

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 8 March 2019 at 9.30 am**

Present:

Councillor E Adam (Chair)

Members of the Committee:

Councillors O Milburn, B Avery, D Bell, L Brown, J Carr, J Clark, R Crute, S Dunn, D Hicks, P Howell, P Jopling, R Manchester, C Martin, A Simpson and M Wilson

Also Present:

Councillor Turnbull

1 Apologies

Apologies for absence were received from Councillors A Gardner, P Sexton and Mrs P Holding.

2 Substitute Members

No notification of Substitute Members had been received.

3 Minutes

The Minutes of the meetings held on 15 January 2019, 28 January 2019 and 8 February 2019 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 of Interested Parties.

6 Media Relations

The Overview and Scrutiny Officer referred to recent press articles that fell within the remit of Environmental and Sustainable Communities Overview and Scrutiny Committee.

The articles were:

- People Urged to Give their Neighbourhood a Spring Clean – People across County Durham and Darlington are urged to become litter heroes by joining the annual 'Big Spring Clean'. The event was launched at Locomotion Museum in Shildon on 14 February 2019 which runs until 9 April 2019.
- Durham Stages Major Low Carbon Conference – Leaders in low carbon energy solutions gathered in Durham to discuss green issues. Greener, renewable energy was the hot topic. This formed part of the REBUS programme that aimed to share knowledge on best practices for making building energy efficient.
- CO₂ Emissions from UK Housing 'Go Up' – The report from MPs stated that housing emissions mainly come from heating boilers and to meet climate targets all homes in the future will have to virtually eliminate emissions.

The Chairman referred to the motion on climate change that was agreed at the Council meeting held on 20 February 2019 and indicated that the Committee would receive more information on climate change.

Resolved: That the presentation be noted.

7 Tree Management Policy

The Committee considered the Joint Report of the Director of Transformation and Partnerships and Corporate Director of Regeneration and Local Services that provided Members with background information on the Tree Management Policy (for copy of report, see file of minutes).

Mr Craig, Clean & Green Manager (North) and Mr McGinnety, Senior Tree Officer were in attendance to present the report and deliver a presentation (for copy of slides, see file of minutes).

Members were advised that mostly the public love trees and will do their utmost to save them. Durham County Council's Tree Management Policy applies to all trees in Durham County Council ownership or management regardless of location and of trees in private ownership that pose a safety risk to the public.

Members were advised that the policy was adopted by other bodies such as Town and Parish Councils and some housing groups.

Durham County Council trees are inspected regularly; on a 3, 5 and 10 yearly cycle maintenance is usually carried out during winter months between October to March but the maintenance programme is dependent on weather conditions for example if there were high winds that brought down trees or made trees dangerous this would be addressed and the maintenance programme would be suspended.

Members were advised that customers can challenge decisions made by the team which would then be escalated to Senior Tree Officers for a decision to be made. The information is recorded as evidence and should a similar question be raised this information would be used as evidence.

The Chairman indicated that the circulated tree policy set out how the authority managed trees with some element of flexibility.

Councillor Clark referred to large housing estates that were formerly owned by Durham County Council that had now passed over to housing groups along with the environmental features also under the control of housing groups. Residents however, were confused about the ownership of the trees and to who they should make complaints and asked if something could be included in the policy to explain that these trees were under the responsibility of housing groups/associations.

The Clean and Green Manager (North) advised that his team initially take the enquiry and advise the customer accordingly and officers tend to go out and assess the tree. They worked closely with housing associations and other land owners. If the tree was dangerous and the land owner refused to act upon it then they would carry out the work.

Councillor Turnbull referred to the damage caused to properties from trees, officers had attended and described the tree as healthy leaving the only course of action was to go through your house insurance.

The Clean and Green Manager (North) advised that tree roots were difficult and that they often received reports of tree roots damaging drains and indicated that roots do not grow into drains and it was usually the case that if the drain was damaged before the roots entered it. Roots were the same as branches and could be cut off, the problem was finding evidence that the tree had caused the damage. If a tree was removed this does not get rid of the roots. Evidence was required if a tree had caused problems to a property which should then referred to the insurance company. Councillor Turnbull advised that the roots were lifting the footpath.

The Senior Tree Officer indicated that where there is damage to a property, removing the tree without investigating the cause of the damage first could exacerbate the matter.

Councillor Brown asked what action was taken if someone took matters into their own hands and pruned the trees themselves.

The Senior Tree Officer responded that they would speak to the customer and ask them not to carry out any work on the tree. They would replace any trees that had been removed as they were in place for the benefit of the community.

Councillor Brown asked if the roots were also protected when a tree had a Tree Preservation Order (TPO) in place.

The Senior Tree Officer indicated that a TPO protected all of the tree including the root system, if there was proof of damage to the tree Durham County Council could act.

Councillor Martin referred to independent gardeners and tree surgeons and if they had an accreditation scheme in place for residents so they were assured that they were employing someone professional.

The Clean and Green Manager indicated that they worked closely with professional companies who would not act on a tree outside of the council's policy. They did not want to dictate to people who they should use as they carry out private work if the customer asks.

Members were advised of a national approved arborist contractors web site which members of the public could access.

Councillor Simpson asked if there was a restriction on the height of trees. The Member was advised that there was no height restrictions.

Councillor Jopling referred to the policy and the frequency of inspections and sought clarification on what was the inspection frequency.

The Senior Tree Officer indicated that the inspections were conducted at the appropriate frequency and that guidance had changed since 2017, and tree inspections were reviewed on a 3, 5 and 10 year cycle. The majority of trees on highways were on a 3 year cycle but they had discretion to decrease this to 18 months. If it was a 18 month cycle then the tree could be viewed in the winter and summer months, all highways inspections were recorded. School sites were inspected on a 3 yearly cycle but this was not formal, others were on a reactive basis.

The Chairman referred to the frequency of inspections and asked if they were carried out less often because of a lack of resources. He then referred to the trees that had fallen in the Newton Aycliffe area due to winds that had recently been inspected but were found to be rotten from the inside and asked why this had not being picked up during inspections.

The Senior Tree Officer referred to an ash tree that had fallen due to the winds but advised that when inspected the leaves looked healthy and showed no indication of the decay in the inside, if this tree was on an 18 month cycle this may have been picked up. He advised Members that healthy trees had also fallen that year. The Clean and Green Team Manager (North) advised there was a small team but they did usually manage to get round all the trees but sometimes weather events impacted upon this.

Resolved: That the report and presentation be noted.

8 Community Action Team

The Committee considered the Joint Report of the Director of Transformation and Partnership and the Corporate Director of Regeneration and Local Services that provided Members with an update on the work of the Council's Community Action Team (CAT) and the use of targeted interventions (for copy of report, see file of minutes).

Ms Jones, the Senior Environmental Health Officer was in attendance to present the report and deliver a presentation (for copy of slides, see file of minutes).

Members were advised that the CAT worked with key partners such as police, fire, planning officers, neighbourhood wardens and private sector housing officers and focussed on housing and environment issues within specific locations.

An action plan specific to each area was followed over an 11 week period as each location had different characteristics. Prior to action taking place a wide range of engagement events with residents were held when officers were in attendance to answer questions. In addition, prior to action taking place in an area letters were distributed to residents and QR codes were introduced to enable residents to complete surveys.

During 2018 there were four targeted interventions by the CAT at Spennymoor, Dean Bank, Willington and Easington Colliery as well as reviews at Chester le Street, Dawdon, Spennymoor and Dean Bank. CAT locations usually have a high proportion of privately let property compared to social housing.

Members were advised that four areas had been identified for 2019 and the team were currently at Cockton Hill area of Bishop Auckland, Grange Villa, Crook central and Eldon.

The Chairman referred to the work that was going on in particular areas and indicated that the team were doing a fantastic job. He then referred to the resident surgeries and the new ways of engagement the team had pursued and asked how they were planning to engage with the small percentage who were not aware of the work of the team.

Mr Laws, Public Health and Housing Manager responded that they used local venues and linked into local clubs such as luncheon clubs and worked with the AAP before they went into an area to ascertain which venues local residents would attend.

The Chairman referred to the presentation and asked if they involved school children in every area that the team attended.

The Senior Environmental Health Officer responded that they worked closely with Groundwork North East and Cumbria who worked with primary and secondary schools.

Councillor Crute referred to Blackhall in his division where the team had done a fantastic job. He referred to the selective licensing scheme and asked if they had noticed any differences when working in areas where the selective licensing scheme was in operation and advised that the work of the CAT would provide a strong evidence base to move to a total scheme and is this consistently fed into the licensing consultation.

The Senior Environmental Health Officer advised that of the areas that were visited in 2018, the quantity of casework undertaken by the Community Action Team was higher in the two areas that were, or had recently been, selectively licensed. However the level of compliance had been better in the past year, as in the selective licensing areas they were able to contact the landlords prior to going into an area, which meant that the landlords were quicker to action any issues that were found.

The Senior Environment Health Officer advised that there was a countywide accreditation scheme for landlords and accredited landlords were also contacted before the CAT go into an area.

The Public Health and Housing Manager advised that they were involved in the selective licensing project which is looking at selective licensing across the County and all of the areas mentioned were included as evidence.

The Public Health and Housing Manager advised Members that they used the data gathered from these Community Action Team areas. The scheme improved areas and there were two elements to action that was enforcement or lose accreditation status that makes it difficult to obtain tenants.

Councillor Crute asked if the database gave details of who let the properties as these details would benefit the areas. He also commented that the majority of fly tipping took place in yards where there was no gate.

Councillor Avery referred to the Dean Bank area where the CAT team had done an excellent job but the area was slowly drifting back into its previous state. He asked if they were planning to carry out any further walkabouts. He then commented that private landlords were putting in any tenants which was causing issues at Dean Bank.

The Senior Environmental Health Officer advised that the selective licensing scheme uses a traffic light system for referencing tenants but some landlords still house problem tenants in the properties.

The Public Health and Housing Manager indicated that a working group were looking at how to sustain the current selective licensing schemes and keep up the good work.

The Chairman commented that Members had a responsibility to avoid drift and maintain the good work and he did regular walkabouts in his area.

Councillor Avery responded that he carried out walkabouts in his areas but it would be nice to see an official team in the area.

Councillor Howell commented that he carried out regular multi agency walkabouts. He referred to the landlord accreditation scheme which as a landlord he was part but no one had spoken to him, so they did not know if he was a good landlord.

The Public Health and Housing Manager indicated that he would pass the comments onto housing who run the landlord accreditation scheme and ask them to contact Councillor Howell direct.

Councillor Jopling commented that the landlord accreditation scheme did not go out and inspect the properties to give them some kind of score and went on to suggest a similar scoring scheme could be adopted similar to that for food hygiene in premises.

Councillor Hicks asked how they decided which areas the team visited.

The Senior Environmental Health Officer responded that they had a criteria that looked at areas of deprivation, number of private rented on housing benefits etc., but if Members had any suggestions and if they met the criteria then the team would look at the area.

Resolved: That the report and presentation be noted and a further update come back to a future meeting of the committee.

9 Environmental Partnership Minutes

The Minutes from the County Durham Environment Partnership Board held on 5 December 2018 were received by the Committee for information.