

DURHAM COUNTY COUNCIL

Environment and Sustainable Communities Overview and Scrutiny Committee

At a meeting of the **Environment and Sustainable Communities Overview and Scrutiny Committee** held in **Committee Room 2, County Hall, Durham** on **Thursday 5 October 2023** at **9.30 am**

Present:

Councillor J Elmer in the Chair

Members of the Committee:

Councillors E Adam, B Coult, R Crute, C Lines, D Oliver, A Reed, A Simpson, T Stubbs, D Sutton-Lloyd and S Townsend.

1 Apologies

Apologies for absence were received from Councillors P Atkinson, L Brown, C Kay, D Nicholls, J Purvis and co-opted member, Mr P Walton.

2 Substitute Members

Councillors V Andrews and R Ormerod substituted for Councillors C Kay and L Brown respectively.

3 Minutes

The minutes of the meeting held on 21 July 2023 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Items from Co-opted Members and other Interested Parties

There were no items reported from co-opted members and other interested parties.

6 Highways Asset Management - Update

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on highways asset management service delivery. Strategic Highways Manager, Paul Anderson, was welcomed to the meeting to deliver a presentation (for copy of report and presentation see file of minutes).

Introducing the presentation, the Strategic Highways Manager highlighted the highway network is the Council's highest value asset. He explained that the Highways Act 1980 sets out the duties for local highway authorities in respect of highway maintenance and whilst the Act does not specify the level of maintenance, the Code of Practice for Well Maintained Highway Infrastructure 2018 provides a framework for the management of highway assets.

The Committee received information on the highway inventory and the types of maintenance carried out under the categories of reactive, routine and programmed maintenance. The Highway Maintenance Plan sets out service levels for safety, inspections, condition surveys and reactive and routine maintenance. Condition surveys are undertaken to identify deficiencies and to assist in determining programmed maintenance. Details were also provided of the various surveys, including visual inspections, footway network surveys and machine surveys.

Referring to the asset condition, the Committee noted that Durham's classified road network is performing better than the national average however the unclassified network remains a priority and additional funding is being used to improve its condition. The condition of the bridge stock is in line with national targets.

The process for identifying capital programme works was outlined, which takes into consideration accident blackspots, the results of condition surveys and feedback gathered from the public and elected members, to identify priority schemes. A detailed breakdown of the proportion of the budget allocated to the various types of highway work and structures was included in the presentation.

The Committee noted that a team of 16 Highways Inspectors undertake safety inspections throughout the county which include 1,126 statutory inspections per year, identifying approximately 55-65,000 defects. Information was provided on how the frequency of repairs is determined by analysing factors such as footfall and traffic type, with each defect being allocated a repair category, in accordance with the Highway Inspection Manual. Within the previous year, 93% of all safety defects were repaired within timescales and this robust maintenance and inspection process resulted in a repudiation rate of 94% in respect of 3rd party claims. The Strategic Highways Manager drew attention to category 2.2 defects, which require repair within 3 months, noting that performance over the past year was slightly below target, however, performance in relation to the more serious category defects had exceeded targets.

The Strategic Highways Manager explained that the development of artificial intelligence is being used in defect identification and condition monitoring which has the potential to reduce the number of site visits and provide better quality evidence to defend claims. The Committee also received information on how the Council continues to introduce initiatives to reduce carbon emissions such as the development of new road surfacing techniques which incorporate plastic and rubber crumb.

With regard to highway structures, the Committee noted that the figure for the current maintenance backlog was higher than that stated in the presentation, and stood at approximately £50million, with a current budget of approximately £4.8million.

Concluding the presentation, the Strategic Highways Manager outlined the main challenges for the service included reduced budget allocation, the impact of the global economy which had caused costs to soar, skills shortages and the government's digital rollout initiative. The Strategic Highways Manager updated the Committee that, since the presentation was prepared, the number of digital providers in the county had increased to 8 and information received from just one of the providers was that they expected to work in 12 towns and villages and provide 45,000 connections. The Committee heard that the Highway Network Team works alongside digital broadband suppliers to ensure safety, to protect structures and minimise disruption. Due to the scale of the broadband installation works, a decision had been taken to postpone capital footway replacement schemes for this financial year, with a view to reinstating the schemes when the installation programme is complete. The Strategic Highways Manager explained that whilst utility companies must apply for permits, the digital rollout is a government initiative and broadband suppliers are granted blanket permits, with far fewer restrictions than other utility companies.

The Chair thanked the officer for the detailed report and invited comments and questions from the Committee.

Councillor Sutton-Lloyd raised the issue of faded road signs and he asked for further information on the range of street furniture maintained by Durham County Council. The Strategic Highways Manager responded that approximately 95% of street furniture is maintained by the Council, including pedestrian guard rails, fences, bollards and some planters, with litter bins being maintained by the Clean and Green team. He clarified that maintenance of street signs is not within the remit of the service and these matters would therefore be referred to Traffic colleagues who repair damaged signs, whilst the Clean and Green team deal with signs which require cleaning.

Councillor Sutton-Lloyd then referred to the issuing of permits for trenching across roads and the Strategic Highways Manager explained that the Highway Network Team approve permits and undertake spot-checks. Where work is found to be below standard, the number of spot-checks may be increased. If, during the course of their work, the Highway Inspection Team identify a trench that is failing, they may identify it under the Street Manager system and issue a report to the utility company, for a repair to be carried out. With respect to complaints regarding noisy ironwork, repairs are undertaken if the defect is identified to be a safety defect.

Councillor Stubbs asked for clarification in relation to the process for the inspection of resurfacing works on unclassified roads and he asked if a minimum standard of work is required as he had observed varying standards of work.

The Strategic Highways Manager explained the different types of surface dressing and he explained that the Council designs the type of dressing to be used. On occasions, contactors may query the design and they may advise that an alternative dressing should be used. The Council supervises the work on site and loose chippings must be swept until the Council is satisfied that no further sweeping is necessary. When a surface dressing fails, the repair is not carried out straight away as the process relies upon warm, dry weather to be successful and for this reason work is usually carried out during the summer months. The Strategic Highways Manager invited Councillor Stubbs to email him with further information, if he wished to discuss a particular site.

Councillor Ormerod asked for further information on how artificial intelligence is being used. The Strategic Highways Manager stated that scanner surveys are limited and trials show that artificial intelligence provides more accurate information and defect detection rates, in addition to real-time information. It also provides better quality evidence to defend claims as well as financial savings and carbon reduction, in terms of fewer site visits being required.

In response to a comment from Councillor Robson regarding the prevalence of weeds growing through surface treatments on footpaths, the Strategic Highways Manager highlighted that footpath surface treatment can prolong the life of a footway by 5-7 years and he explained that safer weed treatments are now used which are weaker in strength to those used in previous years, making weeds more prevalent.

Councillor Robson then referred to trenches which are installed for electric vehicle charging cables and he asked whether this work would impact the service. The Strategic Highways Manager clarified that this initiative is managed by Durham County Council and the channels for this purpose are unobtrusive and are at a shallow depth, which minimises the impact on utility companies.

Councillor Adam raised concerns with regard to contractors and the standard of surface dressing on footways and he asked how the Council reports these problems to contractors to ensure they are aware of the issues. He echoed the comments of other members regarding the number of weeds and he had observed that this seemed to occur when footpaths were not sufficiently cleared back, prior to the surface treatment being applied. The Strategic Highways Manager requested that these issues be reported to the service as it is the responsibility of the Council's Contract Supervisor to ensure the works are carried out to the required standard.

Councillor Adam then referred to the highway maintenance backlog of £175million which could take approximately 20 years to address and he asked how this would be funded. The Strategic Highways Manager spoke of the importance of using innovation to introduce more durable products to increase the longevity of repairs and he stressed the importance of ensuring that the right treatment is applied at the right time.

Resolved:

That the content of the report and presentation be noted.

7 Street Lighting Energy Reduction Project (SLERP) – Update

The Committee considered the Street Lighting Energy Reduction (SLERP) Project update report of the Corporate Director of Neighbourhoods and Climate Change (for copy of report and presentation see file of minutes).

The Head of Highways, Mark Readman, was welcomed to the meeting to deliver the presentation. Background information was provided on the development of the invest-to-save project to convert high energy lanterns to low energy LED lanterns in order to reduce carbon emissions, energy consumption and costs. The Committee noted the project is the largest single contributor to the Council's reduction in carbon emissions to date.

In addition to energy and carbon reduction, the Committee noted the project delivers a number of benefits which include better quality white light, fewer road traffic accidents and reduced maintenance costs, saving an average of £1.2million per year.

The Head of Highways highlighted that a number of factors are taken into consideration when converting existing lighting installations to LEDs which include the location of the column, road width, road speed and conversion costs.

Information was provided that SLERP 1 had delivered 16.9 million kwh of energy reduction and the Head of Highways illustrated the scale by explaining that a typical house will use 10,000 kwh per year. In respect of carbon savings, these were 8,413 tonnes with a typical house using 8.1 tonnes per year. During this phase 20,000 additional lights were converted, due to reduced conversion costs, as the project progressed.

SLERP 2 progressed to lanterns which were more difficult to convert which led to the project being extended for six months. This phase was completed at an underspend of £2.9million due to technological advances and the reducing cost of lanterns. The underspend has been used to fund SLERP 3 which commenced in September 2023, aiming to convert 1,900 street lights by March 2025.

The target is ambitious as many of the conversions will be more complex and costly than those in the previous phases and column replacement may be required.

The Committee heard that by the completion of the project, 3,500 'out of scope' lanterns will remain outstanding and the plan is to incorporate these lanterns within the traditional column replacement programme.

Councillor Adam commented that some town and parish councils had funded the continuance of lighting in their areas and he asked what the situation would be if those councils, due to lack of funds, made a decision not to fund this lighting in the future. The Head of Highways replied that these would not be included in SLERP 3. He informed the Committee that a full review of the service level agreements will be undertaken and town and parish councils will be involved in the process.

Councillor Reed gave her view that lighting had been removed in some areas where she felt it was required and she asked what criteria was used when decisions were originally taken to remove lighting. She added that pedestrians should be able to walk safely during hours of darkness and shared her concerns that lack of lighting may be leading to an increase in accidents. Councillor Reed also highlighted that not all towns and villages benefit from having a town or parish council to assist with funding. The Head of Highways replied that a full risk assessment and consultation took place and the number of lights which were originally planned for removal was substantially reduced. He acknowledged that members had provided some direct funding to reinstall lights in some areas and highlighted that he was keen to work with members should they want to provide direct funding. Councillor Reed said she would welcome further investment and the Head of Highways expressed his willingness to work with members to ensure lighting is safe and connected communities. Councillor Reed requested that should any additional funding become available, that the service look at reinstating lighting columns in areas where they had been removed.

With reference to a question from the Chair as to whether motion sensor lighting could be used as an alternative to removing lighting, the Head of Highways explained that the use of motion sensor lighting had been investigated however technical issues were found. Jonathon Hughes, Street Lighting Engineer, explained that this would be classed as part night-lighting and it is possible that this could be a policy development in the future.

Councillor Ormerod referred to street lighting columns and asked whether the Council has scope to alter the design of street lighting columns to provide a more traditional appearance. The Head of Highways pointed out that heritage lanterns are costly, however, in some conservation areas they are a requirement in order that lighting is in-keeping with the area. He added that columns can be improved with embellishments which is a more cost-effective method of providing the appearance of a heritage column.

Councillor Sutton-Lloyd congratulated the team on the successful delivery of the programme to date. He referred to the original reluctance to accept the proposals and he hoped the results had allayed concerns. Councillor Sutton-Lloyd raised the issue of the number of day-burners he had observed. The Street Lighting Engineer explained in the early stages, day-burners were caused by faulty microchips however faulty batches had been reported to manufacturers, therefore, incidents of day-burners should continue to reduce in the future. The Head of Highways urged members to continue to report day-burners through the CRM system.

Councillor Stubbs commented on how well the project had been delivered and he asked what the plan was, on completion of the project, in terms of the team involved and whether they could share their good practice for future capital projects.

Resolved:

- a) That the content of the report and presentation be noted
- b) That the Environment and Sustainable Communities Overview and Scrutiny Committee receive an end of project update report on completion of the scheme in 2025.

8 Quarter Four Revenue and Capital Outturn 2022/23 and Quarter One Revenue and Capital Outturn 2023/24

The Committee considered joint reports of the Corporate Director of Resources and the Corporate Director of Neighbourhoods and Climate Change on the revenue and capital outturn for the final quarter of 2022/23 and the forecast revenue and capital outturn for the first quarter of 2023/24 (for copies of reports see file of minutes).

Presenting the quarter four revenue and capital outturn for 2022/23, the Finance Manager, Phil Curran, outlined the outturn position for the service area, highlighting major variances in comparison with the budget as at 31 March 2023. The reasons for under and overspending against the relevant budget heads were provided.

The Finance Manager then presented the forecast of revenue and capital outturn for the first quarter of 2023/24, highlighting major variances in comparison with the budget, based on the position to the end of 30 June 2023. The Finance Manager also provided information on under and overspending against the relevant budget heads.

Resolved:

That the Quarter Four Revenue and Capital Outturn for 2022/23 and the Quarter One Forecast of Revenue and Capital Outturn for 2023/24 be noted.

9 Quarter One 2023/24 Performance Management Report

The Committee considered a report of the Chief Executive Officer which detailed performance during the first quarter of 2023/24 (April to June 2023) (for copy of report see file of minutes).

Introducing the report, Tom Gorman, Corporate Policy and Performance Manager, highlighted that the new easy-read format allows greater clarity, includes a new indicator set and reintroduces data dashboards, to provide more focus on trends and the direction of travel.

In presenting the report, the Corporate Policy and Performance Manager drew members' attention to the following key headlines.

- The visitor economy in County Durham has contributed more than £1billion to the overall local economy, for the first time.
- Library active borrowers and digital borrowers performed above target.
- Average occupancy levels and yield for theatres were below target and initiatives are being trialled to boost sales.
- Initiatives have been engaged to raise staff awareness in respect of reducing carbon emissions within the Council's operations.
- Issues experienced at the energy from waste facility which were reported at the previous meeting had been resolved and the rates of waste diverted from landfill are above target.
- 34% of properties covered by the selective licensing scheme are now licenced or have had legal proceedings instigated against them.
- The contamination campaign continues and the number of contamination notices issued had increased. The latest contamination rate, which relates to the period before activity was escalated, showed a slight decrease in the quarterly rate.
- Journeys on the Park and Ride service remain lower than pre-COVID levels due to a number of factors including changes in working behaviours. Changes are being implemented to improve the service at Belmont and a scheme is being progressed to extend Sniperley, in anticipation of increased demand from the future development.
- Leisure centre memberships were below target and there had been a higher than expected number of cancelled memberships. The leisure transformation programme continued to deliver new facilities, however this had resulted in a temporary dip in visits.
- The discount for early payment of fly-tipping fines was removed in July. Following the peak during the pandemic, incidents of fly-tipping had reduced and remain at a historic low.

The Chair thanked the Corporate Policy and Performance Manager for the report and asked the Committee for their views on the new reporting format. Members complimented the accessibility of the new format, adding that the visuals enable the reader to pin-point areas of interest and identify trends.

The Chair then invited comments and questions on the report.

Councillor Stubbs referred to the visitor economy and he asked if increased visitor numbers had resulted in increased traffic in the city centre. He also pointed out that bus patronage remains lower than pre-Covid levels which led him to question whether the £2 bus fare cap was having the desired effect to encourage bus patronage. The Corporate Policy and Performance Manager clarified that the visitor economy figures were county-wide figures, not merely Durham city and that the spend may be generated by visitors staying in the county for a longer period, rather than being generated from an increase in the number of visitors. He added that it was too early to assess the full impact of the bus fare cap.

Councillor Adam was pleased to see that the issues experienced at the energy from waste facility had been resolved and the amount of waste diverted to landfill had reduced. He expressed concern that the contamination campaign had not made a significant impact and he said he would like to see other initiatives being introduced, for example the possibility of imposing heavier fines. He asked whether there was data available from other local authorities as to what action they were taking and he requested clarification regarding the recalculating of the 12 month rolling figure which was mentioned in paragraph 42 of the report. The Corporate Policy and Performance Manager responded that he was unable to comment on the current position with regard to the possibility of imposing fines. In relation to measures used by other local authorities and the resulting impacts, he would contact the relevant service for information on initiatives, for the information to be shared with members.

In response to a question from Councillor Robson as to what action is being taken in respect of those properties which remain unlicensed under the selective licensing scheme, the Corporate Policy and Performance Manager confirmed that legal action is taken against those landlords who fail to comply. Diane Close, Overview and Scrutiny Officer, informed members of the arrangements for an informal information session on selective licensing to be held on the 30 October, which will provide more detailed information.

Councillor Sutton-Lloyd expressed concern that the number of landlords not registered remains high and he queried whether the scheme was reducing incidents of anti-social behaviour. The Corporate Policy and Performance Manager confirmed that levels of anti-social behaviour were lower in selective licensing areas of the county.

Councillor Sutton-Lloyd highlighted that up-to-date figures are essential and he asked when the most up-to-date data relating to carbon emissions would be available. The Corporate Policy and Performance Manager clarified that figures for carbon emissions from Durham County are provided by the government and those figures are expected in quarter three, whilst the Council's carbon emission figures in relation to Durham County Council's operations are expected in quarter two.

Concluding the discussion, Councillor Sutton-Lloyd referred to members' comments regarding contamination of recyclates and he expressed the view that there is still work to do with regard to educating the public as the variety of packaging and different labelling has led to more confusion for consumers as to whether packaging is recyclable.

Resolved:

The Environment and Sustainable Communities Overview and Scrutiny Committee:

- a) Noted the overall strong position and direction of travel in relation to quarter one performance, and the actions being taken to address areas of challenge.
- b) Noted and commented on the changes and improvements to the new format performance report which will be used exclusively from quarter two 2023/24.

10 Minutes of the Environment and Climate Change Partnership Executive Board Meeting held on 20 June 2023

The Chair presented the minutes of the Environment and Climate Change Partnership Board Meeting held on 20 June 2023, for information.

11 Such other business

The Chair reminded the Committee that arrangements have been made for a Special Joint meeting of the Economy and Enterprise Overview and Scrutiny Committee and the Environment and Sustainable Communities Overview and Scrutiny Committee to be held on 3 November, to consider the Destination Management Plan for County Durham. The meeting will be followed by a workshop, at 11.00am, for all Overview and Scrutiny members to consider the promotion of the tourism offer in County Durham. All members of the Committee were urged to attend, if at all possible.