

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 **Friday 10 May 2024** at **9.30 am**

Present:

Councillor B Coult (in the Chair)

Members of the Committee:

Councillors J Elmer (Vice Chair), E Adam, R Crute, B McAloon, I MacLean, J Purvis, A Reed, A Simpson, T Stubbs, D Sutton-Lloyd and C Varty

1 Apologies

Apologies were noted from Councillors P Atkinson, D Nicholls, S Townsend and Co-opted Member, Mr P Walton.

2 Substitute Members

Councillor C Varty attended as substitute for Councillor D Nicholls.

3 Minutes

The minutes of Special joint meeting held on the 4 March 2024 and the meeting held on 25 March 2024 were confirmed as correct records and signed by the Chair.

4 Declarations of Interest

No declarations of interest were made.

5 Any items from Co-opted Members or Interested parties

No items were reported from Co-opted Members or interested parties.

6 Environment and Climate Change Partnership – Update

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on the activity of the Environment and Climate Change Partnership (ECCP) over the year (for copy of report and presentation see file of minutes).

Jim Cokill, Director of Durham Wildlife Trust and Chair of the County Durham ECCP was welcomed to the meeting to deliver the presentation. The Chair of the ECCP noted the ECCP's vision for a 'better County Durham: sustainable communities, resilient to climate change, richer in nature'. The Executive Board of the ECCP had developed three workstreams to support the vision, namely, Climate Emergency, Ecological Emergency and Place, Health and Community. During the year, the work of the Climate Emergency workstream had focused on the delivery of the countywide Climate Emergency Response Plan (CERP3) through projects including supporting the Food for the Planet project; the Horden Minewater project; developing action on scope 3 emissions and increasing the number of EV charge points in Durham. Over the forthcoming year, the Climate Emergency workstream will act as a governance group for CERP3 and it will continue to develop the countywide elements of CERP3.

The Committee heard how work in respect of the Local Nature Recovery Strategy included the production of Durham's Local Nature Recovery Strategy (LNRS), with the aim being, to meet the Department for Environment, Food and Rural Affairs (Defra) deadline of March 2025. In the year ahead, work will focus on establishing sub-groups; providing workshops for landowners and farmers; the introduction of the Statement of Priorities and consideration of the responses from the recent consultation.

The Chair of the ECCP commented that the Place, Health and Community workstream played a supporting role, aiming to add value to the other workstreams by influencing people's behaviour in respect of environmental priorities. Over the year, there had been engagement with public health on community based projects, for example, on the healthy weight initiative and the Local Heritage Listings Update.

Members heard that the ECCP Executive Board held an emergency summit in March 2024 which brought together environmental and community leaders across County Durham to collaborate on the agenda for the coming year. Three key areas were identified; to improve communication with an emphasis on counteracting misinformation; to increase funding to invest in solutions and to ensure that environmental issues will be a significant part of the North East Mayoral Combined Authority's agenda.

The Chair, Councillor Coult, spoke of how honoured and inspired she had been to be part of the judging panel for the recent Environment Awards, organised by the Environment and Climate Change Partnership.

The Chair explained that the awards recognise the work towards caring for the natural environment through innovation, design and volunteering across the county's communities and businesses. Steve Bhowmick, Environment and Design Manager, presented some highlights from the awards ceremony and commented on how the awards aim to be inclusive, in order to harness greater community action and promote positive behaviours towards the environment. He encouraged members to promote the awards through their networks and he added that communications will be sent to all members regarding next year's event, in due course.

The Chair thanked the officers for the presentation and invited comments and questions from the Committee.

Councillor Crute welcomed the initiatives of the ECCP, however he stated his concerns regarding the availability of future funding for delivery of ECCP actions and he asked how the work of the ECCP will link with the North East Mayoral Combined Authority's environment agenda. The Chair of the ECCP highlighted that Durham County Council was part of the North East Mayoral Combined Authority's Environment, Coastal and Rural workstream which has a coordination role, in addition to providing a voice in respect of central government funding. Principal Ecologist, Stuart Priestley, commented that local authorities who are engaged in projects which have a high value in terms of biodiversity net gain, will be best placed to succeed in future funding opportunities. The Principal Ecologist referred to a recent meeting with Defra (the Department for Food, Environment and Rural Affairs) which focused on funding for delivery of the LNRS and he clarified that Durham County Council was working towards the government's March 2025 deadline for the production of the LNRS. He continued that there is a need to look at funding post development and commented on opportunities such as biodiversity net gain.

Councillor Stubbs asked if Durham were to achieve the March 2025 deadline for the development of the LNRS, whether that would place Durham in a better position than those authorities who failed to meet the deadline. The Principal Ecologist responded it was unlikely to provide Durham with an advantage, as, if the decision were taken to make funding for the delivery of the LNRS available, the funding would be available throughout the country.

Councillor Sutton-Lloyd referred to the key areas identified at the ECCP's emergency summit, one of which was to improve communication and counteract misinformation and he asked what misinformation was being communicated. The Chair of the ECCP responded that there had been recent organised social media campaigns denying climate change, therefore action was being taken to prevent the public from being misled.

Councillor Elmer referred to a recent report of the British Ecological Society which examined the success of biodiversity offsetting and found that it required a regulatory environment and he drew parallels with carbon offsetting, which, in his view, had not resulted in a substantial net loss in carbon emissions. Councillor Elmer stated his concern was that without a robust regulatory environment in place, the same situation would happen in respect of biodiversity net gain. The Principal Ecologist highlighted that safeguards were in place through the Environment Act 2003 which required that significant increases from on-site pre-development biodiversity value were required to be secured for at least 30 years. In addition, step-in rights were built into contracts.

Councillor Adam referred to the Environment Awards and he asked whether initiatives judged as outstanding were rolled-out to the wider community. The Environment and Design manager confirmed that the aim was to encourage ideas to be replicated throughout the county. Councillor Adam then asked how success was measured. The Environment and Design Manager commented that, at present limited resources meant that it was not possible to review all entries, however, previous winners had been followed-up and had been encouraged to re-enter when their activities had expanded, for example Recyke y'bike.

Councillor Lines welcomed the new categories in the Environment Awards which include the active outdoors and he spoke of the value of encouraging people to modify their existing hobbies to incorporate activities to benefit the natural environment, such as the 'Sedgefield Ploggers'. Councillor Lines explained the Sedgefield Ploggers running group participants pick up litter whilst jogging. The running was carried out at a sociable pace, to encourage people of all abilities and ages to join in. The Environment and Design Manager agreed that initiatives which combined exercise, a sense of community and care for the natural environment can greatly improve mental health and wellbeing.

Councillor Kay commented that he had hoped to gain funding to start a similar organisation to Recyke Y Bike in the south of the county but this had not come to fruition and he added that he would welcome support to develop this in the future, should the opportunity become available.

Resolved:

Members of the Environment and Sustainable Communities Overview and Scrutiny Committee:

- a) Noted and commented upon the information provided within the report and presentation.
- b) Included a further update from the Environment and Climate Change Partnership in its work programme for 2024//25.

7 Management of DCC Land for Biodiversity

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on progress of the Parks and Countryside Team together with colleagues in the Clean and Green Team, in managing nature reserves and other green spaces across Durham County Council owned land (for copy of report and presentation see file of minutes).

Prior to the presentation, the Chair referred to the recent visit to Hardwick Park at which members learned of the various approaches being used to increase biodiversity on the site. In addition, members received information on how the park had been developed to allow specific areas to grow wild, to encourage further habitats. At the time of the visit, several groups of school children were also visiting the park and were enjoying participating in planned activities. The team was thanked for hosting the informative visit and for providing members with the opportunity to see for themselves the hard work being undertaken and the plans for the future, despite the difficult financial circumstances for parks across the county. Darryl Cox, Principal Parks and Countryside Ranger, thanked members for their attendance and their feedback on the visit.

The Principal Parks and Countryside Ranger introduced the presentation by describing the Parks and Countryside estate, which consisted of 63 sites, two major destination parks and 80 miles of railway path network. The Principal Parks and Countryside Ranger explained that the sites had five year management plans, with long term projects. The Committee noted additional medium term financial plan investment in respect of the Ecological Emergency Action Plan (EEAP) had enabled increased capacity to secure external funding for the benefit of biodiversity and additional staff, including two countryside rangers and three temporary programme staff.

Lindsay Archer, Parks and Countryside Development Manager, provided information on outdoor learning events. She highlighted that a Volunteer Coordinator had been in post for approximately 18 months and this had increased the number of volunteers and site management and programming throughout the county. There had also been development in corporate volunteering and school engagement, which was at its highest level, with school children visiting the destination parks and participating in activities which support the curriculum and incorporate environmental based sessions. Work continued to support the LNRS consultation process, through school visits. Community engagement had been boosted by growth bids enabled by the additional resources and the Community Engagement Coordinator targeted specific areas to engage the community, change behaviour and promote positive biodiversity messages. In addition, a strong guided walks programme was offered, to support health and wellbeing and there was also support for 'Friends' groups at Wharton Park, Hardwick Park and Witton Dene.

The Parks and Countryside Development Manager commented that additional resources had provided increased capacity to develop the service which had led to more success in external funding bids as well as facilitating future planning for development projects.

The Principal Parks and Countryside Ranger then outlined the challenges and opportunities for the future, which included the potential loss of temporary staff, budget pressures which will impact upon development ability and the current cost of living crisis leading to loss of income. Opportunities included the progress of CERP3, the EEAP and the LNRS.

Geoff Knight, Technical and Service Development Manager informed the Committee that a number of parks were amenity parks, which were not managed by the Countryside Team and were the remit of Clean and Green. These parks provided a public health benefit to communities.

The Technical and Service Development Manager updated the Committee that following consultation with elected members, eight pilot sites had been selected for a biodiverse approach to management and the strategy for these open spaces will dovetail with the LNRS and biodiversity net gain strategies.

The Sub-Committee noted that Glyphosate remains in use as no viable alternative was available, however a trial in which herbicide spraying on green spaces to allow natural species to grow around trees and hedges had resulted in no complaints and the trial had been extended for a further year, to fully understand its effectiveness.

Concluding his presentation the Technical and Service Development Manager corrected an error in his previous presentation to the Committee by clarifying that verge maintenance is carried out twice per year.

The Chair thanked officers for the presentation and invited questions and comments.

Councillor MacLean, local member for Horden division, referred to plans to create woodland on the former colliery site at Horden which had been part of the unsuccessful Levelling-Up bid. He questioned why the tree planting had not gone ahead, as he understood that the plans and finance were in place at the time. The Principal Parks and Countryside Ranger agreed to speak to Councillor MacLean after the meeting, to follow-up the matter.

Councillor Lines, local member for Sedgefield division, thanked the team for the amount of activity being undertaken and he commented on the importance of improving access to encourage the public to use parks and countryside, which may encourage more people to volunteer and to consider active travel in the future.

Councillor Lines gave an example of a partnership project in Sedgefield between members and Hardwick Park, which provided a path linking Sedgefield to Hardwick Park, bypassing the busy road. He added that a Heritage 100 route now follows the path.

Councillor Sutton-Lloyd remarked that he was unaware of some of the initiatives such as Branch Out and the Species Survival Fund, and he suggested there was more work to be done to increase the reach of communications. He added that community groups and AAPs (Area Action Partnerships) would welcome presentations from the team on the work being undertaken. The Principal Parks and Countryside Ranger explained that engagement work had taken place over the years with community groups and AAPs however, the work was resource intensive and the success of engagement work largely depended upon public interest at the time. He clarified the Branch Out scheme was a partnership scheme with Northumbrian Water and the Species Survival Fund was a partnership with the National Trust, to access Defra funding to support the creation and restoration of wildlife rich habitats.

Councillor Brown referred to the use of Glyphosate and referred to issues she had raised in respect of poor application of herbicides, asking whether operatives were trained. The Technical and Service Development Manager confirmed operatives were trained to a high standard, however there had been issues with faulty equipment and he agreed to look into the issues raised by Councillor Brown, at the conclusion of the meeting.

Councillor Adam thanked officers for the presentation and for their contribution to the development of the CERP and the LNRS. He referred to one of the challenges identified being the potential loss of temporary staff and he asked the officers to explain to the Committee why the temporary staff should be retained. The Principal Parks and Countryside Ranger outlined the benefits of the staff, including the increase of school and volunteer engagements and that the additional staff had enabled the team to visit some of the harder to reach areas of the county. The staff also added value in the work to improve infrastructure, engage with communities and to identify issues in the wider environment as well as providing the flexibility to be reactive and make the best use of resources. He highlighted that the staff had done a great amount of work in a relatively short time which had made a significant contribution to the overall aims of the team.

Councillor Adam requested that, in light of the comments from the Principal Parks and Countryside Ranger, the Committee should consider an additional recommendation, to request that Cabinet consider the retention of the temporary members of staff.

Councillor Elmer, local member for Brandon division, spoke of two urban parks in his division, both of which had wildflower meadows and he raised concern regarding the maintenance regime in previous years, which resulted in clippings being left on the sites. The Technical and Service Development Manager responded that financial constraints and a lack of equipment were factors and he agreed to take the comments back to the service. Councillor Elmer then spoke of the ceasing of grass cutting which had occurred in some areas of the county and it had been met with positivity. He pointed out that the challenge lay in public perceptions and he referred to a study by Durham University to research public perceptions of grass cutting and he hoped the study would reveal a positive public attitude to the change.

Resolved:

Members of the Environment and Sustainable Communities Overview and Scrutiny Committee:

- a) Noted that continued effective management of nature reserves, other countryside sites, and green spaces across Durham County Council is contributing significantly to biodiversity protection and gain.
- b) Noted the progress made in delivering the linked objectives of the Parks and Countryside Service and Durham County Council's Ecological Emergency and Climate Emergency reports.
- c) Recognised the progress that has been made in the development of links between the Parks and Countryside Service and the delivery of a Local Nature Recovery Strategy for the county. More work is needed in this area as the LNRS develops but Services remain committed to supporting the effective development of this strategy and aiding its delivery.
- d) Recognised that although a significant level of work has been undertaken and is continuing, longer term risk is present due to the temporary nature of the additional staff resource provided in 2022/23. Resource requirement beyond the 2024-25 financial year needs consideration to ensure the protection of biodiversity management and community buy-in for the future.
- e) As per (d) above, whilst there is a plan to determine the condition of LWS held within the Countryside Estate, there is no additional resource available to carry out any of the work that may be deemed necessary to either return the sites to good condition, nor maintain current condition.

The Committee agreed the following additional recommendation:

- f) That the Chair of this committee write to the Cabinet Portfolio Holder for Neighbourhoods and Climate Change highlighting the significant benefits which have been delivered by the three temporary posts and ask that consideration be given to extending the contracts of the three temporary staff to allow for the continuation of vital engagement activity and support currently provided to the Parks and Countryside Team.

8 Update on the Review of Allotments

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on progress of the implementation of improvements to the Council's allotment portfolio presented by Mark Farren, Neighbourhood Protection Enforcement Manager (for copy of report and presentation see file of minutes).

The Neighbourhood Protection Enforcement Manager introduced the presentation by recapping on progress thus far. The Committee noted, in January 2020, the Environment and Sustainable Communities Overview and Scrutiny Committee reported the findings of its review of the service to Cabinet. Concerns were expressed by a number of tenants and, in November 2022, a report to the Environment and Sustainable Communities Overview and Scrutiny Committee provided a response to the Scrutiny recommendations for delivery, recognising the concerns expressed. The Environment and Sustainable Communities Overview and Scrutiny Committee agreed to reconfirm the previous policy recommendations resulting in updated policy and tenancy agreements and noted that safeguards would be included in the new policy and tenancy agreements. The Committee also noted that allotments held by higher tier authorities should transfer to lower tier authorities set up after 2009 and the impact of recent investments in allotments.

The Committee heard that the Council managed allotments through direct letting and through Allotment Associations. The Neighbourhood Protection Enforcement Manager outlined the progress of the policy and tenancy agreements in relation to direct let sites and associations and he explained the tenancy policy had not been implemented at non-allotment sites, pending a review of the sites and at various sites in Stanley, which were due to transfer to Stanley Town Council. Information was provided on the progress of transfers to Town and Parish Councils.

Details were provided of the investment for improvements in sites to be made and the small grant scheme for associations as well as the work undertaken to improve direct let sites. Referring to the transition rules, the Neighbourhood Protection Enforcement Manager informed the Committee that tenants were given 18 months' notice of the changes and he acknowledged that there were challenges with regard to the transition rules, particularly in relation to allotments which were not used as allotments, as well as in relation to vehicles, dogs, horses and large animals.

The Neighbourhood Protection Enforcement Manager spoke of the Committee's recommendation that the establishment of allotment associations should be encouraged where appropriate. The Committee noted that allotment associations collected rent, managed sites, had greater autonomy and benefited from local understanding. However, good governance and financial management were key to success and the Council had provided a template to assist associations, to calculate rent which should increase periodically to account for site maintenance in the future.

In terms of forming new associations, the view was that a new association required approximately 50 plots, which would provide the number of volunteers required to run the site. Only two of the remaining direct let sites had more than 50 plots.

Analysis of rents showed Durham County Council rents were currently between £52 and £62 per year for direct let sites, which generated £57k income, however, the costs of running the service were significantly higher. The average direct let plots cost £288 per plot per year to provide and the cost of association plots was £68 per plot, due to associations carrying out their own maintenance, however the Council did not receive rent from association plots.

The Neighbourhood Protection Enforcement Manager outlined future work included a policy review in relation to bonfires and a review of provision, which was planned to take place within the next 18-24 months. Whilst local authorities had a duty to provide allotments, some sites had long waiting lists and the average waiting time for a plot was six years, however waiting times for some of the more popular plots were up to 24 years.

The Chair thanked the officer for the detailed presentation and welcomed questions and comments from the Committee.

Councillor Reed commented that even small increases in rent may have a large impact on allotment holders and she asked for more information on the Council's approval process for financial plans submitted by allotment associations. The Neighbourhood Protection Enforcement Manager explained that associations entering into agreements with the Council must submit a financial plan and the Council reserved the right to cancel the agreement if it was not satisfied that the plan was viable. In addition, liaison visits were made to association sites to discuss improvements required and the Council had the power to terminate agreements. The Neighbourhood Protection Manager, Ian Hault, acknowledged that the new policy was a culture change and the requirement for financial plans to be submitted was to assist associations to understand the costs of running a site and to project future costs.

Councillor Adam spoke of the lengthy transition period of five years for large animals to be prohibited on allotment plots. The Neighbourhood Protection Manager highlighted that progress was being made, with the historic agreements naturally phasing out and new tenants were bound by the new agreements.

Councillor Adam asked if data were available as to whether plots which are returned to the Council are reallocated straight away as that would suggest that the increase in rent was not a disincentive. The Neighbourhood Protection Manager replied that there was a high demand for sites which are returned to traditional allotments.

Councillor Adam raised the issue of those people who run small businesses from their allotments and therefore pay only allotment rents and what action the Council was taking to address the issue. The Neighbourhood Protection Manager agreed to follow-up the comment.

Responding to a question from Councillor Adam as to who was responsible for removing rubbish when a plot was vacated, the Neighbourhood Protection Enforcement Manager clarified that the tenancy agreement stated that the tenant must return their plot in the same, or better, condition. This process required records to be maintained which had been carried out on direct let sites and associations had also been advised to maintain records.

Councillor Elmer commented that he was aware that the National Planning Policy Framework gave instructions to Councils to ensure allotments were considered in terms of green space provision associated with bulk housing applications. However, he had knowledge of only one bulk housing provider who had made allotment provision available and he urged the Council to encourage bulk developers to make allotments available. The Neighbourhood Protection Manager agreed to follow-up Councillor Elmer's comments after the meeting.

Resolved:

The Environment and Sustainable Communities Overview and Scrutiny Committee noted the content of the report and presentation and commented accordingly.

9 Such Other Business

The Chair reminded Members that a Special joint meeting with Economy and Enterprise Overview and Scrutiny Committee will be held on 6 June at 9.30am to consider Regional and Local Transport.

Two visits were to be held. The first visit, on 4 June will visit Morrison Busty and on 17 June, there will be a visit to the Heritage Coast. Emails had been sent to members for expressions of interest, prior to arranging transport. All members were encouraged to attend both visits, if possible.