

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Tuesday 24 January 2017 at 9.30 am**

### **Present:**

**Councillor B Graham (Chairman)**

### **Members of the Committee:**

Councillors J Armstrong, D Bell, J Clare, D Freeman, J Gray, G Holland, B Kellett, A Liversidge, O Milburn, S Morrison and L Taylor

### **Co-opted Members:**

Mr T Bolton

### **Also Present:**

Councillor B Stephens

The Chairman advised Members that she had agreed to consider the Quarter 2 Performance Management 2016/17 report first to allow the Head of Direct Services, Regeneration and Local Services to attend a further appointment.

### **1 Apologies**

Apologies for absence had been received from Councillors E Adam, J Clark, D Hall, I Jewell, P May, P Stradling and Mrs P Spurrell (Co-optee).

### **2 Substitute Members**

There were no substitute Members in attendance.

### **3 Minutes**

The minutes of the meeting held on 18 November 2016 were agreed as a correct record and were 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 Media Relations - Update of Media Coverage**

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:

- Recycling rates in England drop for first time - Recycling rates in England have fallen for the first time ever, prompting calls for a tax on packaging and meaning EU targets are now almost certain to be missed.
- 1,700 dogs microchipped through #Be Like Chip - As of April last year, all dogs had to be microchipped by the time they were eight weeks old.
- Lack of Whitehall policy preventing 'natural' flood management methods – There would be a Special Environment and Sustainable Communities Overview and Scrutiny Committee on 6 February 2017 to look at Flood Risk Management.

**Resolved:** That the presentation be noted.

## **7 Quarter 2 Performance Management 2016/17, Report of Corporate Management Team**

The Committee considered the 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 the 2016/17 financial year, covering the period July to September 2016 (for copy of report, see file of minutes)

The Customer Relations Policy and Performance Manager gave a presentation which gave an update of the performance indicators relating to:

- Performance summary
- Achievements
- Refuse and Recycling
- Improved Environmental Cleanliness
- Consultation on the Implementation of a countywide Public Space Protection Order for dog control
- Fly-tipping
- Condition of the Local Authority road network
- Reduction in carbon emissions
- Renewable Energy Generation
- Environmental Awards

The Customer Relations Policy and Performance Manager updated the committee with the results of the Public Space Protection Order (PSPO) consultation as requested at an earlier meeting and advised that 577 responses had been received. Of these responses: 84% agreed with the proposal to make it an offence to allow a dog to stray; 82% agreed with the proposal to exclude dogs from fenced off play areas owned by Durham County Council; 85% agreed with the proposal to make it an offence for failing to put a lead on a dog when directed to do so by an authorised officer and 50% of respondents stated they would not be affected by the Public Space Protection Order.

The Head of Direct Services, Regeneration and Local Services was in attendance to update Members on Fly-tipping. He advised that 'Operation Stop It' was carrying on and the service was determined to reduce and tackle the problem but it was going to take time. In order to answer members' questions as to whether fly tipping had increased we should go further back to 2014 and from this date it is clear that fly tipping had decreased by 19%. A lot of progress had been made in investigating fly tipping and the service were determined to find the underlying causes but this was still a work in progress. There were three areas which were impacting on increase of fly tipping – black bags of general waste, construction waste and over reporting of incidents.

There had been an increase in black bag fly tipping incidents in Peterlee and Bishop Auckland areas, which had been investigated to see if this was linked to waste collection but the findings had shown that there was no link. The Head of Direct Services advised that Section 46 notices could be issued if necessary but the authority was vigilant and had used intelligence to good effect. Households were reminded only to use the waste bin provided and not to leave the bin out all week.

Construction waste fly tipping had increased and the service were working with the Environment Agency and were currently considering offering more outlets to handle this type of waste with the possibility of some household waste and recycling centres to accept trade waste. This would create income for the Council and would help traders to get rid of construction waste.

The new CRM had enabled clearer reporting of incidents of fly-tipping and collection requests could now be taken online but there was also issues of false reporting. The Clean and Green Teams were working together to go through evidence where there had been fly tipping incidents to find a name or address. They had also moved to mobile technology which enabled incidents to be reported in but they needed to ensure that incidents were not been reported twice.

Councillor Armstrong referred to prosecutions and sought clarification if the Council recovered all their costs.

The Head of Direct Services, Regeneration and Local Services responded that when the Council put an application in for costs it had to be reasonable and was generally awarded. The Department for Environment and Rural Affairs (DEFRA) had given local authorities the power to seize vehicles suspected of illegally dumping waste and this was a new opportunity which would act as a deterrent to perpetrators.

Councillor Liversidge referred to the opening times of the household waste centres and asked whether this had an impact on fly-tipping.

The Head of Direct Services, Regeneration and Local Services responded that they had carried out analysis which compared fly-tipping before and after the reduced closure times and closure of some household waste and recycling centre sites to see if there was a cause and effect and there was no association.

Councillor Taylor referred to fly-tipping in closed cemeteries specifically how dead flowers are just left in cemeteries.

The Head of Direct Services, Regeneration and Local Services responded that flowers were a delicate issue but if there were a significant number of incidents then they could look to install CCTV cameras to identify culprits.

Councillor Clare referred to his area which had suffered from a significant amount of fly-tipping and that when tenants had requested collections the registered provider had given a 40 day timeframe therefore the rubbish can be there for 8 weeks. This may look like fly tipping to others and added to it. He asked if the council distinguished between fly-tipping incidents and tenants putting additional items out to be taken away such as black bin bags that had not been removed during the waste collection.

In response, Members were advised that the council no longer had the contract for refuse collection in this area and as such were unable to remove items and the land where the items were left was not in local authority ownership. The service did report any incidents of fly tipping it finds to the social housing provider as a concern. In relation to the distinction of items the Head of Direct Services advised that they did receive a breakdown of the figures of the type of rubbish and they could identify if it was fly-tipping or linked to refuse collection. They would issue a fixed penalty notice for small amounts of rubbish rather than prosecution.

Councillor Holland referred to the man with a van and was fly-tipping the cheaper option. Were the costs too high to dispose of commercial waste properly or did they not care. He asked if the penalties could be so high that it would be a deterrent and if caught would not do it again. He also asked what the fees would be to dispose of commercial waste at the household waste centres.

Members were advised that the household waste centres were not intended for commercial waste although some modern household waste and recycling centres could accommodate trade waste but a permit is required, the service was exploring ways to make it easier to obtain permits but needed to address costs to reflect the cost of disposal. The Head of Direct Services, Regeneration and Local Services referred to a recent case of fly-tipping that was within 2 miles of a household waste centre which was open at the time.

The Chairman thanked the Head of Direct Services, Regeneration and Local Services and Councillor Stephens for their attendance and asked if a further update on fly tipping could come to a future meeting.

The Chairman also thanked the Customer Relations Policy and Performance Manager for her presentation and asked that she may convey her thanks to the team for 'operation spruce up' which had concluded in Spennymoor and the results were starting to show.

The Head of Direct Services, Regeneration and Local Services advised that the programme had just started in Framwellgate Moor and that they would be doing an evaluation and would produce a report, which scrutiny members could receive at a future meeting.

Councillor Clare referred to the 'warm up north' fund, which had now closed and asked for a brief update.

The Low Carbon Economy Team Leader advised that the fund had now come to an end and the team were looking at what to do next.

The Customer Relations Policy and Performance Manager indicated that she would get Mr C Duff, Housing Regeneration Project Manager to do a response on the 'warm up north' fund and circulate to members of the Committee.

**Resolved:** That the report be noted and that a further update on fly tipping come to a future meeting.

## **8 Climate Change and Delivery Plan**

The Committee considered the Joint Report of the Corporate Director of Regeneration and Local Services and Director of Transformation and Partnership that provided Members with an update on the County Durham Climate Change Strategy and Delivery Plan in which the committee has a key role in monitoring the progress of the strategy and deliver plan (for copy of report, see file of minutes).

Members received a presentation from the Low Carbon Economy Team Leader that focused on the following:-

- Changes in Co2 Emissions – 41% reduction since 1990
- Total renewable energy capacity in County Durham – wind farms the largest element of this steady increase
- Renewable Energy – continued uncertainty due to government policy
- Climate Change Delivery Plan – progress is driven by the County Durham partnership Climate Change Strategy Group
- Delivery Plan Actions
  - 90% of schools are engaged in Schools Carbon Reduction Programme
  - North Pennines AONB Peatscapes project works to protect over 90,000 hectares of peat which stores carbon very efficiently
  - Go smarter to work encourages businesses in County Durham to promote sustainable travel including site travel plans and improved cycle networks
  - Community energy events and surveys and a bid for ESIF funding for a community energy project are ongoing with community organisations
  - £300,000 has been received for two EU funded projects looking at business energy efficiency and community energy and a further £530,000 is funding the Business Energy Efficiency Project
  - The Civil Contingencies Unit is visiting schools and caravan sites to raise awareness of flooding and climate change.
  - A BEIS funded study into district heating opportunity for County Durham

Members were advised that the Council had signed the European Covenant of Mayors that committed to a 20% reduction in CO2 emissions. They were working with the regional LA7 group to write a low carbon plan. Each authority had placed money into a fund and the project had commenced.

Durham County Council had already hit its target which had been reached due to the number of energy efficient installations but other factors had also impacted on reaching the target were warmer winters and the loss of the area's manufacturing capacity.

The Delivery Plan is a live document to monitor progress against the strategy and sets out priority actions. All programmes are driven by the County Durham Partnership. The Low Carbon Economy Team Leader highlighted some of the programmes and advised that 90% of County Durham schools are engaged in school carbon reduction programme which had been excellent in raising awareness among children and young people. Go Smarter to Work was another project which encourages businesses to promote sustainable travel including site travel plans and improved cycle networks. Other projects include community energy events and surveys and an ESIF bid for funding for a community energy project is ongoing. A Beis funded study into district heating opportunities for County Durham will report in May 2017 and will report to the committee at a later date.

The Chairman thanked the Officer for a very informative presentation and commented that the report was well set out and very interesting.

Councillor Holland congratulated the Low Carbon Economy team on their outstanding work. He then referred to the CO2 emissions reduction and how the drive to renewable energy had meant better management of CO2 and commented that public buildings could be energy efficient and new houses energy neutral. He commented that the rising oil costs had led to an increase in the cost of fuel causing an energy dilemma and common sense approach was needed.

The Low Carbon Economy Team Leader responded that we needed to make our own energy and without energy, 90% of things could not be done.

Councillor Clare referred to the loss of EU funding and could not see the government putting money into this area so what were Durham County Council going to do to move forward in a non-funding environment.

The Low Carbon Economy Team Leader responded that they were trying to maximise European funding until it stopped. A lot of discussions had taken place with BEIS to encourage money to be spent in the North East and they could focus on sustainable heat such as geothermal projects, with the importance on invest to save projects.

The Chairman sought clarification if the team had been involved in the geothermal project at Bishop Auckland.

The Low Carbon Economy Team Leader responded that a bid for £5 million had been submitted for the project but so far there was no news on progress.

**Resolved:** That the report be noted.

## **9 Quarter 2 Forecast and Revenue and Capital Outturn 2016/17, Report of Corporate Management Team**

The Committee considered the report of the Regeneration and Local Services Management Team which set out details of the forecast outturn as at Quarter 2 for 2016/17

and highlighted variances against revenue and capital budgets for Neighbourhood Services. The Finance Manager, Neighbourhoods and Resources gave a presentation (for copies, see file of minutes).

Councillor Holland sought clarification on the Culture and Sport variance to which the Finance Manager confirmed that it was £324,000.

**Resolved:** That the report be noted.

## **10 Waste Programme Update**

The Committee considered the Joint Report of the Corporate Director Regeneration and Local Services and the Director of Transformation and Partnerships that provided Members with supporting information in advance of the update on the waste programme (for copy of report, see file of minutes).

Members received a presentation from the Head of Projects and Business Services that focused on the following:-

- Garden Waste Scheme 2017 Update
- Capital Programme Update
- Waste Transfer Station Capital Programme Update
- National Trends in Waste
- UK Recycling Performance
- Effects of Brexit
- Austerity

The Head of Projects and Business Services updated members that there had been an increase in the price of the garden waste collections by five pounds taking the annual fee to £25.00 per annum. He also advised that the take up had been good and was slightly ahead of last year, new collections would run over a two-week collection period with week one collections starting at the end of March and week two collections the first week in April and would run for 33 weeks. Members were advised that the tonnage of garden waste is greater at the beginning of the collection period.

Councillor Clare referred to the garden waste collection timetable and asked if the period could be extended without an increase in the number of collections as the warmer autumns and winters meant leaves were still falling long after the collections had stopped and perhaps having a break during the summer months when the amount of garden waste reduced.

The Head of Projects and Business Services advised that tonnage varied but was less during the summer holiday period however, the tonnage in the autumn was not as high as the councillor would expect as leaves were not as heavy as grass cuttings. By having a regular collection schedule ensured that people knew when they needed to put their bins out and would cause the least confusion to residents. The Head of Projects and Business Services advised there would be 17 collections again this year.

Councillor Holland indicated that waste does not have holidays and this department were outstanding and wished to congratulate the team on the high quality standards, their management skills and how they tackled problems.

Mr T Bolton referred to the household waste recycling centres and asked if they monitored the traffic queuing at centres as at Seaham he had witnessed there had been a lot of traffic from the Household Waste Recycling Centre backing up onto the roundabout and impeding the flow of traffic and he had also noticed similar incidents at Pity Me Household Waste Recycling Centre which was close to a major roundabout.

The Head of Projects and Business Services replied that they do have Inspectors who go and visit the operators at Household Waste Recycling Centres. If there was a skip turnaround at one of the centres then they had to temporarily close the site for Health and Safety reasons as no members of the public are allowed on the site at this time and this closure may impact on traffic especially at weekends when the Household Waste Recycling Centres were very busy. The two sites mentioned do have a short drive which was a constant challenge to monitor. The current contractors provided a really good service and were responsive to comments, the officer would take the comments back to the contractors.

The Chairman sought clarification if they had CCTV equipment in operation at the gates to the sites so if people were leaving rubbish at the gates they could prosecute for fly-tipping. The Head of Projects and Business Services responded that they had CCTV at all sites and they used what evidence they had but CCTV was mainly used for the safety of staff so the cameras were not positioned to catch people fly-tipping.

**Resolved:** That the report be noted.

## **11 Minutes from the County Durham Environment Partnership Board**

The Minutes of the meeting of the County Durham Environmental Partnership Board held 7 September 2016 were received by the Committee for information.