

DURHAM COUNTY COUNCIL

At a Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Friday 17 April 2015 at 10.00 am**

Present:

Councillor B Graham (Chairman)

Members of the Committee:

Councillors E Adam, J Armstrong, D Bell, E Bell, J Gray, D Hall, G Holland, C Kay, P May, S Morrison, P Stradling and L Taylor

Co-opted Members:

Mr T Bolton and Mrs P Spurrell

1 Apologies

Apologies for absence were received from Councillors J Clark, K Hopper, I Jewell and S Zair.

2 Substitute Members

There were no substitutes.

3 Minutes of the Meetings held on 20 January, 4 February and 5 March 2015

The minutes of the meetings held on 20 January, 4 February and 5 March 2015 be confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

5 Any items from Co-opted Members or interested parties

There were no items from Co-opted Members or interested parties.

6 Neighbourhood Services Revenue and Capital Outturn 3 2014/15 - Overview

The Committee received a report and presentation of the Neighbourhood Services Management Team which set out details of the forecast outturn as at Quarter 3 for 2014/15, highlighting variances against revenue and capital budgets for Neighbourhood Services (for copy of report and slides of presentation see file of minutes).

The Principal Accountant went on to provide details regarding the revenue outturn position and analysis by Head of Service. It was reported that the revenue outturn for 2014/15 was under budget against the cash limit by £1.105m in comparison to the previous forecast at Quarter 2, which was under budget by £0.820m. The presentation further detailed the significant variances, which included:-

- Savings in accommodation costs and early achievement of MTFP savings in Direct Services
- Increased Highways Maintenance spend
- Increased surplus in Technical Services
- Overspend in Strategic Waste
- Savings within Environmental Health and Consumer Protection.

With regard to the capital outturn position details were provided regarding the variances against the revised budget and it was reported that there was a need to slip £8.222m into 2015/16 as a result of delays in a variety of schemes. It was confirmed that the forecasted capital outturn at quarter 3 was £39.1m.

Councillor Adam queried why a bridge had been demolished and bridges inspections and maintenance were not undertaken when there is an underspend in the budget with plans to take reserves forward. In response the Head of Projects and Business Services advised that bridge inspections had however been in arrears and further details could be provided to Councillor Adam following the meeting.

Resolved:

That the content of the report be noted.

7 Quarter 3 2014/15 Performance Management Report

The committee received a joint report and presentation of the Corporate Management Team and Assistant Chief Executive which presented progress against the council's basket of performance indicators for the Altogether Greener theme and report other significant performance issues for the third quarter of 2014/15 covering the period October to December 2014 (for copy of report and slides of presentation see file of minutes).

The Customer Relations Policy and Performance Manager provided a detailed presentation which gave an update on performance relating to the following:-

- Overview of performance
- Key messages in relation to;
 - Refuse and recycling
 - Improvements in environmental cleanliness
 - Fly-tipping actions and outcomes
 - Condition of highways and footways
 - Reduction of carbon emissions and impact upon climate change
 - Renewable energy generation
 - Maximising value and benefits of natural environment
 - Working in partnership to enhance the natural environment.

Councillor May in reference to the creation of five new wildflowers meadows asked why Chester-le-Street meadow was being closed. The Customer Relations Policy and Performance advised that she would investigate this further and report back to Councillor May.

Councillor Kay commented that municipal waste could not be carbon neutral so questioned how this was dealt with. In response the Head of Projects and Business Services advised that landfill gas was extracted from the Coxhoe site and some of the older landfill sites in order to generate electricity however this was not sustainable. On a day to day basis EFW was generated at the SITA plant at Teeside and although there was some emissions from this process, it was the best option with limited carbon emissions.

Councillor Kay further queried why there had been a sudden increase in tyres being fly-tipped. In response the Head of Projects and Business Services advised that the team were in the process of investigating as to why there had been this increase in the North, however tyres are expensive to dispose of and it was suspected that rogue traders would not pay the costs of disposal.

Councillor Bell asked whether there was any update in relation to the use of CCTV to catch those fly-tipping including detail of the performance of those camera funded by members. In response the Customer Relations Policy and Performance Manager advised that she would provide an update to Councillor Bell following the meeting.

Councillor Holland queried whether there was any commercial value to tyres and whether there was anything in place nationally to prevent the dumping of this form of waste as it was surely not a localised problem. In response the Head of Projects and Business Services advised that there was a number of good schemes in place including re-using the rubber from tyres to make rubber crum sports pitches, road surfacing, construction of road embankments and in some cases they could be burnt to create electricity, however this was very expensive. It was further acknowledged that this was a national problem.

Councillor Hall added that he had found that the issuing of a fixed penalty notice (FPN) was the best deterrent and subsequently requested detail of the fixed penalty notices issued in relation to fly-tipping. The Customer Relations Policy and Performance Manager advised that detail of FPN's could be included in the quarter 4 performance report.

Further discussion took place regarding allotments and it was suggested that a representative of Culture and Sport attend a future meeting. It was further noted that Allotments were included on the 2015/16 work programme.

Councillor Clare added that he had some concerns regarding the equitability of the sanctioning policies of FPN's as local residents had approached him and raised issues regarding the sanctioning process and questioned as to whether the appeals process for those issued with a FPN was still in place. In response the Customer Relations Policy and Performance Manager advised that she would take details of the individual cases from the member and would provide a response to the issues raised in relation to the process. In addition, she would confirm as to whether the appeals process was still in place.

Further discussion ensued regarding cat fouling and it was noted that the council did not have any powers to issue FPN in this respect.

Resolved:

That the content of the report and presentation be noted.

8 Air Quality Management Plan for County Durham - Update

The Committee considered a joint report of the Assistant Chief Executive and Corporate Director Neighbourhood Services which provided an update on the draft Air Quality Management Action Plan for County Durham (for copy of report and slides of presentation see file of minutes).

The Pollution Control Manager provided details of the work programme and progress against each of the four milestones. It was therefore proposed that the Draft Air Quality Action Plan would go out to public consultation in September 2015 with a view to the final plan being approved by Cabinet in April 2016. It was noted that the consultation period had been slightly delayed due to a number of late responses, the Purdah period and the impending road works at Milburngate Bridge.

The Senior Air Quality Officer then went on to provide detail regarding the Air Quality Improvement Options Appraisal and its main findings. The presentation further outlined the projected decreases in emissions in Durham City compared to the required reduction in NO_x Emissions and it was reported that it was projected that Gilesgate and Crossgate Peth would not meet those objectives at this current time.

Further details were reported with regard to the improvement options that had been appraised and would continue to be developed and would of course be subject to consultation.

The Senior Air Quality Officer advised that if implemented the appraisal scenarios would lead to reasonable reductions in NO_x across the picture. Further details were reported in respect of the consultation including the proposed form and purpose.

The Pollution Control Manager then went on to report upon how progress would be assessed noting that evaluation of the effectiveness of each measure would be undertaken along with devising indicators for each measure to assess progress and regularly review in order to determine whether further and stronger local action or intervention are necessary.

Further details were presented regarding the Chester-le-Street Air Quality Management Area and it was reported that the boundary had now been reduced and further work was scheduled to be undertaken in developing the Draft Air Quality Action Plan.

Councillor May asked whether the team worked closely with planners, as it was likely that the demolition or erection of new buildings would impact upon air quality. In response the Pollution Control Manager advised that they did indeed work closely with planners and a guidance note was given to developers regarding air quality assessments near or within a AQMA.

Further discussion took place regarding the list of appraisal options and whether any consideration had been given to associated costs. In response the Senior Air Quality

Officer advised that it was known that there were costs involved in that process both economic and social.

Councillor Adam queried where the funding would come from to put in place these actions. It was noted that some of the actions may not as yet have funding allocated but in many cases the funding would be sought from external sources. It was acknowledged that some of the actions may have to be disregarded as a result of lack of funding.

Councillor Holland commented that it would be an interesting experimental base to monitor air quality during the partial closure of Milburngate Bridge. It was reported that the team were intending on placing AQ monitors on some of the intended diversions for a period of 2 months to monitor activity.

A further query was then raised by Councillor Hall as to whether any other pollutants were assessed and whether air traffic had any impact upon results. In response the Pollution Control Manager advised that there were a total of seven pollutants which were assessed, however at this time there were no other problems, however it was anticipated that PM2.5 could be cause for concern in the future.

Resolved:

- (i) That the content of the report and presentation be noted.
- (ii) That the Environment and Sustainable Communities Overview and Scrutiny Committee receive further update reports detailing the progress of air quality management within County Durham.

9 European Structural and Investment Funds - Low Carbon Economy - Update

The Committee considered a report of the Corporate Director Regeneration and Economic Development which provided an update with regard to European Structural and Investment Funds, Low Carbon Economy strand funding and set out the opportunities that are available to County Durham (for copy see file of minutes).

The Sustainability & Climate Change Team Leader advised that there was around £18m of funding that could be spent within County Durham on low carbon economy projects however it was unknown at this stage the agreed EU criteria for projects which will gain ESIF. Full details of the project opportunities were included within paragraph 11 of the report.

Further details were reported regarding technical assistance money and it was noted that negotiations between Government and Europe had now enabled the first calls to go out. The Sustainability & Climate Change Team Leader further advised that following the appointment of a consultant, his findings had highlighted the lack of any leadership on the low carbon economy element at regional level.

It was also reported that the team were exploring various European transnational programmes and further details would be reported at a future meeting.

Councillor Armstrong commented that he was disappointed to hear that more progress had not been made, however appreciated that this was as a result of politicians within government and Europe.

Councillor Holland commented that it was clear that there was a lack of drive in this country in developing effective renewable energy. However he considered Durham to be best placed to take this forward given the positive and strong links with Durham University. He further asked where match funding would be taken from. In response the Sustainability & Climate Change Team Leader advised that DCC could not possibly provide the full amount of match funding and it was anticipated that the lead organisation for each agreed project would provide the match funding with some partial funding potentially from DCC. Private organisations may be a source of match funding for certain projects.

Councillor Bell commented that he was disappointed to see that the Environment Agency was allowing the Coal Authority to pump mine water into the sea at Whitburn and that this is now seen to be the next way forward in renewable energy. He added that it was frustrating to see that the council were now just looking at developing District Heating Schemes.

Further discussion took place regarding the use of minewater and how heat exchange work. A trial was currently being undertaken at Dawdon.

Resolved:

(i) That the content of the report be noted.

(ii) That the Environment and Sustainable Communities Overview and Scrutiny Committee receive further updates on the development of the ESIF programme.

10 Council Plan 2015-18 - Refresh of the Work Programme

The Committee considered a report of the Assistant Chief Executive which provided information contained within the Council Plan 2015-18, relevant to the work of the Environment and Sustainable Communities Overview and Scrutiny Committee and provided the opportunity for members to refresh the work programme in line with the Altogether greener priority theme (for copy see file of minutes).

The Overview and Scrutiny Officer advised that Paragraph 9 of the report provided members with an overview of the work undertaken in 2014/15 by the committee and detailed scrutiny review activity, systematic review and overview activity. Paragraph 10 of the report highlighted a further 11 additional areas which members may want to consider for inclusion in the work programme which had been identified under the 'Altogether Greener' section of the Council Plan for 2015-18. It was highlighted that members had identified several areas from the 2014/15 work programme for further updates and these would need to be included in the work programme for 2015/16. In addition, systematic reviews of the recommendations within three Scrutiny review reports would also need to be included in the future work programme together with quarterly budget and performance reports. The committee is also the Flood and Coastal Erosion Risk Management Committee for County Durham and therefore the future work programme will need to include a special meeting with the Flood Risk Management Authorities for County Durham.

A further report will be provided to members at the meeting on the 8 July detailing the work programme and asking members to identify a topic for Scrutiny review.

Councillor Stradling commented that Members should forward any comments or suggestions for additional items to be included in the future work programme to the Overview and Scrutiny officer.

Resolved:

(i) That the content of the report be noted.

(ii) That the additional areas identified in paragraph 10 of the report be included in the 2015/16 committee work programme.

(iii) That the Environment and Sustainable Communities Overview and Scrutiny Committee receive a further report detailing the work programme for 2015/16.

11 Minutes of the County Durham Environment Partnership Board held on 10 December, 2014

The minutes of the meeting of the County Durham Environment Partnership Board held on 10 December 2014 were received for information.