the provision of adequate measures for the prevention of potential litter, and any subsequent removal of litter, within the application.*

Members further discussed the issue of the dog foul bins and it was felt that information should be obtained showing the number of plastic bins burnt out in comparison to the number of metal bins destroyed similarly, in order to clarify the rationale behind the move to the more cost-effective solution.

A Member raised an issue relating to graffiti on New Elvet Bridge on behalf of a member of the public. This issue had also been raised with the Committee Clerk prior to the meeting by the member of the public and the details would be passed to the relevant Officers / Authority.

Review of Previous Scrutiny Topic – Temporary Road Closure Policy

The subject of Temporary Road Closures had been looked at by the Panel in July 2004, with a Policy being developed which was approved by Cabinet 02 April 2005.

The City of Durham's Legal and Democratic Services Manager, Clare Greenlay, was in attendance to inform Members as to how the Policy was working in practise.

The Panel were apprised of the two main points to note, one being that many applications for temporary road closures were withdrawn once the Applicants were informed that they would be required to seek their own insurance and traffic management for any event being organised.

The second point was that whilst the current Policy *recommends* that the Applicant hire a traffic management company to organise the putting up of requisite Notices and the running of the closure on the day, it does not *insist* on such a requirement. It is an offence if such Notices and traffic management is not carried out by a company or person who has undergone the relevant training and has an appropriate qualification. By not insisting upon the use of qualified persons, the City of Durham could be viewed as condoning such an offence.

In the past this service was provided by the Durham Constabulary who then withdrew the service due to lack of resources, though it should be noted that this was a national Police policy. As the cost for professional traffic management is in the region of £200 – £650 it was felt that smaller events would suffer as often this amount is beyond the means of such small organisations.

Members wondered whether it would be possible for the City of Durham to provide the traffic management service, either free for certain charitable events or at a cost significantly lower than the £200 – £650 price. This would require City of Durham staff to receive the necessary training and to obtain the qualifications relating to traffic management. Whether this would be cost-effective, or indeed feasible, would need to be explored.

Members felt such provision of traffic management would benefit the District in terms of Tourism and should be looked at in order to help maintain the tradition of the displaying of banners and of marching bands.

Concerns were raised that the City of Durham would be seen to be undercutting traffic management companies and also that the City of Durham may not be able to absorb such a cost. It was suggested that the Neighbourhood Wardens could be ideal for such training as they are "out and about" in the District as part of the job. Upon further discussion, it was thought that whilst admittedly the staff would be in the correct place, the level of responsibility was significantly higher than their current pay grade.

Some Members believed that the Durham County Council employ an external traffic management company and perhaps this could be an approach the City of Durham could use if it were to take on this responsibility.

In addition to the cost of the traffic management, there would be the cost of insurance cover for any such event. Members wondered whether the City of Durham could obtain a blanket cover for the district, which may be more cost-effective than individual applications for cover per event.

In order to reach a conclusion on this matter, Members requested that a report be produced outlining the facts relating to this matter to help ascertain whether it would be feasible for the City of Durham to provide the traffic management and insurance on behalf of Applicants. This would be brought back to the Panel in due course so that Members may draft recommendations as appropriate for consideration by Scrutiny Committee, and subsequently Cabinet.

Actions for the next meeting:-

- Presentation from the City of Durham's Sustainable Development Manager to allow for a review of the previous Scrutiny topic of Biodiversity.

The Meeting terminated at 6.00 p.m.

REPORT OF THE ENVIRONMENTAL SCRUTINY PANEL

SCRUTINY OF BIODIVERSITY

The Panel was tasked with reviewing the Council's Biodiversity policy and procedures, which were introduced at the 10th May 2005 meeting of Cabinet.

1. Background

Members had been informed via reports from the Head of Environment and Leisure Services (10th May 2004) and to the Environmental Scrutiny Panel (19th April 2005) as to the policy and procedures that were to be adopted after the production of various local and national agendas (such as the Rio Earth Summit, Local Agenda 21 and the Durham Biodiversity Action Plan). Changes to landscape management were considered to allow the creation of biodiversity sites and to allow for the reallocation of resources which would have been set aside for these sites to be used effectively and efficiently elsewhere once the mechanisms for change were established.

Upon the Panel taking on the topic, it became apparent that many Members were unaware of the policies in place. The Neighbourhood Wardens gave the subject renewed impetus by providing insight into specific locations and feedback from the public.

2. Aims

It was the remit of the Panel to consider the impact of allowing areas of grassland to grow rather than cutting them and the affects of this on biodiversity within these sites.

The Panel wished to find out if the biodiversity sites were achieving what was hoped of them as regards:-

- a. The Council (cost and time savings, improved service levels for grassed areas being maintained as per the usual scheme)
- b. The Public (the aesthetic, ease of access to nature / rights of way)
- c. Nature (increase in biodiversity, without harm to current wildlife)

3. Actions

The June meeting of the Panel was attended by Officers from the Environment Section (Tom Punton and Andrew Jackson) who gave a presentation as to the progress of the biodiversity sites. The Officers also answered questions from Members on the presentation (questions and answers are set out in Appendix A).

During a discussion of the presentation Members raised the issue of biodiversity sites having a possible link to rats and other vermin. Members felt a relevant Officer should attend the Panel to give more expert views. At the June meeting of the Panel, Officers from the Environment Section (Neil Laws, Phil Hunt and Andrew Jackson) attended and were asked various questions (see Appendix B) as regards any links between the Council's biodiversity sites and an increase in vermin. Officers explained the preferences of the rats and other animals as regards to habitat, food sources and our procedures for maintaining control over their populations.

In addition to the discussions regarding rats and vermin, there were concerns as to the quality of grounds maintenance on grassed areas other than the biodiversity sites. As the intention was that the freeing up of resources would allow the quality of the areas that were to continue to receive high maintenance to be extremely high. Members were concerned with this but were assured that new equipment and procedures were in place to help achieve this and that the weather conditions had hampered work and had caused an unusually high amount of growth.

4. Outcomes

From the information presented to Members (and the answers provided by Officers to their questions) it was decided that the biodiversity sites were still in their infancy and it was perhaps unfair to comment upon their success, or otherwise, at the present time.

As regards to the possible problem concerning rats and other vermin it was clear from the information provided by the Council's pest Control Officer that vermin would indeed prefer the cover that long grass would provide but only if there was a suitable food source nearby. Therefore, it is the *potential* problems of rubbish and food waste dumping on and around the biodiversity sites (or setting up a biodiversity site near to an existing food source) that are of the most concern.

As a spin-off from the discussion within this scrutiny a member of staff from the Durham Biodiversity Partnership will attend the September meeting of the Panel to help give Members the "big picture" as regards biodiversity in the region. This should help give Members ideas as to things the Council can do to help encourage biodiversity other than letting areas of grassland revert back to a more natural state.

5. Recommendations

The Panel agreed that Biodiversity was a subject that required periodic review and there were the following recommendations made:-

1. Biodiversity should continue
2. All sites set aside for biodiversity (current sites and proposed sites) should be checked for problems with rats and other vermin
3. Signs / notice boards should be displayed at all sites explaining the fauna and flora in those areas
4. That the Environmental Scrutiny Panel revisits the subject of Biodiversity in 12 months or when deemed necessary in the meantime

Appendix A

Q. *A local beauty spot at Witton Dene which did not require maintenance just a general tidy was there anything that the Authority could do in this type of area?*

A. Officers advised Members that there is to be an audit of open space to identify areas through local knowledge. There had been an Open Space Development Officer recently appointed who would carry out such an audit.

Councillor Pape suggested that it would necessary to wait until this Audit was completed to correctly identify/test which areas should be treated as bio-diversity sites and which sites should continued to be maintained as usual.

Q. Are areas that are difficult to cut being left as bio-diversity sites?

A. This depend on what and how the land is used, e.g., where there are young trees on great expanses of grass, then parts of the area particularly around the trees could be cut less often thus encouraging the growth of wild flowers and wild life.

Councillor Kellett identified a possible problem with rat infestation. Councillors debated the many factors contributing to the increase in rat numbers. Councillors saw a need to keep rats away from the village centres, playgrounds and schools and concluded that these types of site may not be ideal for allocation as a bio-diversity site. The Chair confirmed the need to have discussions at a future Panel meeting with a Pest Control Officer and the Environmental Technical Officer to pin down any issues linking bio-diversity sites with rat infestation in the first instance.

Q. Sites should be carefully chosen as areas on housing estates may increase fly tipping and cause other problems. What could be done in this situation?

A. Where Civic Pride outweighs bio-diversity proposals then these areas would continue with the current maintenance agreement.

Q. Areas can benefit from only maintaining once a year cutting a swathe for dog walking etc, this would encourage natural development of the land and save resources. If local people did not want the area to be maintained in this way could the area revert back to what it had been?

A. Consultation with the public in the development of a maintenance plan would help to elevate this situation but if this did not work out then the original CCT could be carried out.

Councillors noted the link between the two questions above and agreed that it was the responsibility of Councillors to report back to Officers as to the feasibility of potential bio-diversity sites and that there was a need to monitor the sites and review their status following comments/concerns from members of the public.

Q. Areas that have been identified as bio-diversity sites will they be maintained eventually?

A. These areas will be cut once per year and the grass removed. The grass could be moved to a selected part of the area, which in it would encourage wild life creating compost.

Councillors suggested that it could be possible to sell the grass cuttings and generate income. Councillors were concerned that grass cuttings left in-situ could encourage “fly-tipping” of similar garden waste by the public. Councillor Pape suggested that fly-tipping could be considered as a future topic for scrutiny.

Q. Has there been problems with horses?

A. To date there has been no problem with horses, should a problem arise then the Authority would have to deal with in the usual way.

Councillors agreed that the bio-diversity sites should not be allowed to become used as “common grazing”.

Q. Does the climatic changes eat into any savings made?

A. The Authority has tried to be innovative and channel resources where they are needed.

Councillors noted that changes in the climate and seasons may affect the frequency in which sites require maintenance and that it was hoped that the increase in bio-diversity sites would allow extra time and resources to be allocated accordingly and therefore negate any possible increase in costs.

Q. Leaving areas to bio-diversity policies means that we should make a good job of the areas we do maintain, are we doing this?

A. Because we are making year on year savings with the reduction on resources being used to maintain areas then the Authority can look at more efficient equipment to use on the areas that do require regular maintenance.

Councillors agreed that this should be the case and that better equipment, e.g. grass cutters machines with collection boxes, could help with the cost of such machines being recouped from savings achieved from having bio-diversity sites. It was also thought that the garden waste recycling bins which some households have (approximately 6000) could be used for the grass cutting waste etc. and that it could be turned into compost for sale. The Chair noted that this matter could be discussed with an appropriate Officer.

Q. If a site is identified as a bio-diversity area but after a trial period this is not what the public want can the site go back to the way it was?

A. This can be done.

Q. Where are the sites?

A. A list identifies existing and potential bio-diversity areas, the list will be sent out to all members in the next Members' Courier. Neighbourhood Wardens consult with people living in the areas on the list as well as the local members. Obviously, this is a long-term process.

Councillor Pape noted that these two questions were linked and that review dates should be set to revisit issues and note progress. Councillors agreed and that consultation with Ward Members would be needed and that it should be after a 12 month period. Councillor Turnbull raised concerns over landlocked and potentially landlocked sites where access for maintenance appears to have been lost. Also Councillor Turnbull was worried that classification as a bio-diversity site may be used as a means to stop use by the public as open space and then be further used to "set up" areas for disposal as housing land. Councillor Pape noted this issue (specifically a former football field at Brandon) and said he would raise the issue within the Economic Scrutiny Panel (Playing Pitch Strategy) with the Head of Environment and Leisure Services.

Q. Could notice boards giving information on the fauna and flora be placed on the sites to encourage local people?

A. Durham Wild Life Trust has placed bird and or bat boxes at some of the sites, also there involvement of the local community, local schools, youth groups visiting the area encourages ownership of the areas.

Councillors agree that placement of such signs and information was a good idea.

Councillors discussed the overall idea of bio-diversity sites and that it should be possible to add potential sites and allow them to develop and then review if their progress is satisfactory or if local people are unhappy. It was then requested that, if it was at all possible, to consult with other Authorities or Agencies who have, or have had, similar issues with such sites.

Appendix B

Q. *Does long grass lead to an increase in the number of rats? (Councillor Pape)*

A. Not really, where the ground is flat, tidy and with long grass 9/10 times you would not see a rat problem. It is in areas where there are banks and mounds and an abundance of food that you would see an increase, regardless if the grass were long or short. In a lot of cases, complainants use the sighting of rats to illicit a swift response from the Council even though the issue maybe purely that of clearing rubbish or tidying up grass cuttings etc. Food left outside to feed birds and other animals can lead to rats appearing in those areas and that this year the number of rats seemed to be high. Also it has been noted that the poison being left was seemingly having less and less of an effect. (Phil Hunt – Pest Control Officer)

A. The increase in population could also be due to the fact that the Council, 2 years ago, handed over the job of maintaining the rat population in sewers to Northumbrian Water. There are UK Protocols and Standards for the treatment of sewers and drains, but the quality of the treatment by Northumbrian Water staff may not yet be up to the high standards that our experienced City Council staff have set. This may be a consequence of the handover of the function and the level of service hopefully will improve over time. (Neil Laws – Environmental Health Manager)

Q. *Are hedgerows and proximity to crop fields contributing factors to increase rat activity? (Councillor Walton)*

A. Rats are always found where there is a food source. Rats enjoy the abundant food source in crop field during the summer but appear from the fields in autumn when the crops are harvested. The rats then use the hedgerows as cover after the fields have been stripped back. In addition long grass could be used as cover and hence a link from these fields and hedgerows to other locations, although they would cross any terrain to reach a food source. Short grass only serves to make it easier to *find* the rats rather than to *eliminate* their presence. (Pest Control Officer)

Q. *What dangers are there as regards to attack from rats and any diseases they may carry? (Councillor Walton)*

A. The percentage of disease carrying rats (leptospirosis) is higher in rural areas but the actual number of cases of attack or disease is low and considered rare. Disease can remain in damp ground long after the rats have moved on or have been killed. (Environmental Health Manager)

Councillors discussed various sites in which rats had been reported in their areas and information was passed on to the Officers.

- Q. *Was the possible impact of a rat population considered when drawing up a list of potential sites for classification as biodiversity sites? (Councillor Pape)*
- A. The impact of a potential rat population was not initially considered but it was made clear that if any problems were found, occurring from the designation of an area as a biodiversity site, then the previous grass cutting scheme could be reverted to. (Andrew Jackson – Technical Support Officer)

Councillor Pape commented on the need to review the sites on a 12 month basis with Members and Neighbourhood Wardens providing feedback to the panel. Councillors were in agreement and the Chair mentioned that it was his intention was that the current scrutinising of Biodiversity was to update Members as to the progress made and to help identify any problems that may have arisen, rather than to delve into the overall scheme.

- Q. *Do Durham City Council Pest Control Officers collect the bodies of the rats after they have laid down the poison? (Councillor Marsden)*
- A. Yes, we try to collect as many as we can but as the poison is slow acting, in a lot of cases the rats have returned to their nests which are frequently in inaccessible locations. (Pest Control Officer)
- A. We *should* try to pick up and dispose of as many of the dead rats as we can. This is because the poison left within the rats bodies *could* be a threat to other animals and hence may lead to a decrease in biodiversity. (Environmental Health Manager)

Councillors and Officers discussed the various situations that can lead to an increase in rat population and building works (with new connections to sewage) was one of those highlighted.

Councillor Holland informed Members of a method of pest control he was aware of used in Quebec, Canada to keep the number of pigeons low. It was to use a birth control chemical placed on food sources. Councillor Holland asked Officers whether this was a possible solution and Officers admitted they had not heard of this method of pest control and would contact their suppliers to find out more information and establish whether this would be a possibility.

- Q. *Is there any connection between the contracting out of the trade refuse collection service and the increase in the problems associated with rats? (Councillor Turnbull)*
- A. The trade refuse is not something that is dealt with by ourselves but any complaints / problems would be dealt with accordingly. (Environmental Health Manager)

- Q. *Have any problems been reported with any existing biodiversity sites? (Councillor Walton)*
- A. Goatbeck Terrace, Langley Moor, although this site has always generated a large number of complaints as regards vermin. (Pest Control Officer)
- Q. *Sites that are not designated biodiversity sites should be maintained to an even higher general standard due to the time and resources being saved by allowing biodiversity sites to grow more naturally. This does not appear to be the case, why is that? (Councillor Wolstenholme)*
- A. It was the intention that by setting up biodiversity sites it would allow for a freeing up of resources and indeed a machine specifically for clearing grass cutting from paths has been purchased and is seen to be working well. The apparent poorer standard being perceived could possibly be attributed to the weather patterns we have experienced recently of hot, sunny weather followed by heavy rainfall which encourages quick growth in the grassed areas. (Technical Support Manager)

Councillors mentioned various sites where the frequency and standards of grass cutting would need to be addressed and the Technical Support Manager made notes of these and would pass on the details to the Environmental Services Manager.

The Chairman thanked the Officers for their time.