

**Minutes
Environment Scrutiny Panel**

**20 February 2007
5.30 p.m.
Town Hall**

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

Also in Attendance: Councillors Cowper, Dickie, Hepplewhite, Kellett and Pape

PC Graham Ling – City Centre Beat Officer, Durham Constabulary
Clare Greenlay – Legal & Democratic Services Manager, City of Durham

Apologies

There were apologies for absence received from Councillor McDonnell.

Minutes of the Meeting held on 23 January 2006

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

Scrutiny Topic – Riverbanks

- **Witness in attendance, PC Graham Ling, City Centre Beat Officer, Durham Constabulary**

PC Graham Ling from Durham Constabulary was in attendance at the meeting to inform Members as regards the Police presence on the Riverbanks area.

- Officer Provision

Currently within the City Centre area, along with “core” Officers (those Officers who work on the 3 shift system) there are two City Centre Beat Officers and two Community Support Officers who assist. There are plans to increase this provision, but no firm details are available at present. The Community Beat Team, under Inspector Dick Dodds comprises of sixteen Beat Officers split into two areas, Framwellgate & Meadowfield and Sherburn & Bowburn. This includes the two City Centre Officers, though if required, Beat Officers from the surrounding areas can be brought in to assist.

- Riverbank Patrols

Whilst there is not a formalised patrol route along the Riverbanks, Officers often use the Riverbanks as they are an integral part of the footway network of the City Centre. It should be noted that when Durham Constabulary trialled a scheme to provide Officers with mountain bikes, the Riverbank areas were patrolled quite regularly as the Riverbanks proved a particularly efficient means of getting across the City quickly and safely, i.e. no traffic.

- Appropriate Response

Where incidents of drunkenness, anti-social behaviour etc. are reported, a priority rating is given and then Officers on the ground are given this information so they can respond accordingly. Also Officers use all information available to them to try and pre-emptively act, i.e. sources within the University, Dean & Chapter etc. can provide indications of new “hotspots” that may arise along with those that are well known i.e. St. Hild & Bede’s Boathouse, Bandstand and the former Bowling Green.

- Members Questions

Councillors wondered whether the Police considered that additional lighting of the dark areas along the riverbanks was appropriate to help prevent incidents at night. Whilst the Police would encourage any action that would help to prevent potential incidents, PC Ling recalled that an attempt by the University to have additional lighting along Prebends Bridge was met with some resistance from the Durham Cathedral.

Members wondered whether measures such as Dispersal Order etc. were merely moving anti-social behaviour from one area to another. PC Ling agreed that this can be the case and also agreed with Members that especially with youths, there needs to be work done to encourage teenagers to harness their energy in positive ways.

The Chairman and the Panel thanked PC Ling Graham for his attendance at the meeting.

Note: *PC Ling left the meeting at 5.45 p.m.*

Clean Neighbourhoods & Environment Act 2005 – Update relating to previous Scrutiny Topics of Fly-tipping, Recycling and Litter Pickers

- **Witness in attendance, Legal & Democratic Services Manager, Clare Greenlay, City of Durham**

Members put their questions to the Legal & Democratic Services Manager as regards the new powers available to the City of Durham under the new Act.

Regarding flyer handouts for bar and clubs, this was not thought to be a major problem as the Council has in place a good litter picking service in the City. The Environmental Health Section wish to look at the possibility of recovering costs from the flyer distribution staff. As regards advertising regarding drinks promotions on the side of venues, this is a Planning issue, therefore would be dealt with by Planning Enforcement.

A problem perceived by some Members was that of waste receptacles, namely “wheelie bins”, being left out after collection has taken place causing many narrow street to become impassable for traffic. Members were informed that we do enforce the return of the bins to the property where resources allow, but where we cannot reasonably enforce it may be possible to pursue other avenues via the Environmental Protection Act. However, it was not thought by Officers that it would be appropriate to place a blanket Order across the District directing Residents to retrieve their bins after a fixed time and that dealing with cases on a case by case basis would be more efficient and effective.

The current Fixed Penalty Notice that can be issued regarding this is set at £75 and the fine level if a case were taken to court is Fine Level 1, or equating to a maximum of £1,000.

First Draft Report – Review of Previous Scrutiny Topic, Temporary Road Closures

Members were asked to raise any points they may have had relating to this initial draft report.

It was conceded that in today's litigation culture that it was in the best interests of all parties involved that where events are being held that have activities on the highway that a temporary road closure should be sought (when applicable) from the City of Durham and that the organisers of such events should have the relevant traffic management and liability insurance in place. Whilst it was agreed that the increased costs were perhaps forcing some small scale events to no longer take place, or to reorganise parades on other areas of land, the City Council was unable help further as its fee regarding these types of road closure were nominal (if not nil in the case of charitable events).

It maybe possible to help organisers understand that they should be considering the money required for the insurance and traffic management in any initial fund raising exercise, and that this should be factored in when applying for any grants and awards that may be available. This could be an area where Community Development Officer could advise event organisers.

It was also noted that any disruption to bus routes could also require funds available to compensate bus Operators for their loss of revenue.

The Chairman and the Panel thanked the City of Durham's Legal & Democratic Services Manager, Clare Greenlay, for her attendance at the meeting.

Actions for the next meeting:-

- Witnesses from the University of Durham and Durham Cathedral to speak to Members as regards their organisations' responsibilities along the Riverbanks.

The Meeting terminated at 6.10 p.m.

Statement for City of Durham Environment Scrutiny Panel Meeting

**H J J Williams FRICS
Durham Cathedral Land Agent**

I have been in post with the Cathedral since 1990. Prior to 1990 I was Land Agent for the Lake District National Park. During my tenure with the National Park I was the officer responsible for responding to all tree felling, woodland and forestry consultations in the National Park ranging from trees in Conservation Areas to the substantial forests of Grizedale and Whinlatter. In 1988 I was fortunate to be able to undertake a six week study tour of European silvicultural practices in particular “continuous cover” or “selection” woodland management. That experience has been invaluable in formulating proposals for the Cathedral’s woodland management particularly around the riverbanks. I have been a member of the Royal Forestry Society for almost 40 years and chaired both the North West and North East Divisions of the Society. I am a current Ministerial appointee to a Forestry Commission Appeals Panel considering contraventions of felling legislation.

When I first moved to Durham it appeared that it would be logical for the whole of the Peninsula Riverbanks area to be, as far as possible, considered as a whole rather than by its piecemeal ownerships. I therefore instigated the Riverbanks Management Committee, which consists primarily of the landowners and key organisations with responsibilities for the varied aspects of the riverbanks. Pat Warren of the City Council was most helpful in establishing this group and its subsequent production of the Riverbanks Management Plan.

The Plan contains two principal policies regarding the woodland areas.

- a) As far as possible a selection or continuous cover silvicultural system of primarily broadleaf trees should be used to transform the majority of the woodland from an even aged, over mature area to one with a much more sustainable structure and
- b) The character of the area should be generally of quiet enjoyment so as to maintain and enhance the considerable existing variety of flora and fauna.

The Cathedral woods as we see them today are principally a result of the great landscaping works carried out by many landowners in the mid 18th Century. The expensive replacement of Prebends Bridge downstream from its original crossing point to its current location was presumably to simplify the route across the river but probably also to provide a “vista” of the Cathedral and Castle from its new location. At that time the floods that swept away a number of bridges must also have removed many riverbank trees and thus allowed the planting of beech, sycamore, lime, horse chestnut and elm some of which just about survive today. The Cathedral is likely to support greater

daytime visitor access via the magnificent approach across Prebends Bridge to the Peninsula but is not promoting an additional river crossing.

The Cathedral has undertaken a comprehensive tree by tree survey of its woodland areas around the Peninsula. The survey confirms that even after the ravages of Dutch Elm Disease there are still too many areas with far too many old large trees for a healthy future. A sustainable woodland structure should have representatives of several tree sizes from many saplings, young and middle aged trees to a few over mature trees. This helps create three or four layers of varied height in the wood from ground flora to shrub layer with semi mature and mature tree canopies. This in turn provides a range of habitats for different birds and bats. It also means that when old trees have to be removed there is a replacement tree of a significant size already in place to continue the visual appearance and habitat.

A key factor affecting woodland structure is light, or lack of it.

Two main characteristics are

1. The shade from large trees, particularly beech in groups, prevents the success of natural regeneration or planting directly underneath them, and
2. The trees natural desire to grow towards the light. This often means if a tree can't grow up vertically because of overhead shade, it will grow at an angle towards the light. This causes instability, poor quality and appearance.

The excess number of over mature trees means there is therefore little or no tree replacement available when a mature tree falls or has to be felled. Consequently the visual and habitat changes that occur when old trees die is far greater than it should be in a properly structured wood. What is required is the systematic creation over many years of small clearings throughout the riverbanks area to allow development of a range of sizes of trees and thus to gradually change the present unbalanced structure to the optimum for conservation of the woods and their many important and varied attributes.

In theory if the final safe age of mature trees in a wood is say 150 years (depending on species) then a total of 1/150th of the area should be felled each year. In practise interventions are likely to be more appropriate on a rolling five year basis meaning a total of 1/30th of the whole area is felled every five years. This could be made up of two or three separate felling areas each sufficiently large to create the right light conditions for light demanding broadleaf tree species to grow.

Because the riverbank woods are already well over mature there is probably less than 30 years left in which the work needs to be done before natural old age, death and disease effectively clear fells large areas of the river banks and radically changes the character of the riverbanks.

The over maturity of many trees (often suffering from various fungal and degenerative diseases) and the difficult access and terrain all mean that the small value of the timber is outweighed by the significant costs of felling, stump and firewood removal. On average, recent works have had a net cost of about £500 per tree removed. The motive for carrying out sustainable management is certainly not to make money!

The general lack, to date, of rabbit or deer sapling damage usually means that once an area is opened to adequate light, natural regeneration is often successful. This has positive and negative effects. The positive is that the restocking costs little. The negative is that the species that grow are commonly monocultures of beech or sycamore and of the same, often average, quality as their parents.

Note: The riverbank woods are not ancient semi natural woodland (they have been managed since before Norman times) so the presence of sycamore is not considered to be a problem. Sycamore can be a fine timber tree and provides very considerable quantities of insect life for many birds in the food chain. It harbours less variety of such insects than some native species, which is why it may be considered a problem in designated semi natural woods - for example native oak/ash/hazel stands.

The substantial amount of public access both on and off public rights of way also requires particular vigilance and action where trees are deemed to be a threat to people and/or buildings.

The instability of the steep riverbank slopes particularly on the inner bank below the Cathedral and College is a specific problem. Recent landslips have clearly demonstrated the problem. This instability is further exacerbated by the substantial leverage on tall trees with generally shallow roots in windy conditions. The Cathedral and Fulling Mill were fortunate that in recent storms the windblown trees did not do significant damage to the Mill building. The Cathedral policy in respect of these particular areas is to initiate a coppice regime thus providing tree species to maintain stabilising root growth and ground water removal without the leverage problems of tall mature trees. The coppice approach will also provide additional habitat and create new visual experiences.

Grey squirrels are a particular problem. Not only are they predators of bird nests but they also severely damage and kill broadleaf trees by bark stripping. Some control measures are in place but a successful control policy requires all interested parties to actively support it.

The management of the riverbank woods in the last 16 years has essentially been one of fire fighting responses to disease and over maturity. The time is long overdue to take proactive steps to ensure the future of the riverbank woods for the generations of Durham City residents and visitors still to come.