

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 22 January 2016 at 9.30 am**

Present:

Councillor B Graham (Chairman)

Members of the Committee:

Councillors E Adam, J Armstrong, D Bell, E Bell, J Clare, J Clark, J Gray, D Hall, I Jewell, P May, A Liversidge, S Morrison, J Shuttleworth, P Stradling and L Taylor

Co-opted Members:

Mr T Bolton

1 Apologies

Apologies for absence were received from Councillor O Milburn and P Spurrell.

2 Substitute Members

There were no substitute members.

3 Minutes

The minutes of the meetings held on 9 November 2015 and 1 December 2015 were confirmed as a correct record and signed by the Chairman.

The Overview and Scrutiny Officer advised Members that the mapping information in relation to the Warm and Healthy Homes project for April 2014 - December 2015 and information relating to wall insulation which was referred to in the minutes of the Special Meeting held on 1 December 2015, had been circulated to all members of the committee and those members who were also in attendance.

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 Media Relations - Update on Press Coverage

The Overview and Scrutiny Officer referred Members to the recent prominent articles and news stories relating to the remit of the Environment and Sustainable Communities Overview and Scrutiny Committee (for copy see file of minutes). The articles were:-

- Steel and sword making past of Derwent Valley wins £2.2m award from the Heritage Lottery Fund.
- Work finished on £3.4 million coastal and pier defences.
- Fines for littering could rise to £150, the current fine was £50-£80.

Resolved: That the report be noted.

7 Big Spring Clean - Chair of Litter Free Durham

Councillor G Lee, a Member from Darlington Borough Council and Chairman of Litter Free Durham was in attendance to talk to Members about the Big Spring Clean.

He thanked the authority for supporting litter and asked for Members support to help with the Big Spring Clean.

He also thanked the teams for their enthusiasm and help they had provided over the years.

In 2015, 275 litter picks had taken place which involved 2,000 people and over 2,000 bags of waste had been collected. The Environment Agency had also collected 4 tonnes of waste from rivers.

The litter picks had saved the authority £31,000, so there was a financial advantage from the Big Spring Clean.

He asked Members that they help raise awareness and educate people. Litter impacted on the environment, wildlife and the image of County Durham and Darlington. Ideally he would like a constant message to be sent and fed into the general public from government but this was not going to happen.

He asked that Members considered making this part of the school curriculum so that they there was a constant message, this could be one hour per year for each year group and everyone would see the benefits.

5 out of 14 priorities were for litter and fines were issued for dog fouling and a solution would be to employ a professional company who could issue fixed penalty notices for litter. £5 million was spent in Durham on street cleaning and £1.5 million in Darlington.

Members know the hot spots and he appealed to Councillors to speak to their community and join or book a litter pick. If people pick litter up they are unlikely to drop it again. The Big Spring Clean starts on 29 February 2016 to 17 April 2016 and was supported by the Northern Echo, Environment Agency, Schools and Community Groups.

The Chairman thanked Councillor Lee for his update which they would take back to Officers. She also indicated that she had held litter picks in her area and many of the Members were also school governors.

Councillor Armstrong indicated that Durham County Council already undertook 99% of what Councillor Lee was asking. He indicated that they needed to go through school governor support to get the message into schools. The area action partnerships priorities were litter and dog fouling but a professional company brought in would be at a cost when times were hard with redundancies and these jobs could be given to staff. Community teams were already doing a fantastic job.

The Chairman thanked Councillor Lee and Officers for their attendance and a great job.

Resolved: That the update be noted.

8 Rural and Isolated Bin Collections Consultation

The Committee considered the joint report of the Assistant Chief Executive and Corporate Director Neighbourhood Services which provided members with proposals to harmonise the Council's refuse and recycling collection policy relating to properties situated on private unadopted lanes and farm tracks across the county (for copy of report, see file of minutes).

Mr O Sherratt, Head of Direct Services and Mr K Parkinson, Refuse and Recycling Manager gave a presentation that provided Members with details of the current position, the need to consider change, benchmarking with other authorities, consultation with affected properties, safeguards that would be built into policy and the next steps (for copy of slides, see file of minutes).

Councillor May sought clarification if Members had been provided with details of the properties which were part of the consultation. The Officer responded that this information had been provided to Members where requested but it was a large spreadsheet and in some areas very few properties would be affected but he was happy to supply the information.

Councillor Armstrong indicated that he had two unadopted roads in his area and asked that members be consulted in particular those in semi-rural areas and that he was pleased that measures were in place for safeguarding. The Officer responded that numbers could reduce following the consultation.

Councillor Jewell commented that bins located at lane ends could cause unofficial fly tipping. The Officer responded that they had identified vulnerable properties which had a lane but were in built up areas which meant that lane end collection was not considered suitable. Other authorities who have this policy have indicated that fly tipping was not an issue but this would be monitored.

Councillor Jewell sought clarification if there would be an increase in the number of assisted collections under the new policy. The Officer responded that the increase would only be from those properties which were accessed by lanes, a site visit would be undertaken and an assessment made if they were vulnerable then nothing would change and the collection would be made as before.

Councillor E Bell sought clarification on how this would impact of the fleet. The Officer responded that some smaller refuse vehicles would no longer be needed and any redundancies would be on a voluntary basis rather than compulsory.

Councillor Liversidge sought clarification if they would be consulting properties that were at the end of the lane. The Officer responded that they would be consulting in every instance and that they were aware that some people were not happy, but the process would be managed sensibly.

Councillor Armstrong asked what would be the next steps. The Officer responded that the outcome of the consultation would be reported to Cabinet.

The Chairman indicated that people don't like change but they needed to harmonise the service which was the reason for the consultation but all aspects appeared to be covered. She asked that members be kept informed of what was happening in their area.

Councillor Armstrong on behalf of the committee congratulated Mr O Sherratt on his recent promotion and wished the team all the best.

Resolved: That the report and presentation be noted.

9 Contaminated Land and Inspection Strategy - Report of Corporate Director of Neighbourhood Services

The Committee considered the report of the Corporate Director, Neighbourhood Services which provided members with an update on Durham County Council's Contaminated Land and Inspection Strategy (for copy of report, see file of minutes).

The Senior Contaminated Land Officer was in attendance to present the report.

Councillor E Bell sought clarification if the strategy included beaches which included the Durham Heritage Coast. The Officer responded that they looked at pathways that contaminated the beach but beaches were not part of the strategy.

Councillor E Bell then sought clarification if any works were being undertaken on water at the coast at Seaham as there was a risk from sewerage outflows further up the coast at Hendon. The Officer confirmed that there was no work planned.

Councillor Armstrong asked for a written answer as to what areas the Council were looking at in terms of contaminated land.

Councillor May asked if the Council held a list of land that might be contaminated. The Officer responded that they had a working list but it does change, the list contained a lot of sites for future development.

Mr T Bolton asked if it was a list or register. The Officer responded that it was a list and was not available to the public and contained approximately 7,000 sites.

Councillor Clark referred to the Environment Protection Act 1990 that states “significant pollution of controlled waters is being caused, or there is significant possibility of such pollution being caused”, and asked if this could be interpreted to beaches. The Officer responded that they needed to prioritise and nothing was coming up in the next two years but if anything was a priority and they needed to look at sooner, if Members could advise the team, they would welcome the information.

Councillor Morrison sought clarification if it excluded other forms for example the Japanese Knotweed. The Officer responded that the Ecology Team kept a record of the location of Japanese Knotweed on council land and tries to treat it. If any Member was aware of Japanese Knotweed, if they could provide the information to the Ecology Team, so that it could be followed up.

Resolved: That the report be noted.

10 Quarter 2 2015/2016: Forecast of Revenue and Capital Outturn Neighbourhood Services - Report of the Head of Finance

The Committee considered a report of the Neighbourhood Services Management Team which set out details of the forecast outturn as at Quarter 2 for 2015/16 and highlighted variances against revenue and capital budgets for Neighbourhood Services and the Finance Manager, Neighbourhoods, gave a presentation (for copies see file of minutes).

Councillor Armstrong sought clarification on the reasons for the underspend in Direct Services department and was this as a result of the profits made from members’ schemes and would these monies be put back into the Medium Term Financial Plan.

The Officer responded that profits would go into the Medium Term Financial Plan and any surplus monies would get carried forward or used in other areas.

Members were also advised that there was a much higher level of turnover than anticipated which added to the surplus. Going forward they may consider reducing the rates but they could not reduce too far in case there was a loss, which would become a drain on the budget.

Councillor Morrison referred to the £900K overspend on culture and sport and sought clarification on this. The Officer responded that the overspend was largely due to additional items of one off expenditure for improvements to the Gala Theatre and Town Hall. There was also an overspend on premises costs, and NNDR costs.

Councillor E Bell referred to building services charges and what would be the methodology for increasing charges. Officers responded that these were likely to decrease and was not a public charge it was an internal charge. The larger than anticipated volume of work being generated for the council’s internal DLO requires changes to be made to the profit markup which will probably result in reduced charging rates.

Councillor May referred to the recent reductions in fuel costs and the introduction of the national living wage and if this had impacted on the Council. The Officer stated that lower energy costs have been built into the Medium Term Financial Plan and resulted in lower costs generally in Direct Services. The introduction of the national living wage mainly

impacts on jobs in the transport and social care sectors rather than Neighbourhood Services budgets.

Officers responded that the reduction in energy costs had been built into the reduction in budgets to reflect this. The underspend was now over and above this and there had been a review undertaken of the impact of the higher wages.

Councillor Adam indicated that he was pleased to see that building services would be reducing their charges.

Councillor Hall referred to the charges for projects and indicated that the design charges were expensive.

Councillor Armstrong responded that members needed a design service for projects and this service had overheads but the profits would be put back into the Medium Term Financial Plan.

Councillor Clare referred to the cost to have an area of land tarmacked in his area, which locals indicated was too expensive but when they saw the project complete they indicated that it was worth every penny, as it was done to a high standard. He then referred to the £900,000 extra profits and sought clarification on the original target. The Councillor was advised that the original target was £300,00 on a budgeted turnover of £12m. The actual turnover achieved was £19m resulting in an additional £900,000 profit.

Resolved: That the report be noted.

11 Quarter 2 2015/2016 Performance Management Report - Report of Corporate Management Team

The Committee considered a report of the Corporate Management Team which presented progress against the Councils corporate basket of performance indicators for the Altogether Greener theme and report other significant performance issues for the second quarter of 2015/16 covering the period July to September 2015 (for copies see file of minutes).

The Performance Officer gave a presentation (for copy see file of minutes) which gave an update of the performance indicators relating to;

- Cleaner, more attractive, sustainable environment
- Refuse and recycling
- Improved environment cleanliness
- Fly-tipping key trends
- Fly-tipping actions and outcomes
- Condition of the Local Authority road network
- Reduction in carbon emissions
- Renewable energy generation
- Awards

Councillor May referred to dog fouling and the recent press articles in relation to DNA testing for dogs and sought clarification if this had been discussed.

Officer's responded that they needed to consider the cost and offence and that the maximum fine was currently £80 and they needed to consider if the cost was justified, they would also require other evidence.

Councillor Clare indicated that this issue had been discussed on his blog and that you needed to find the dog to carry out the tests.

The Chair indicated that the people who pick up after their dogs would be willing to provide a sample of their dog's DNA but those that don't pick up would not so there would be no advantage.

Councillor Hall referred to detritus and could there be an incentive for those people who reported it.

The Officer responded that they currently operated incentives for litter by giving a golden ticket and recycling have a number of schemes and this area could be looked at.

In response to a question from Councillor Hall the Officer advised that she would check if the number of defects to carriageways and footways were increasing and report back.

Councillor Adam referred to fly-tipping and levels of detritus which overall was down but incidents in the East were up by 6% but in terms of performance was good news.

The Officer responded that detritus was below an acceptable level and even though dog fouling was up it was still lower than the national average. Officers explained that in relation to fly-tipping there were hotspot areas and they had noted there had been an increase in the number of carcasses of white goods being fly-tipped. There was a need to dig down to the detail in relation to cross boarder fly-tipping.

Councillor Clark referred to the East struggling in terms of fly-tipping and asked if covert cameras could be used in relation to catching dog owners who persistently do not pick up after their dogs.

Officers responded that the cameras were hidden but a notice had to be displayed and they could not be placed in areas where there was a lot of activity. Councillor Clark responded that the incidents were on estates so would not be suitable for cameras.

Councillor Jewell sought clarification on how defects was recorded, were they all logged as separate incidents or if they had to return to a particular site would this be logged with previous incidents. He also indicated that the covert cameras were proving to be self-financing.

The Officer responded that all defects are recorded and monitored and that the cameras were more of a deterrent, but with fines they were proving to be value for money and had the capacity to monitor and record.

Resolved: That the report be noted.

12 Review of Council Plan and Service Plans - Report of Assistant Chief Executive

The Committee considered the report of the Assistant Chief Executive which updated Members with progress on the development of the Altogether Greener section of the Council Plan 2016-19 including the draft aims and objectives contained within the Plan and the proposed performance indicator set to measure success (for copy of report, see file of minutes).

The Corporate Scrutiny and Performance Manager was in attendance to present the report to Members and advised that the plan would be approved at Council and was reviewed every year. There were proposed changes and the introduction of some new outcomes which could be seen at page 46 of the report.

Councillor Clare referred to Appendix 3 of the report and indicators NS04 and NS05 which were to be deleted and replaced by a scanner and asked if Members would be advised of how this new performance indicator would work before it was deleted.

Officers responded that Members would be provided with an opportunity to comment on the target and the scanning of the roads already happened every two years.

Members were advised that a special session of Chairs and Vice Chairs was being arranged to look at performance indicators and they could discuss this at the Chair and Vice-Chairs meetings then bring it back to the Scrutiny Committee.

Resolved: (i) That the updated position on the development of the Council Plan and the corporate performance indicator set be noted.

(ii) That the draft objectives and outcome framework set out in Appendix 2 of the report be noted.

(iii) That the draft performance indicators proposed for 2016/17 for the Altogether Greener priority theme contained in Appendix 3 be noted.

(iv) That the current targets in Appendix 3 of the report and the target setting for 2016/17 onwards be noted.

13 Minutes of the Meeting of the County Durham Environment Partnership Board held on 10 September 2015

The minutes of the meeting of the County Durham Environment Partnership Board held on 10 September, 2015 were received for information.

14 Any Other Business

Councillor E Bell advised the Committee that he had met with Jude Kirton-Darling MEP for the North East Region and Emma Lewell-Buck MP for South Shields in relation to mine water and sewerage outflows at Wearmouth being pumped into the North Sea. He advised that he would provide an update to the Committee as information became available.