

## **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 16 November 2018 at 9.30 am**

### **Present:**

**Councillor E Adam (Chair)**

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

Councillors O Milburn, D Bell, L Brown, J Carr, R Crute, D Hicks, P Howell, P Jopling, C Kay, R Manchester, C Martin and P Sexton

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

Mrs P Holding

### **Also Present:**

Councillor Clare

Mrs Morris – Co-opted Member on Economy and Enterprise Overview and Scrutiny Committee

## **1 Apologies**

Apologies for absence had been received from Councillors J Clark, A Patterson, A Simpson, L Taylor and M Wilson.

## **2 Substitute Members**

No notification of Substitute Members had been received.

## **3 Minutes**

## **4 October 2018 – Quarter 4 Budget Outturn 2017/18**

The Chairman referred to a written response that had been received in relation to the overspend on leisure centres that had been raised under Quarter 1 2018/2019 Revenue and Capital Forecast. The Chair expressed that the response was insufficient and required a full response from the service that included if this was an ongoing issue, how much will it cost and how long will it continue.

Councillor Howell raised concerns about how the budget is presented to members and how members scrutinise the budget.

Councillor Crute advised that budget training for members was being arranged and that it was right that members should be able to scrutinise the budget. However, members were reminded that the Audit Committee had a clear role to approve the Council's final accounts.

Councillor Jopling welcomed the budget training and suggested that as Members they did not need to have extensive training but just what the information meant.

The Minutes of the meetings held on 4 and 10 October 2018 were agreed as a correct record and were signed by the Chairman.

#### **4 Declarations of Interest**

Councillor Howell declared an interest in the Fuel Poverty report as he was a landlord.

#### **5 Any items from Co-opted Members or Interested Parties**

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

#### **6 Media Relations - Verbal Update from Overview and Scrutiny Officer**

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:

- Time to make your metals matter – Durham County Council had launched a campaign to target households across the County to recycle cans, foil trays and aerosols. Leaflets will be coming through doors which aim to provide guidance on how to recycle metals correctly.
- Providing warmer homes for a greener county – The EU funded project aims to provide 220 homes in County Durham with the solid wall insulation resulting in carbon savings.
- Flytipper's car to be crushed as council crackdown continues – A van used by a flytipper to dump old furniture is to be crushed and recycled, the flytipper pleaded guilty to the offence. This was the first time the Council had applied to a court to crush a vehicle connected with flytipping.

The Chairman commented that there had been media coverage of the Environment and Sustainable Communities Overview and Scrutiny Special Meeting that included an item on Single Use Plastic. The media reports were positive and it was good that the work of the Council and this committee were being reported.

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

#### **7 Fuel Poverty**

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 details of projects and schemes available in the County to tackle fuel poverty (for copy of report, see file of minutes).

Cliff Duff, the Housing Regeneration Project Manager was in attendance to deliver the report and provide a presentation (for copy of slides, see file of minutes).

The Housing Regeneration Project Manager explained how fuel poverty was measured using the Low Income High Costs (LIHC) indicator, a household is considered to be fuel poor if:

- they have required fuel costs that are above average (the national median level)
- were they to spend that amount, they would be left with a residual income below the official poverty line.

Members were advised that homes with an Energy Performance Certificate (EPC) rating of Band G were to move to Band C by 2030.

Members were shown a map of county Durham that indicated where the areas of fuel poverty apart from a few small areas in the east, most of the fuel poverty areas were in the rural west of the county, where there was no mains gas supply.

Members were advised that information is given via Warmer Homes campaign throughout the year but there were particular times when there were targeted promotions especially during the autumn and winter periods.

Councillor Jopling sought clarification on the 9% Green Levy on all energy bills and how this worked with the energy cap. She commented that some areas that were off gas were stone built houses and wondered how did they access funding.

The Housing Regeneration Project Manager responded that previously the Green Levy was paid for via taxation but now all customers paid a percentage toward the Green Levy including those in fuel poverty and that the Green Levy would still be payable when the Energy Cap comes into force. He advised Members that there had been a lot of lobbying to get Government to fund this through taxation instead of the levy on bills.

He then referred to residents of stone houses accessing funding and advised that the grants did not include solid wall insulation but there were EU funded projects in five areas of County Durham that provided solid wall insulation.

Mrs Morris referred to consortium schemes to purchase fuel which could bring the price of fuel down by 5 or 6 pence a litre. She then advised that many people in rural areas may not fit the criteria for fuel poverty but they did experience high fuel bills and struggle to heat their homes and asked if there was anything that could be done for those people who don't meet the criteria but were struggling financially.

The Housing Regeneration Project Manager referred to the 'Managing Money Better Service' where they can assist people to get a lower energy tariff. He went on to advise that twelve North East local authorities through the North East Purchasing Organisation (NEPO) were looking at the feasibility to set up a regional Energy Service Organisation to

be a competitor in the energy market and would be a not for profit organisation. NEPO's report findings were due in March 2019 to see if the setting up of the organisation would be viable.

Councillor Millburn referred to people with pre-paid meters that were on standard tariffs and still paying the 9% levy. The energy companies were still charging people for the green levy when they know they are in fuel poverty and asked if anything could be done to help these people and to change them on to lower tariffs.

The Housing Regeneration Project Manager responded that the 'Managing Money Better Scheme' was ending in March 2019 but they were hoping to extend the scheme if they could secure funding. However, he thought that this was an excellent idea to further assist people on pre-payment metres and higher tariffs.

Councillor Crute commented that he had assumed the levy was funded by the energy companies themselves and not customers. He indicated that the Council needed to do what they could to lobby against this levy.

The Housing Regeneration Project Manager responded that energy companies did take their targets seriously as there were financial penalties if they did not meet their obligations. It was nonsensical to take the levy from the residents from their energy bills and give it back to them through fuel poverty grants. Talks were currently taking place to get the levy back to the original general taxation process. Lobbying was taking place through the charity National Energy Action.

Councillor Kay referred to the largest group of people who had the largest financial difference relating to fuel poverty were those living in private rented accommodation. Most of the properties were not energy efficient and a significant number of landlords take advantage of tenants. Councillor Kay went on to explain some properties are off gas that are not necessarily in remote locations and there was a village off gas that was surrounded by other villages on gas. He advised that stone properties could be insulated from the inside, but this would reduce the amount of floor space.

The Housing Regeneration Project Manager advised that in relation to the private rented sector the eco obligation minimum energy efficiency standard for private rented sector is that no property should be below an E rating and by 2023 all private rental properties must be an E to move the market away from F and G ratings. More legislation will follow to push this up to a D rating and this would be a nationwide regulation. In relation to gas connections, there was an assisted gas connection scheme but that required the connection to be a certain distance from the property. For extended gas mains this can be expensive and the cost was down to individual contractors.

Councillor Martin suggested that a flat tax system saves money and no one is left out. The Housing Regeneration Project Manager advised that the big argument was people who live in eco-friendly homes have low bills and pay less than those who live in inefficient properties and have high bills.

Members discussed the 9% levy, in particular those with high energy bills who paid more levy.

Councillor Crute stated that there should be a system in place that was based on your ability to pay but the onus should be on fuel companies.

Councillor Howell asked if there was anything they could do to ensure that the managing money better scheme continued.

The Housing Regeneration Project Manager responded that he would speak to the managing money better team and get back to Members.

Councillor Sexton referred to the sharing of information which was very expensive and time consuming to gather which resulted in increased charges.

The Housing Project Manager indicated that the warm homes discount legislation introduced the sharing of data and that DWP now share data.

The Chair concluded that there were two issues arising for the committee:

- Write to National Energy Action to support them in lobbying the government for fairer system to provide the Environment and Social Obligation Cost.
- Write to the Action Poverty Steering Group and the relevant Cabinet Portfolio Holder to advise of the Committee's support of the Managing Money Better Service.

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

(ii) That a progress report be included as part of the work programme for 2019/20.

(iii) That the national gas forum be lobbied with regard to the payment of the 9% levy charge on electricity bills.

(iv) That the information on the 9% levy charge be passed to the Cabinet Member for Environment.

## **8 Management of DCC Owned Woodland Review - Progress on Recommendations**

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 details of the progress made in relation to the recommendations contained within the Environment and Sustainable Communities Overview and Scrutiny Committee's Review Group report on the management of the woodland estate owned by Durham County Council (for copy of report, see file of minutes).

Sue Mullinger, the Landscape Delivery Officer was in attendance to present the report and circulated a copy of the Durham Woodland Revival leaflet.

The Landscape Delivery Officer talked members through the Environment and Sustainable Communities Overview and Scrutiny review report recommendations and circulated a plan showing details of the woodlands that had management plans in place and those that needed management plans.

Members were advised that a Development Manager position funded by the Heritage Lottery Fund has been in place since November 2017. Members were also advised that the Heritage Lottery Fund (HLF) process is nearing the end of its developing stage (March 2019) with an outcome expected Summer 2019.

The Landscape Development Manager advised that 2000 hectares Durham County Council woodland was in management plan and a further 1000 hectares were with the Forestry Commission awaiting finalisation. These cost £12000 and were 100% grant aided.

There had been some teething problems with thinning contracts, but they had been sorted out prior to future opportunities. The Landscape Delivery Officer informed Members that timber markets, particularly woodchip were significantly buoyant and any new contracts would allow for changes and would be more realistic about the value of timber and factor in site security and access, which can significantly alter the level of income.

Members were advised of the concept of Wood Allotments where a portion of woodland is leased out to a community group or an individual per year and managed through an approved management plan. This work had been pioneered in the North West.

The Chairman indicated that the original scrutiny report was considered back in 2014 where it was felt that Durham County Council woodlands were not managed effectively. This had being a long process and this report was on the progress made in relation to the recommendation and to ensure they were meeting the requirements from the review.

Councillor Brown commented that she was not a Member in 2014 but asked if the Wildlife Trust had been involved in the scrutiny. Councillor Brown advised the committee of a woodland area in her division where work had been carried out and had been left in a state with litter on the ground this was not insect friendly and the canopy below the trees was like a desert with nothing growing. The brash should be removed to enable insects and plants to grow.

The Landscape Delivery Officer responded that they tried to get companies to carry out chipping but the machinery was heavy and they could not always get the machinery into the woods without causing damage. Contacts specify that they have to remove brash over a certain size but this was a difficult issue in some woodlands and a lot depends on the contractors but they would keep an eye on it. The Landscape Delivery Officer suggested that groups interested in taking over the management of woodlands should get in contact with her and this could be an opportunity in this case.

Councillor Kay referred to an incident in his ward where trees were being felled and he received a number of complaints. He could see what the felling was going to achieve but asked that Members be advised prior to when tree felling was going to be taken place. Councillor Kay advised that brash had been left that had covered footpaths and had made them impassable and suggested that the service need to engage with the community.

The Landscape Delivery Officer advised Members that Durham County Council received an income from tree felling and they did have mechanisms in place to minimise the system being abused. She advised Members that she would ask the Woodland Revival Team to look at the consultation process. Forestry contracts were difficult to manage and there was

no fool proof system unless you were physically present at all stages. In relation to the removal of the brash the Landscape Delivery Officer advised that if the brash was still in place she could go back to the contractor and ask for its removal.

Councillor Milburn asked if replanting was done with the same species of tree or if there was a mix of species.

The Landscape Delivery Officer advised that when DCC felled trees it was all natural regeneration, DCC had not clear felled but selectively thinned in copses to favour native species. However, under Forestry Commission regulations, if woodland is cleared then it has to be replanted on site or elsewhere so there is no net loss. Private owners can pretty much plant what they like but all would have to be approved by the Forestry Commission and statutory consultees. DCC may comment on species and planting design, for example if it is a conifer block it would have to be appropriate to the site and be sympathetic in the landscape.

Councillor Sexton referred to the woods in his area which suffered from fly tipping and asked if funding was available to deal with this issue.

The Landscape Delivery Officer responded that she thought this would meet the criteria and would pass it onto the relevant officer.

Councillor Sexton then asked about checks and penalties in place to ensure contractors were keeping to the remit of the contract. The Landscape Delivery Officer advised there were checks in place and that the current contracts were due to end in March 2019. The Landscape Delivery Officer reiterated that the three extra staff for four years would help the situation.

Councillor Jopling identified a woodland area in Howden le Wear that had become overgrown and difficult to manage and difficult to walk round. The Landscape Delivery Officer advised that she had made a note of the location and would check to see what the plans were. The Chairman advised Councillor Jopling that an overview on the tree management policy would be coming to a future meeting which would include tree and grounds maintenance.

Mrs Morris sought clarification on what happens with privately owned woodlands, which owners are not taking responsibility for.

The Landscape Delivery Officer confirmed that if it was privately owned then there was nothing the authority could do and the Forestry Commission would get involved if it was illegal felling. She advised Members that the approach proposed by Durham Woodland Revival project is to offer assistance with regard to putting a management plan in place and how to claim grants. Some landowners do not know how to get work done and the delivery team would be able to provide help and support to manage sites. It was hoped that this would be done strategically with landowners adjacent to DCC woodland.

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

## **9 County Durham Environment Partnership Minutes from 19 September 2018**

The Minutes from the County Durham Environment Partnership Board held on 19 September 2018 were received by the Committee for information.

## **10 Any Other Business**

The Overview and Scrutiny Officer reminded Members of the site visit to Thornley Waste Transfer Station and Pity Me Household Waste Recycling Centre which would be taking place on the 28 November 2018.