

**Minutes
Environment Scrutiny Panel**

**15 November 2006
5.30 p.m.
Town Hall**

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

Also in Attendance: Councillors Hepplewhite, Howarth, Kellett, Stoddart and Young.

Heritage & Design Manager – Michael Hurlow.

Apologies

There were apologies for absence from Councillors Carr and McDonnell.

Minutes of the Meeting held on 17 October 2006

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

Interim Report; Unauthorised Parking on Council Owned Land – Provision of Additional Parking

The Panel considered the draft Report and the following additional recommendation was made:

2. That the budget of £50,000 for this provision of additional parking be provided for again in the next financial year.

Consequently, the previously numbered recommendation 2 would now read:

3. The Panel agreed that the subject should be reviewed further in six months time.

The Panel agreed that subject to these amendments, this report and the review report relating to Biodiversity previously considered by the Panel would be sent to the next meeting of the Scrutiny Committee for consideration.

Scrutiny Topic – Riverbanks – Representative from City of Durham, Michael Hurlow – Heritage & Design Manager

Following the allocation of the topic of Riverbanks to the Environment Scrutiny Panel, representatives from the City of Durham's Heritage & Design section were invited to attend a Panel meeting to give an overview of the City of Durham's work in relation to the riverbanks, mostly pertaining to the stretch within the City Centre looping around the peninsula.

Michael Hurlow, the City of Durham's Heritage & Design Manager gave a slideshow presentation outlining various issues relating to this subject, the main points being set out below:

Overview

The riverbanks area within the City Centre area has various Planning Policies in place that place special emphasis on the importance of the site. These include various listed buildings, areas of high landscape value and the Cathedral itself, being a World Heritage Site.

The riverbanks in this area have been variously maintained for many hundreds of years. This initially was as bare slopes forming the defences to the castle walls and later as gardens or landscaped areas. The current dense tree cover is relatively recent, increasing from the 1750's to the present state of cover approximately 200 hundred years later. Since the Second World War, there has been little active "management" of the tree growth along this stretch of the river and the predominant tree is becoming the non-native Sycamore

Land Ownership

The issues relating to the riverbanks are further complicated by the nature of the split ownership of land along this section of the river. The City of Durham actually owns very little land along the riverbanks, with the major land owners being the Dean & Chapter, the University of Durham and the various Colleges that are based up on the peninsula. The various interested parties do come together to allow work to be carried out in Partnership, and this is achieved through the Riverbanks Management Group, which in addition to the City of Durham and those listed above, includes the Durham County Council and the Environment Agency.

One area where good progress has been made by the City of Durham in partnership with the University and the Dean & Chapter relating to litter removal along stretches of the riverbanks. Another is the beginnings of an Agreement with the relevant Partners relating to the use of the river by Canoeists to help formalise existing use and to help share the area with other interest groups, e.g. Anglers. In addition, funds have been sourced from the Local Transport Plan through the County Council to allow for improvement to the area at "Windy Gap" an access point to the riverbanks from Silver Street. Another area where the City of Durham is actively involved is regarding a historic part of the City Wall, located near to Kingsgate Bridge on land where ownership is unclear. This section contains the "Kingsgate Postern" and it may be possible to attract English Heritage funds if it can be allocated the status of being a "listed building at risk".

Riverbanks Gardens

The major project on this section of the riverbanks is that of the Riverbanks Gardens, which gained some funds from the Heritage Lottery Fund funds to produce a conservation and management report. This money allowed an external Consultant to review the situation and provide the report outlining action that could be taken. The proposals were to restore small section of garden, conserve the Castle Walls and other important features, manage the tree areas and improve access. Although proposals would maintain good tree cover, this may be seen by the public as removing *too many trees*. As stated previously, the "original" state of the area was not that of dense tree cover as seen today.

Indeed as the steep side approaching the Castle was meant as a defensive feature, line of sight would have been vital in this regard. In addition, a lot of interesting artefacts have been discovered in the area where the Gardens are being restored, and these would no doubt be of great interest to any visitors to Durham.

Issues relating to access to, and the security of, the Colleges' land have been noted, especially if the public are very near to their buildings. This would no doubt increase if the requisite improvements to provide increased provision of footpaths within the Gardens area are realised.

Funding requirements are estimated at £4.5 million, and even with funding from the Heritage Lottery Fund, an amount of £1.125 million would still need to be raised. Approximately £1 million may be identified via the County Durham Economic Plan but this remains to be confirmed. Competitive bids to obtain this would still be required.

A risk is that as times change, requirements for the obtaining of various grants change too. In addition, the 2012 Olympics may draw away a lot of funding from other "outlying projects" i.e. those not within London. The Wharton Park Heritage Lottery Fund process is providing a lot of useful information relating to the obtaining of such grants and this knowledge can be hopefully be applied to the riverbanks. Factors that would need to be considered would be an increased involvement from the Community; increasing community and visitor use, an increased provision of access especially in light of DDA rule changes; a reassessment of the location of the restored garden and improved formal agreements to working in partnership.

2020 Vision

Within the 2020 Vision exercise one area identified within Durham that was in need of addressing was a clear lighting strategy. However, it should be remembered that the natural state of the riverbanks at night should be one of darkness. Of course the Cathedral benefits from "stage lighting" and College buildings need adequate lighting for security and access purposes, but some parties believe access via Prebends Bridge should have "improved", i.e. increased, provision of lighting. . This would not necessarily help prevent the risk of attack along this location. Indeed the harsher contrast between the lit and unlit areas may in fact increase the danger of not being able to see any such potential attacker. Police advice is that those using the riverbanks at night should only do so in groups, and only if strictly necessary, other routes onto the peninsula do exist.

Another area identified as requiring an increase in provision is that of signage throughout the City, to homogenise the many disparate styles and develop a complete package for Durham.

Also within the Masterplan for the City, an additional footbridge is proposed (encouraged by the Dean & Chapter) onto the peninsula from Parson's Field. This option has generated mixed reactions, and would obviously require further development and consultation.

Necklace Park

The Necklace Park project stretches far beyond the immediately obvious riverbank areas within the City Centre. The idea is that the relevant Users, Landowners and types of use are identified and from this means of improving the use of the area encompassed by the Park could be achieved.

Also an interactive “web” version of the Park is envisaged, enabling more people to gain access to information relating to the project.

Scrutiny Topic – Trees

In addition to the current Scrutiny Topic, the Chairman had asked the Heritage & Design Manager if he could provide a little information as regards another topic, that of Trees. This topic had been allocated to the Environment Scrutiny Panel by the Scrutiny Committee and is, in part, linked to the topic of the Riverbanks.

As relates to trees on the Riverbanks with the City Centre area, it should be noted that whilst some of them were intentionally planted, the majority are the product of self-seeding. The increasingly predominant species of Sycamore provides very dense coverage which in turn suits mostly only further Sycamore. There is an imbalance between large trees approaching over maturity and smaller unmanaged self seeded trees.

There are many similar issues in the parks and open spaces around the City, but again like the situation with the riverbanks, many of the areas that contain the trees are not within Council ownership. Substantial areas of significant trees are approaching over maturity and the impact if they are lost will be felt within the period of the next 25 years. Some trees have been removed out of necessity, and many are important and have Tree Preservation Orders in place to protect them. Issues are starting to arise in areas such as Newton Hall and The Sands where there are retained trees or those planted at the time of construction of these housing estates. As these trees mature and their root systems increase they may have an affect upon the surrounding buildings and structures. City of Durham resources are limited in this regard and in relation to large stands of larger trees.

Members often are approached by the public as regards problems relating to trees, and there is a need to rationalise the Policy as regards trees, with a pro-active approach to protecting significant trees, via T.P.O.s, although some trees are protected by virtue of being in a Conservation Area.

Note: *Councillor Turnbull left the meeting at 6.00 p.m.*

Scrutiny Topics – Members’ questions to the Heritage & Design Manager

Members were concerned that if trees were felled in areas along the riverbanks within the City, i.e. those areas identified as being for restoration to cultivated gardens, care should be taken to protect wildlife that has taken hold in such areas. The Heritage & Design Manager agreed but pointed out that the current almost uniform dense coverage of sycamore trees provided only one type of habitat which in turn only lends itself to a narrow range of plant and animal species. By opening up certain areas and encourage plant diversity, insect and animal diversity can only increase as a result.

The Panel wondered whether the land ownership details were known for the whole of the riverbanks within the District. The Heritage & Design Manager pointed out that the Necklace Park team may have the most information relating to this issue.

A Member raised the issue of the risks associated with the use of the river by the many groups, i.e. anglers, canoeists etc. The Heritage & Design Manager reiterated that indeed a formal Agreement is being sought so that the relevant Landowners and interested Parties are protected, with a Code of Practice to be incorporated into any such Agreement. The risks associated cannot be entirely removed by the very nature of the activities, they carry inherent dangers. However, by agreeing a code of practice for canoe users the risks of accidents and arguments can be mitigated to a certain degree.

A Councillor wondered whether Voluntary Groups could be utilised to help achieve progress in relation to riparian projects. The Heritage & Design Manager agreed that this could be useful, and indeed was required to satisfy Heritage Lottery Fund conditions but pointed out that it must be understood that these types of projects require a significant injection of cash to enable the “hard” improvements that are needed to reach conclusion with these projects.

Another question from Members was that of the responsibility to maintain the actual river. The Heritage & Design Manager informed Members that the river fell under the responsibility of the Environment Agency and owners, though the City of Durham does undertake some work, in some respects more than could be considered a fair share. As the Necklace Park, 2020 Vision and Riverside Gardens all begin in earnest the increased volume of users of the riverbanks will have an affect and this will need to be addressed. Coordination between those involved will be key in ensuring the best outcome from the limited resources available.

Some Members commented as regards anti-social behaviour at certain points along the river, namely at the Pennyferry Bridge and alongside The Gates shopping centre. The Heritage & Design Manager noted that the City of Durham’s Neighbourhood Wardens and Durham Constabulary have been made aware of the various situations and that they would be addressed accordingly.

Scrutiny Planning Sheets – Riverbanks

The Heritage & Design Manager helped to inform Members of potential witnesses to invite to subsequent meetings of the Panel to help give information relating to the current topic of Riverbanks. These were:

Claire Lancaster – Park Manager for the Necklace Park project – based at the Durham County Council

Steve Ansdell – Horticultural Manager, Estates & Buildings – University of Durham

John Williams – Land Agent – Dean & Chapter

Mrs Lois Stuckenbruck – Alumni and Development Officer – St. John’s College

Tom Punton – Environmental Services Manager – City of Durham

Actions for the next meeting:-

- Report for Information – Temporary Road Closures.
- Witness from the City of Durham's Environment & Leisure Services Department to explain work undertaken by the Council relating to grounds maintenance, litter clearing and repairs along the riverbanks.

The Meeting terminated at 6.25 p.m.

Environment Scrutiny Panel – Tuesday, 12 December 2006

Scrutiny Topic – Durham Riverbanks – Maintenance works by Environmental and Leisure Services Department

The Department has minimal responsibility and therefore undertakes relatively few maintenance duties along the riverbanks, especially around the peninsula of Durham. The City of Durham has undertaken tree clearance works on land it owns close to the Counts House, where trees had fallen and blocked the riverside footpath. The Dean and Chapter and the University are responsible for most of the remaining areas along this section of the riverbanks. This largely involves tree management, the felling and replacement planting of trees.

No regular grass cutting and footpath maintenance takes place in the peninsula area by the Department. From Baths Bridge up river, the Department undertakes grass cutting of the immediate riverbanks on an annual basis at the request of the Regatta Committee. The open spaces along The Racecourse, the Department maintains the area by grass cutting on a regular basis during the summer.

The removal of fallen trees and heavy debris trapped on the weirs are usually attended to by the Environment Agency.

The Department also carry out regular inspections of the public lifebuoy stations (7 no.) along the river from The Racecourse down river to The Sands area. Current arrangements are if the lifebuoys c/w lifeline go missing, they are replaced by the Department. Provision of lifebuoys c/w lifeline are funded and supplied for by the Department.

Litter collection is carried by the Department on certain areas of the riverbanks, the remainder especially around the peninsula area by the Dean and Chapter and the University of Durham. The City of Durham is responsible for an area from Framwellgate Bridge to Prebends Bridge and the area of Council land close to the Counts House. All the areas to be cleared must be accessible to Staff, litter and light debris is removed from the waters edge using long reach tools. As a safe working practise, Staff are not requested to enter the water or work from inside boats to assist with clearance works. This stretch of the river is litter picked on three occasions per week by the Department. The remainder of the riverside footpath from Prebends Bridge to Elvet Bridge is not litter picked by the Department.

Recently a thorough cleaning and removal of waste by the waters edge, on both sides of the river around the peninsula by the Department has taken place and it is proposed that this is to be undertaken twice per year, with possible assistance from associated water activity clubs, i.e the Kayak Club, where accumulated litter in the river is not always accessible from footpaths.

The provision of sponsored / memorial bench seats positioned around the peninsula is administered by Cultural Services (Heritage and Design).

PLANNING SHEET FOR ENVIRONMENT SCRUTINY PANEL

<p>TOPIC FOR SCRUTINY – Riverbanks</p>
<p>Purpose of Review</p> <p>To examine how the City of Durham as a local Authority liaises with other relevant parties in the maintenance of the riverbanks, predominately in the City Centre area, from an environment point of view. i.e. litter, grounds maintenance, biodiversity, environmental health, licensing, regeneration, etc.</p>
<p>Specific issues to be looked at</p> <p>Impact upon Tourism – link to Economic Scrutiny (public consultation?). Links with other departments. Links with outside organisations. Staffing. Resources. Best Value.</p>
<p>Required Outcomes</p> <p>The best practice for the City of Durham in relation to this function, any improvements as felt required.</p>
<p>Possible Risks</p> <p>Finance for this service. Other external parties not willing to participate / get involved. Regeneration leading to extra footfall, leading to more “damage” i.e. litter, destruction of habitat, impact of building on wildlife etc.</p>

KEY TASKS	
<p>Documents/evidence/research</p> <p><i>What?</i></p> <p><i>Why?</i></p> <p>To provide background information regarding the subject for Members</p>	When
<p>Consultation</p> <p><i>Who/what?</i></p> <p>Public – re. state of the riverbanks in relation to the Durham “experience”.</p> <p><i>Why?</i></p>	When
<p>Witnesses</p> <p><i>Who?</i></p> <p>External Organisations</p> <p>Dean & Chapter University of Durham (Colleges or Estates?) Environment Agency (River) Local Businesses (restaurants / Boat Hire / P.B. Cruiser) Relevant Environmental Groups County Council ???</p> <p>City of Durham Officers –</p> <p>Cultural Services – re. initiatives that maybe ongoing Tourism Staff re. public perception of riverbanks Regeneration Officers, impact, positives i.e. fresh injection of capital, new facilities, impact of such facilities ????</p> <p>Licensing, re. boat hire / P.B. Cruiser and their impact ????</p> <p>Environment Services Manager, Tom Punton Environmental Protection Manager, Michael Yeadon</p> <p><i>Why?</i></p> <p>These are the relevant stakeholders and technical Officers required to give Members information relating to the Riverbanks in Durham.</p>	When
<p>Project start date: September 2006</p>	<p>Draft report deadline: Project completion date:</p>

PLANNING SHEET FOR ENVIRONMENT SCRUTINY PANEL

TOPIC FOR SCRUTINY – Trees
Purpose of Review To examine how the City of Durham as a local Authority manages the upkeep and maintenance of trees, and the removal, replacement and preservation of trees within the district.
Specific issues to be looked at “Tree Audit” – being undertaken? Links to other Authorities (County). When and where COD is responsible. Resources available.
Required Outcomes The best practice for the City of Durham in relation to this function, any improvements as felt required.
Possible Risks Finance for this service.

KEY TASKS	
<p>Documents/evidence/research</p> <p><i>What?</i></p> <p><i>Why?</i></p> <p>To provide background information regarding the subject for Members</p>	When
<p>Consultation</p> <p><i>Who/what?</i></p> <p><i>Why?</i></p>	When
<p>Witnesses</p> <p><i>Who?</i></p> <p>External Organisations</p> <p>County Council</p> <p>City of Durham Officers –</p> <p>Cultural Services Regeneration Officers Street Scene Technical Officer, Peter Lee Planning or Design & Conservation (T.P.O.s , “tree audit”)</p> <p><i>Why?</i></p> <p>These are the relevant stakeholders and technical Officers required to give Members information relating to the Riverbanks in Durham.</p>	When
<p>Project start date: ????</p>	<p>Draft report deadline: Project completion date:</p>