

DURHAM COUNTY COUNCIL

Environment and Sustainable Communities Overview and Scrutiny Committee

At a meeting of the **Environment and Sustainable Communities Overview and Scrutiny Committee** held in the Council Chamber, County Hall, Durham on **Friday 20 January 2023** at **9.30 am**

Present:

Councillor B Coult (Chair)

Members of the Committee:

Councillors J Elmer, E Adam, L Brown, J Charlton, L Fenwick, G Hutchinson, C Kay, I McLean, R Manchester, D Nicholls, R Potts, J Purvis, J Quinn, D Sutton-Lloyd, S Townsend and J Blakey (substitute for A Reed)

Co-opted Member:

Mr P Walton

Also Present:

Councillors J Blakey and M Wilkes

1 Apologies

Apologies were received from Councillors P Atkinson, C Martin, T Stubbs and Co-opted Member, Mr Cramond. Apologies were also received from Councillor A Reed, member of the Safer and Stronger Communities Overview and Scrutiny Committee.

2 Substitute Members

Member of the Safer and Stronger Communities Overview and Scrutiny Committee, Councillor J Blakey, was present as substitute for Councillor A Reed.

3 Minutes

The minutes of the meeting held on 23 November 2022 were agreed as a correct record and signed by the Chair.

In relation to matters arising from the meeting held on 23 November, the Chair invited the Cabinet Portfolio Holder for Neighbourhoods and Climate Change, Councillor Wilkes, to provide an update. Firstly, Councillor Wilkes thanked Members and officers for their work in respect of the Council's declaration of an ecological emergency.

Councillor Wilkes then referred to the discussion at the last meeting regarding flytipping and he informed the Committee of the removal of the option for those caught flytipping to receive a discount for early repayment of fines. It is hoped this measure will help to continue the reduction of incidents of flytipping which, in the last eighteen months, had fallen by approximately 35%.

The minutes of the meeting held on 20 December 2022 were agreed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Items from Co-opted Members and other Interested Parties

There were no items reported.

6 Community Action Team - Update

The Committee received a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on the work of the Community Action Team (for copy of report and presentation, see file of minutes).

Jennifer Jones, Team Leader for the Community Action Team and Graydon Martin, Neighbourhood Intervention Manager were in attendance to deliver the report and presentation. The Community Action Team Leader explained that the team is a small team, working alongside key partners and residents to tackle local housing and environmental issues and deliver community action projects. The team, which was launched in 2013, had delivered 41 projects to date, covering 28 locations across County Durham. Project locations are carefully chosen using factors including public health data, levels of deprivation percentage of private lets and the number of empty homes, to identify areas of greatest need. Newly available antisocial behaviour data has been used to inform locations for 2023-24.

The Committee received information on the work carried out during 2021 to 2022 which comprised of 6 eleven-week projects and 9 reviews of previous project areas and during the presentation Members viewed 'before and after' photographs which demonstrated improvements made by the team in response to issues such as the accumulation of waste, flytipping and housing disrepair.

The Team Leader highlighted the multi-agency working which is carried out with bodies such as town and parish councils, Durham Constabulary, County Durham and Darlington Fire and Rescue Service and colleagues in other services, including housing and licensing.

The Committee heard that projects begin with an initial meeting at which partners agree their participation and an action plan is put in place for a 7-week period. A review takes place 6 to 12 months after each project is completed. Performance monitoring is undertaken by reviewing casework and gathering feedback from surveys completed by residents and landlords, at the end of each project.

The Team Leader also provided information on funding which is provided through the community protection budget, which also funds the work undertaken by Groundwork North East and Cumbria, to deliver community-based events and activities, such as volunteering and training sessions. Concluding the presentation, the Team Leader highlighted future project locations for 2023-24 including Coundon, Chilton, Deneside Seaham, Annfield Plain and West Ward, Newton Aycliffe. The Chair thanked officers for the presentation and invited questions and comments from the Committee.

Councillor Charlton asked if there had been any comparisons done on the cost of delivering the service against the amount of income generated from the payment of fines. Officers responded that they were not aware that an exercise of that nature had been carried out as income generation was not the main objective, however, they assured the Committee that steps are taken with regard to the non-payment of fines, for example through court proceedings and legal charging orders placed on properties. Officers undertook to provide details on income generation for future update reports to the Committee. In response to a question from Councillor Charlton as to how the work of the team can influence wider issues such as problems caused by empty properties, the Team Leader explained that serving legal notices increases the debt on properties which can act as a lever for the intervention of the Empty Homes team.

Councillor Adam asked how success is measured and whether analysis is carried out as to the number of locations which required repeat visits as they had reverted back to their former state when the work of the team concluded. Councillor Adam also asked whether follow-up work is carried out alongside other teams, to embed improvements. In response, the Team Leader explained that during the exit stage, ongoing issues are identified which are followed up at the review stage. In addition to the work of the Community Action Team, the Safer Communities Team also carry out interventions and Neighbourhood Wardens patrol hotspot areas.

Groundwork North East and Cumbria undertake community and education work including litter picks and voluntary clean-ups to embed behavioural change. The Team Leader confirmed that it had been necessary to carry out repeat visits in some areas and she explained the Horden area had benefited from external funding to establish the Horden Together Project. The Neighbourhood Intervention Manager commented that one of the main aspirations of the work is to raise confidence within communities in order that residents can see for themselves that, through their reporting, action will be taken.

In response to a question from Councillor Adam on the scope of the educational work, the Team Leader responded that this includes visits to schools by the Fire and Rescue Service, the Police and the Civic Pride team and the work of Groundwork North East who carry out training sessions and work with youth and community groups. The Team Leader agreed to discuss the plans for the future project at West Auckland with Councillor Adam, following the meeting.

Councillor Potts observed the table comparing percentage change before and after by location and raised concern that some areas had declined following the team's withdrawal and he asked what action could be taken to maintain standards. The Team Leader referred to the outcome for Shildon and explained that the review took place during a Covid-19 pandemic lockdown period and also followed the Christmas break, however action was taken as soon as possible, to address the issues. The Team Leader also spoke of difficulties in obtaining evidence, however, she stressed that when evidence is available, the aim is to ensure those responsible are held to account. In response to a question from Councillor Potts as to how the team collaborates with the Police, the Team Leader replied that the Police are invited to attend planning meetings and their knowledge is important for identifying hotspot areas and to inform on local issues.

Councillor Kay said he was looking forward to welcoming the team to Coundon. He commented on the value of the work in terms of community investment and he added that the work the team carried out in 2016 had stood the test of time. He highlighted the benefit of the networking meetings which bring people together and he emphasised the importance of ensuring the work is inclusive of smaller communities.

Councillor McLean asked whether the work of the team in some locations of the county is, at best, simply managing a decline. He referred to the work done by the former district councils and their ability to react to community issues quickly, such as assisting the elderly with their bins and removing rubbish from yards.

The Team Leader clarified that the team must exercise caution when clearing private properties and she highlighted that community work is carried out to educate residents on their responsibilities. The Chair agreed to pass Councillor McLean's comments to the relevant service.

Councillor Wilkes referred to interventions available to assist those who need it, such as assistance provided by the Yard Clearance team and Neighbourhood Wardens and he added that whilst the Council provides assistance to those who require it, it also has a duty to promote personal responsibility.

Councillor Quinn asked whether a percentage figure was available for the locations which had remained at the level they were at, when the Community Action Team concluded their work. The Team Leader responded that it would be difficult to quantify as it would require like for like walkabouts to be carried out and variables could not be controlled.

Councillor Sutton-Lloyd provided his view that public confidence is gained when tangible evidence exists and he suggested that it may be useful if Members could identify areas for targeted, promotion work to be undertaken. Officers highlighted that Members are invited to engage in the work and specific issues, such as anti-social behaviour are addressed through the work of the Community Safety team.

Resolved:

That the report and presentation be noted and a further update on the Community Action Team be included within the Environment and Sustainable Communities Overview and Scrutiny work programme for next year.

7 Ecological Emergency - Update

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided progress on the Ecological Emergency strategy and action plan (for copy of report see file of minutes).

Steve Bhowmick, Environment and Design Manager thanked the Committee, whose recommendation had led to the formal declaration of an ecological emergency for County Durham, by Cabinet at the meeting held on 6 April 2022. At that meeting, Cabinet also requested that an initial plan be produced relating to Council activities in response to the declaration. The initial strategy and action plan was presented to Cabinet on 14 December 2022.

Stuart Priestley, Principal Ecologist, highlighted that the initial plan aims to identify key areas of Council activity required to deliver against the ecological emergency, drawing across all Council services. The initial plan sets out current and proposed areas of activity within the three key themes of Land Management; Engagement, Education and Behaviour Change and Policies and Strategies. He stressed that it was an initial plan and Members were requested to provide their comments.

Councillor Adam questioned the length of time taken to produce the initial strategy and plan, highlighting that the declaration had been made by Cabinet in April 2022, however, the initial strategy and plan was not produced until December 2022. Councillor Adam also expressed concern at the lack of detail with regard to deadlines, targets and key performance indicators and commented that he felt those measures would be key to monitoring performance and he suggested that incremental targets should be set. The Principal Ecologist acknowledged the points and explained the difficulties of setting targets, prior to knowing the scope of work and what resources will be available.

Councillor Wilkes commented on the scale of the task ahead, including the assessment of current provision and the identification of resources, within the current financial constraints, including funding from external sources. Councillor Wilkes also spoke of ensuring that the plan is future-proof.

Councillor Sutton-Lloyd suggested that the term ecological opportunity would have been a more appropriate term to use, rather than ecological emergency and he recognised that a great deal of work had already been undertaken which should be developed, with a co-ordinated approach.

Councillor Brown highlighted the need to ensure the Council balances the competing demands of its sites, pointing out that a number of sites are multifunctional and are classed as a recreational, however they also have habitats and wildlife which require protection. Referring to the example of Pow Hill country park, Councillor Brown commented that the location had become increasingly popular with members of public and it had been suggested that this had resulted in the demise of the red squirrel in the area as the population of grey squirrels had increased.

Councillor Potts noted the need to ensure that biodiversity is included in planning obligations when considering development in the county. He provided the example of the Toft Hill bypass and stressed that net gain requirements must be met by developers.

The Principal Ecologist explained that future planning obligations were increasing as local authorities moved towards the introduction of mandatory biodiversity net gain, later in 2023. In addition, the Local Nature Recovery Strategy will include mapping opportunities to deliver for biodiversity.

Councillor Elmer referred to comments made by the UN Secretary General in relation to fossil fuel giants, stating that their business models were incompatible with human survival. Councillor Elmer went on to point out that global oil companies are a strategic partner of the Council through the pension fund and there was a need for wider consideration. He provided the view that some areas were missing from the initial plan, including the need for the Council to review practices with regard to verge planting and landscape schemes to maximise biodiversity and to consider the benefits to biodiversity in relation to land rentals and sales. Councillor Elmer also commented that it was important that the plan is embedded corporately to ensure change is driven forward throughout the Council as a whole. He also highlighted the opportunities for income generation from biodiversity net gain in relation to the amount of land held by the Council and the development of the visitor economy as a result of increased biodiversity.

The Environment and Design Manager commented that the declaration provided a unique opportunity for Members and officers to work together on a core agenda in respect of the ecological environment.

Resolved:

- a) That the report and appendix 2 be noted.
- b) That a further progress update be provided to a future meeting of the Committee.
- c) That the Committee receives progress updates on the development of the Local Nature Recovery Strategy with the first update scheduled for the Environment and Sustainable Communities Overview and Scrutiny Committee meeting on the 12 May 2023.

8 Quarter Two Revenue and Capital Outturn Report 2022/23

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided details of the forecast outturn budget, highlighting major variances, based on the position to the end of the second quarter of the year (for copy of report see file of minutes).

Presenting the report the Finance Manager, Phil Curran, reported a forecast revenue overspend of £0.493 million against a revised budget of £116.138 million. It was noted that the outturn took account of inflation related items including pay awards and energy and fuel costs which were offset by underspends on waste contracts and a higher price for the power generated

by the joint stocks landfill site. The report included a breakdown of the revenue position across heads of service areas and reasons for variances were detailed in appendix 3 of the report. It was reported that the cash limit reserve position stood at £0.184 million at 31 March 2023 which provided flexibility to deal with unbudgeted expenditure. The outturn also took account of a contribution to earmarked reserves to fund future service initiatives. The revised capital budget was £77.537 million and expenditure to 30 September was £21.429 million with key areas of spend to date being highways and bridges, environmental schemes and vehicles and plant.

Councillor Adam referred to the use of agency staff within the refuse and recycling service area and observed that this had been discussed at previous meetings. He asked whether there was an expectation that the position would continue and what, if any, action was being taken to reduce the reliance on agency staff. The Finance Manger explained that, following the busy Covid-19 pandemic, it had been necessary to allow staff to carry forward annual leave and this had been one of the reasons for the use of agency staff, however, there was less flexibility for staff to carry forward annual leave as the recovery from the pandemic continued. The physical nature of the duties and the ageing workforce had also impacted sickness absence levels, however, the approach to sickness absence was being strengthened, with increased training for managers and closer investigation into sickness absence on a case by case basis. Councillor Adam requested that the use of agency staff, sickness absence levels and the ageing workforce within the refuse and recycling service be kept under review by the Committee.

In response to a question from the Chair for an explanation of the £219,000 overspend on vehicle work in the refuse and recycling service, the Finance Manager clarified that the age of the vehicles and the number of repairs resulting from accidents were factors.

Resolved:

That the report be noted.

9 Quarter Two 2022/23 Performance Management Report

The Committee considered a joint report of the Corporate Director of Resources and the Corporate Director of Neighbourhoods and Climate Change which presented an overview of progress towards achieving the key outcomes of the Council's corporate performance framework and highlighted key messages to inform strategic priorities and work programmes. The report covered performance in and to the end of quarter two 2022/23, July to September 2022 (for copy of report see file of minutes).

Presenting the report, the Corporate Policy and Performance Manager, Tom Gorman, commented that the impact of pandemic continued to be seen and he noted that the previous two financial years were not representative, therefore the report contained a comparison of current performance against pre-pandemic data. The cost of living crisis continued to be the main challenge during the quarter with high inflation outstripping wage and benefit increases, resulting in falling income in real terms, leading to increased demand for support and social care services.

Areas going well included sustainable transport initiatives and carbon emissions which had seen a 57% reduction from the 1990 baseline, however, emissions from transport remained a challenge. The Council had achieved green accreditation status from the Investors in Environment, in recognition of the work done to make County Durham a greener place to live and work. Areas of concern included the increase in waste tonnage and the high rate of contamination of kerbside recycling. The Corporate Policy and Performance Manager informed the Committee that the selective licensing scheme which came into effect in April had seen a low percentage of eligible properties fully registering for the scheme and therefore this area required attention.

Diane Close, Overview and Scrutiny Officer, informed the Committee that a joint scrutiny meeting will be held on 6 March, hosted by Economy and Enterprise Overview and Scrutiny Committee, to which members of the Environment and Sustainable Communities and Safer and Stronger Communities Overview and Scrutiny Committees will be invited. This will provide further information relating to empty homes and social housing provision.

Councillor Adam pointed out the 6% increase in waste tonnage which the report attributed to behavioural change and home working and he asked whether this was based on empirical evidence.

Councillor Adam raised concern at the impact on the energy to waste scheme and the increase in waste diverted to landfill. The Corporate Policy and Performance Manager referred to the explanation provided by the Strategic Waste Contracts Manager at the previous meeting, that as the waste generated by workplaces contributed to commercial waste and that generated at home was domestic waste, the increase in home working had led to the increase in the amount of domestic waste produced. The Corporate Policy and Performance Manager stated that he would investigate the matter with colleagues in the Strategic Waste Team, for further information to be brought to a future meeting of the Committee.

Councillor Adam queried why the latest performance data for highways dated from 2020. The Corporate Policy and Performance Manager responded that there was a delay with the figures contained in the report, however, he would seek the up to date figures to circulate to the Committee.

Councillor Elmer referred to the difficulty of tackling transport related carbon emissions and he pointed out that a modal shift from private vehicle ownership to public transport would take time. He was pleased to see that the government direction was now turning towards reallocating road space for public and active transport and he urged Members to empower officers within the relevant teams to continue to move in this direction, in order to reduce transport related carbon and nitrogen dioxide emissions.

The Chair referred to the library of resources being prepared by the Strategic Waste team and informed the Committee that it is hoped that information will be available to circulate to Members in the spring.

Resolved:

That the report be noted.