

DURHAM COUNTY COUNCIL

At a Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 2 - County Hall, Durham on **Thursday 4 October 2018 at 9.30 am**

Present:

Councillor E Adam (Chair)

Members of the Committee:

Councillors O Milburn, H Bennett, L Brown, J Clark, R Crute, S Dunn, D Hicks, P Howell, P Jopling, R Manchester, C Martin, A Patterson, A Simpson, P Sexton and M Wilson

Co-opted Members:

Mr T Bolton and Mrs P Holding

1 Apologies

Apologies for absence had been received from Councillors B Avery, D Bell, J Carr, C Kay and L Taylor.

2 Substitute Members

Councillor H Bennett substituted for Councillor C Kay.

3 Minutes

The Minutes of the meetings held on 13 July 2018 and 3 September 2018 were agreed as a correct record and were signed by the Chairman.

4 Declarations of Interest

Councillor Howell declared an interest in the Quarter 4 Budget Outturn 2017/18 report and the Quarter 1 2018/19 Revenue and Capital Forecast report as his brother is the Head of Culture and Sport Services.

5 Any items from Co-opted Members or Interested Parties

There were no items from Co-opted Members or Interested Parties.

6 Media Relations

The Overview and Scrutiny Officer referred Members to recent press articles relating to the remit of Environment and Sustainable Communities Overview and Scrutiny Committee.

The articles were:

- 16 ordered to pay thousands for failing to remove waste – Almost £15,000 worth of legal bills have been handed out in court to people who failed to remove waste from their garden or yard. – This also links to the fly-tipping report which will be considered by the Committee on the 10 October 2018.
- Why the plastic bag charge could rise to 10p and where the money goes – At present the charge only applies to retailers with 250 employees or more. Money raised through the scheme does not go to the Government but instead goes towards good causes chosen by businesses themselves. The Government is expected to launch a consultation which would see the cost double to 10p and would also consider making all retailers and not just larger businesses pass the existing charge on to customers.
- ‘Plastic Roads’ trialled in County Durham – Motorists on the A689 near Sedgefield in County Durham are now driving along a “plastic road”. Durham County Council is the first local authority in the North East to try out the new technology as part of the recently completed work to resurface a section of the A689 with hot rolled asphalt. The scheme used 6.5 tonnes of plastic which was the equivalent of 60,000 shopping bags. This process reduces the amount of new bitumen that is required and reduces the carbon footprint. This links into an item on Highways Maintenance that will come to a future special meeting of the Committee.
- Durham and Chester-le-Street among In Bloom trophy winners – The County won a series of awards in Northumbria in Bloom, including best overall entry and best small city for Durham and best large town for Chester-le-Street.

Councillor Hicks sought clarification on the life span of the ‘plastic road’. The Chairman responded that as it was a trial there were no statistics available, there were other authorities’ trialling ‘plastic roads’ but Durham County Council were the first. Once the statistics were available a report would be brought to a special meeting of the committee.

Resolved: That the presentation be noted.

7 Air Quality in County Durham

The Committee considered the report of the Director of Regeneration and Local Services that provided Members with details of progress on all air quality management work projects since the previous meeting on 14 July 2017 (for copy, see file on minutes).

The Senior Air Quality Officer was in attendance to provide a presentation focusing on the following:-

- The outcome of further monitoring across both Durham City and at Chester le Street during 2017 and how this compared with the previous year.
- The action now required and being progressed on the outcome of the results of the monitoring carried out in 2017.
- A summary of the progress made on the implementation of the action measures in the Durham City Air Quality Action Plan.
- An outline of further steps and actions to be taken during the next 12 months and also over a longer time frame. The requirement to continue to submit the Annual Air Quality Status Report to DEFRA and the feedback received from this would influence further action required going forward.

The Senior Air Quality Officer advised members of the hot spot areas in Durham City but advised caution as there could be variability in the results because of metrological conditions.

Members were advised of the placement of monitors and that an analyser had been located on Hawthorne Terrace in Durham City. Members were provided with information in relation to daily monitoring for 10 September 2018, which clearly indicates peaks and troughs especially in the morning and late afternoon. The Senior Air Quality Officer suggested that an interesting comparison would be to look at the results for term time with non-term time.

Members learned that further meetings of the Air Quality and Corporate Steering Group would take place to review the implementation of the action plan measures and the outcome of monitoring for improvements in air quality.

The Chairman thanked the Senior Air Quality Officer for his very informative presentation.

Councillor Brown referred to a number of complaints she had received in relation to engines idling and she assumed the problem was county wide. She referred to legislation which made this an offence and indicated that she would like to see more done to enforce this and asked if anymore could be done.

The Strategic Traffic Manager responded that in relation to The Road Traffic (Vehicle Emissions) Regulations 2002 a local authority can seek powers from the Secretary of State to enforce drivers to turn off their engines. We have not got this consent because the authority would need to demonstrate via the AQMA levels in continuous excess pollution in the air, which we do not have. The hurdles to adopt this would be unsurmountable and a campaign would be much more productive. There were also a number of reasons why people could refuse the fine i.e. it was a cold day so they were sitting with the engine running to keep warm.

Councillor Brown asked if stickers could be placed in various locations to ask motorists to turn off their engine.

The Chairman responded that it was difficult to enforce so the best way forward was education.

Councillor Jopling asked if the authority intended to expand the park and ride.

The Strategic Traffic Manager indicated that they were looking at expanding two of the park and ride sites and introduce an additional site, and two potential sites had been identified. He advised that European Funding was still available and they were submitting a bid next month. Regionally, NECCA were moving to the next stage of the 'Transforming Cities Fund', there was no guarantee that the park and ride scheme would form part of this scheme but they were also submitting a bid for capital from the authority.

Councillor Jopling asked if they placed notices to remind motorists to switch off their engines, would this be legal.

The Strategic Traffic Manager indicated that they could do a campaign and ask schools to design their own notice.

Councillor Jopling then referred to taxi ranks where there can be numerous taxis with their engines idling and asked what could be done to address this. The Senior Air Quality Officer responded that taxi ranks were of concern to them and there was a taxi liaison group where this could be raised.

Councillor Sexton referred to Menceforth Cottages, Chester-le-Street which now measured below $36 \mu\text{g m}^{-3}$, however the report presented to the committee last year reported that the levels were high.

The Officer responded that AQMA was declared four years ago but the last three years the readings have measured below the annual mean objective. The 2016/17 reading showed a slight increase which was why they continued to monitor for a further six months then the reading decreased and last year was less than the 10% annual mean monitoring, so below $36 \mu\text{g m}^{-3}$.

Councillor Sexton sought clarification on why the annual mean objective had dropped so this could be applied to other areas. The Officer responded that the DEFRA guidelines indicated that if the readings had complied for three years then the Air Quality Management Plan could be revoked.

Councillor Howell highlighted that there were significant peaks shown on the chart within the presentation and asked if this measure went beyond the average mean through an average day. The Strategic Traffic Officer advised that the short-term average was one hour with a reading of 200mg/m^3 and nowhere in County Durham where this measurement was exceeded. In response to a further question from Councillor Howell the Strategic Traffic Manager advised that Durham City had an Air Quality Action Plan because the City was above the annual mean.

Councillor Martin in relation to engine idling suggested that it would be interesting to look at data and asked if the local authority had any powers to take air quality under their control and do something about it as they couldn't enforce people to use public transport or the park and ride or was education the only attack. The Senior Air Quality Officer advised that the local authority has powers to a certain extent and that it was difficult to get people to change their habits.

Councillor Dunn indicated that pollution and education were important and the one thing that could be done was to change people's purchasing options such as the start stop technology on vehicles that stopped the engine when the vehicle was stationary and suggested campaigning for a preference of this type of vehicle. There were electric/hybrid buses in use that used this type of technology and were much cleaner for the environment and suggested that perhaps taxis should have start/stop technology. Taxis made a huge contribution to idling but start stop technology would reduce this. He then referred to the extension of the park and ride and that the authority were looking at two other sites and did this include a site at Shincliffe which could serve the South East side of Durham. The Officer responded that the sites identified for a further Park and Ride were west of the city.

The Strategic Traffic Manager advised that the authority was looking at an additional park and ride site to the west of the city.

The Chairman indicated that there was lots that could be done by the way of education and cheaper electric cars could make a big impact.

Councillor Clark referred to the park and ride and that more was needed to be done to advertise this service in particular for people visiting the Hospital and suggested that the park and ride routes should be reviewed to look at the areas they serve and where people travel to. She would support Councillor Dunn's suggestion of a park and ride at Shincliffe.

The Officer responded that there was potential for lots of changes in Durham and if people purchased a pop card the cost of the park and ride was £1.70 as opposed to £2.00. There was also free concession travel for the elderly which included the shuttle between Sniperley and the Hospital.

Councillor Jopling indicated they could not force people to use the park and ride but people did use it. She advised that she was supportive of an expansion of the park and ride so more people could use it and found it much more cost effective than paying premium rate parking charges,

Mr R Cornwell, a member of the public asked if the authority were measuring particulates from diesel engines and if so, they did not appear in the report. As a Durham City parish Councillor he was concerned about taxis idling and would suggest that the licensing policy be revised to make it a requirement that replacement vehicles were hybrid and people would benefit from cleaner air.

The Senior Air Quality Officer responded that monitors at Gilesgate roundabout and Alexandra Crescent measured nitrogen oxide, nitrogen dioxide and PM 10, the measurements were taken continuously. He advised that the Air Quality team were doing a study of the impact of taxis with their engine idling on pollution in the city and when this work was complete and results indicate this is the case they would be putting pressure on the licensing authority.

Ms George a member of the public from Durham City referred to the student population in the city who had their own vehicles and of the impact this had on the congestion of roads and pollution as when the university is in recess there were less vehicles on the road. Ms George asked if the Council worked with the university to reduce the number of students

who brought vehicles with them and suggested that they could walk or use other means of transport so there was no requirement for a car. She also asked why the authority were encouraging more cars into narrow streets in the future and a further multi storey with 200 parking spaces at the Sands where there were already air quality hot spots.

The Strategic Traffic Manager referred to the impact of student vehicles and advised that in the summer there were a variety of reasons for less congestion such as school holidays so no school runs, which impacted on the number of vehicles been reduced and that students not being in residence had little impact on the number of vehicles on the roads. The peak periods of congestion were morning and evening commuter traffic and few students were travelling at these times therefore student vehicles had little impact on the city's congestion or pollution, however the authority would always encourage cycling and walking.

Councillor Sexton asked if there was a response in relation to more car parks.

The Strategic Traffic Manager advised that this was alluding to the proposed new DCC headquarters that would be considered by the planning committee and was subject to an open planning consultation and information on the headquarters was available on the council's website.

Resolved: (i) That the report and presentation be noted.

(ii) That the Committee receive a further report detailing progress on the development of air quality management within County Durham.

8 Winter Maintenance

The Committee considered the joint report of the Director of Transformation and Partnerships and the Corporate Director of Regeneration and Local Services that provided Members with information on winter maintenance (for copy of report, see file of minutes).

The Head of Technical Services and Strategic Highways Manager were in attendance to present the report and give a presentation that highlighted the following points:-

- Winter Facts
- Winter 2017/18
- Service Changes 2018/19
- Weather Stations
- Winter Service Policy
- Treatment Routes
- Provision of Salt and Grit Bins
- Key Facts and Figures
- Partnership Working
- The Snow Code
- Winter Service 'Go Live'

Looking back at the severe weather of 2017/18 winter members were advised that especially during the severe weather from the 'Beast from the East' highways teams had worked 24hours, 7 days a week on a two-shift system of twelve hours on and twelve hours

off and kept our roads open. Members were advised that during last winter there were increases in the number of pre salt runs; of snow salt runs and salt bin replenishments that led to 61,580 tonnes of salt being used.

Information was given about treatment of routes and detail of priority of routes. In relation to priority one carriageways, 45% were treated within a target time of two and half hours. Information is taken from Meteogroup and the data is measured and information fed through. Members were advised that if the salt is applied to the road too early there is a risk it could be washed away and if applied too late it will not have time to take effect.

During and after heavy snowfall more intensive resource is required to keep carriageways clear and resources are concentrated on the 'Resilient Network' – a smaller network of more strategic priority one routes. When these were cleared then the remainder of priority one and two routes were cleared.

In relation to footways treatment is only carried out on a designated list in prolonged severe weather. However the service works in partnership with many parish councils in the county and provide salt for them to use on footways. The Head of Technical Services highlighted that householders could help by removing snow and ice from pavements outside their homes.

The Chairman thanked the Officers for their very informative presentation and indicated that this year there had been severe weather for an extended period. He wished to thank staff for all their hard work and effort in an expensive period for the authority which was managed well.

Councillor Sexton praised the work of the highways team in keeping the major routes open and asked if there were any systems that Members could use to see what roads were going to be gritted or a group of officers they could get in touch with.

The Head of Technical Services responded that they sent daily e-mails on what work they planned to do that focused on priority networks, but the plans depended on the weather conditions, the team would assist where they could but this was subject to available resources. If the weather was severe it would be difficult as they used all available resources, this did happen with the beast from the East and as it thawed quickly so they were able to look at other routes when priority routes were clear.

Councillor Sexton referred to the equipment that the team had helped his parish secure and asked if there was a list for parishes to sign up to partnership working as he had a group of people in his parish who were willing to help and any expertise or advice on gritting etc. would be welcomed.

Mr Bolton referred to the topping up of the salt bins and asked if this was monitored as some grit bins had heavy usage in bad weather and had issues with theft of salt from the bins, and how often were the salt bins topped up.

The Head of Technical Services advised Members that the salt bins were replenished on a scheduled basis but they also relied on members of the public to report if a bin required refilling in between the scheduled refill.

Councillor Dunn referred to 45% of the authorities road network required gritting which was higher than other local authorities. He commented that the gritter views were a fantastic innovation and traffic cameras were popular with motorists and helped them to make choices. The facilities allowed people to plan their route as they could see which roads had been cleared and make better choices about their journeys.

The Strategic Highways Manager advised Members that they had included the location of the weather cameras on the leaflet this year with a link to the website.

Councillor Jopling referred to the criteria for salting and asked if schools were part of the criteria.

The Head of Technical Services advised Members that they had to prioritise the strategic roads and make people aware that they could not grit some roads as they didn't have the resources or they were too narrow to get the gritters down.

Members asked if they had sufficient salt for the winter and did they have the details of the location of the bins as sometimes they were moved. Members were advised that the salt stocks were to the maximum and they would continue to be topped up.

In response to a question from Councillor Brown the Head of Technical Services confirmed that salt bins do have a number.

Councillor Milburn asked if the service knew the location of the grit bins and if they were aware when they had been moved. The Head of Technical Services advised they knew the location of the bins and they were replaced if they go missing.

Councillor Martin referred to the daily e-mail alerts and asked if these could be sent only if there was something to report.

The Head of Technical Services indicated that it was important information for some organisations and to let people know as part of the policy, the e-mail went to various stakeholders and not just members.

Councillor Patterson referred to the overspend on salt last year, and suggested that is why it was important to have monies in reserves. Councillor Patterson then asked how the plastic roads referred to in the media item would fair in the winter.

The Head of Technical Services advised that it was a partnership initiative and currently there were three trials of plastic roads. They were confident that there would be no detrimental impact on performance. The plastic used was single use plastic which substituted some of the binder which was 6% but they hoped to increase this to 15%.

Councillor Jopling asked if it was cost effective.

The Head of Technical Services advised that the costs were the same but going forward they would expect a saving which would also help with issues of disposing of plastic and reduce carbon emissions.

Councillor Hicks complemented the Highways team on their work during the bad weather to keep the roads open.

Resolved: That the report and presentation be noted.

9 Quarter One 2018/2019 Performance Management Report

The Committee considered the report of the Corporate Management Team which presented progress against the Council's corporate performance framework for the Altogether Greener priority theme for the first quarter of the 2018/19 financial year (for copy of report, see file of minutes).

The Corporate Scrutiny and Performance Manager was in attendance to present the report.

The Chairman thanked the Officer for his presentation and indicated that single use plastics was ongoing and would be brought back to the Committee in the future.

Councillor Crute commented that members had an opportunity to discuss fly tipping next week. He then referred to the 22 CCTV cameras deployed and four incidents were picked up on the cameras and asked if these were deployed in the right place. Councillor Crute then asked why the performance indicator was a tracker rather than a target and if there were any regional or national comparatives.

The Corporate Scrutiny and Performance Manager indicated that they could look into obtaining some regional figures but there were no national indicators for fly tipping incidents. The increase in fly-tipping incidents could be due to better and easier reporting methods. With regard to the CCTV cameras this would depend if the culprit or vehicle could be identified.

Councillor Dunn referred to the fly-tipping cameras which he had found difficult to be located in identified areas of his division. He had reported fly-tipping on three occasions and the reports were not included in statistics. He had also made a request for a covert camera to be used but they had not been deployed in the areas identified. He advised that more modern cameras were available on the market which had a better battery lifespan and maybe the service should invest in some of these cameras.

The Corporate Scrutiny and Performance Manager responded that perhaps they had to limit the number of cameras as they required staff to review the footage and that this may be something Councillor Dunn wanted to raise at the Special meeting on 10 October but in relation to reported incidents and statistical information the Performance Team would look at this to see if they could be categorised.

The Chairman commented that Members were involved in the purchasing of cameras so this needed to be looked at.

Councillor Dunn asked in relation to highway maintenance what proportion of the highway schemes were footpaths and were they prioritising smaller schemes.

The Head of Technical Services advised Members that the condition of the footpaths had improved in recent years due to extra investments in highways. There was a backlog in highways that had been reported to Cabinet and this was broken down by asset type. It was difficult to prioritise footways as there are other important structures included within highway maintenance, such as bridges too.

Councillor Dunn referred to the footpaths in his area that had been assessed and found to be acceptable but were in an appalling state.

The Head of Technical Services advised Members that if footpaths were not safe then they would carry out a proactive repair but they could not resurface all footpaths.

The Strategic Highways Manager indicated that they do closely monitor the condition of all of the highway network and they had a strategy in place to maintain to the highest standard and they continued to maintain roads. Category A roads were at a level of 3% that needed treatment so a decision was taken to use more highways resources to repair category B and C and this brought them to a similar level with the A roads. Unclassified roads were currently at 20% that required maintenance. The decision is do we allow A, B, and C road deteriorate to repair unclassified roads and footways. All footways are inspected for safety and structure but not as to whether they are aesthetically pleasing.

The Head of Technical Services advised Members that in 2014, 27% of footways required maintenance, this decreased to 21% and 24% as at 31 March 2018.

Councillor Martin asked if more money was required in Highways as the Portfolio Holder had reported that sufficient monies were going into Highways but the data says otherwise, so did they require more money. Councillor Martin suggested that the performance data for unclassified road maintenance indicated that performance was reducing.

The Head of Technical Services indicated that there was a highway maintenance backlog which had decreased slightly but was still a significant figure. They did look for capital maintenance and they relied on funding, they do have funding to make safe the backlog but this was a national issue and they were constantly putting in bids for extra funding.

The Strategic Highways Manager advised that this was a minor blip and the service followed the trend rather than a percentage change during the year. He went on that sophisticated surveys are used on A, B and C roads, footways are inspected on a four yearly cycle and unclassified roads are scanned but at a different level of survey to other road classifications. Therefore the 1% increase is viewed as a minor fluctuation and not a cause for concern.

In relation to fly tipping Councillor Clark asked if the statistics reflected incidents reported from the public, wardens or both. The Corporate Scrutiny and Performance Manager confirmed that it was both.

Mrs Holding asked who the biggest culprits for fly-tipping were. The Corporate Scrutiny and Performance Manager responded that the majority of fly-tipping incidents were domestic. Mrs Holding then asked if there was a reason for this to which the Corporate Scrutiny and Performance Manager advised it could be missed collections or laziness.

Councillor Sexton referred to some of the footpaths in his area that had been treated with a scree technique but within 48 hours in some cases the weeds were through and had this technique been piloted.

The Head of Technical Services indicated that it was a technique to stop the footpath from deteriorating. There was a challenge with weeds as strong pesticides could not be used and the pesticides they were able to use were less effective, but if weed spraying had been carried out prior to screening this should address the problem.

Mr Bolton advised there had been regular problems with fly-tipping in his area but following reporting of incidents fly tip items had been removed within 24 to 48 hours which helped people's perceptions.

The Chair advised in areas of Newton Aycliffe there had been incidents where fly-tipping had been removed quickly people used the same place to dump rubbish as they thought this was a service.

Resolved: (i) That the report be noted.

(ii) That the following change to the Council Plan be noted:-

"The Commissioning of a leachate treatment system at Coxhoe East landfill site has been delayed. Only one compliant tender was returned and this was significantly above budget available. The service is currently reviewing the procurement approach.

10 Quarter 4 Budget Outturn 2017/18

The Committee considered the Joint Report of the Corporate Director of Resources and Corporate Director of Regeneration and Local Services which set out details of the outturn budget position for the service areas within Regeneration and Local Services. The Principal Accountant, Regeneration and Local Services was in attendance to present the report and gave a presentation (for copy of report and presentation, see file of minutes).

Councillor Howell referred to the high overspend in Culture and Sport and why additional funds were required for Direct Services and commented that the committee needed a better understanding of the budget.

The Principal Accountant advised the Member that a written response would be provided to his question.

Councillor Jopling asked in relation to Culture and Sport revenue outturn figure how they had come to the stated overspend. The Principal Accountant advised that there was an overspend in relation to the Gala Theatre and Leisure Centres but this was off set by underspends at Libraries and staff vacancies giving a total overspend figure of £0.493m.

The Principal Accountant indicated that the overspend was mainly due to events, the gala theatre and leisure centres which were offset by savings on libraries and staff vacancies.

The Chairman indicated that an item on the Gala Theatre was coming to a future meeting and he understood that budget issues had been raised at another scrutiny meeting.

Councillor Crute suggested that there was a common thread through all of the Scrutiny meetings relating to how the budget is reported and in view of the problems other local authorities had experienced he had requested budget training similar to that given on the Medium Term Financial Plan.

Councillor Martin asked if future reports could show the original budget and not just a revised figure.

The Principal Accountant advised that the £11.9 million was taking out of service budgets and put into a central budget.

Resolved: That the final outturn position on Revenue and Capital for 2017/18 be noted.

11 Quarter 1 2018/2019 Revenue and Capital Forecast

The Committee considered the Joint Report of the Corporate Director of Resources and the Corporate Director of Regeneration and Local Services that provided Members with details of the outturn budget position for the service areas within Regeneration and Local Services. The Principal Accountant, Regeneration and Local Services was in attendance to present the report and gave a presentation (for copy of report and presentation, see file of minutes).

Councillor Howell sought clarification on the changes in the VAT in Culture and Sport and why a payment was made to a third party contractor for an income shortfall.

The Chairman advised Members that the Committee had previously received an item where Peterlee Leisure Centre had been discussed.

The Principal Accountant referred to the VAT and advised Members that they had been waiting for the court outcome.

Resolved: That the Quarter 1 forecast outturn position on Revenue and Capital for 2018/19 be noted.

12 Response to Strategic Cycling and Walking Delivery Plan Consultation

The Committee considered the report of the Director of Transformation and Partnerships that provided members with a copy of their formal response to the Strategic Cycling and Walking Delivery Plan 2018 – 2028 (for copy of report, see file of minutes).

Resolved: That the report be noted.