

DURHAM COUNTY COUNCIL

Environment and Sustainable Communities Overview and Scrutiny Committee

At a **Special meeting** of the **Environment and Sustainable Communities Overview and Scrutiny Committee** held in the **Council Chamber, County Hall, Durham** on **Friday 7 February 2025** at **9.30am**

Present:

Councillor B Coult (in the Chair)

Members of the Committee:

Councillors J Elmer (Vice Chair), E Adam, R Crute, J Purvis, A Simpson, T Stubbs and D Sutton-Lloyd.

Co-opted Member:

Mr B McArdle

Also in attendance:

Councillors V Andrews, C Hampson and M Wilkes

1 Apologies

Apologies were noted from Councillors P Atkinson, C Lines, D Nicholls, S Townsend and Co-opted Member, Ms K Monahan.

2 Substitute Members

No substitute members were present.

3 Declarations of Interest

There were no declarations of interest.

4 Items from Co-opted Members and Other Interested Parties

No matters were reported.

5 Fly-Tipping Update

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on the work of Durham County Council to address fly-tipping issues (for copy of report and presentation, see file of minutes).

Ian Hault, Neighbourhood Protection Manager, attended the meeting to deliver the presentation. Providing context, the Neighbourhood Protection Manager explained that action to address fly-tipping played a vital role in the Council's corporate priorities for improvement, as set out in the Council Plan. He recalled that during 2014-15, in response to a steady increase in fly-tipping, a multi-agency taskforce, 'Operation Stop It', was set up which led to a reduction in fly-tipping. The Covid-19 pandemic resulted in an increase in fly-tipping incidents, regionally and nationally. Fly-tipping levels gradually reduced following the pandemic and Durham's performance was now within the top quartile in the country and, compared regionally, Durham had the second best performance, based on the rate of fly-tipping incidents per 1,000 of the population.

The Neighbourhood Protection Manager pointed out that two thirds of the county's waste tipped was associated with households, which was slightly higher than the national percentage which stood at approximately 60%. Therefore, education and awareness were key drivers for the Council's approach to tackling fly-tipping and the Committee received information on education and media campaigns, with Neighbourhood Warden Facebook pages reaching over 3.25million people in 2023/24.

Information was provided on enforcement activity and the changes to fixed penalty notice levels which were implemented in 2024. In particular, the Committee noted the significant increase in the number of incidents caught on CCTV; the number of fixed penalty notices issued for waste carrier offences and payments received from fixed penalty notices. The Neighbourhood Protection Manager highlighted the benefits gained through the use of CCTV footage, to tackle fly-tipping.

The Neighbourhood Protection Manager commented that raising awareness amongst residents in respect of the household duty of care had been a key area of focus over the past year. This placed a duty on residents, not only to take responsibility for their rubbish but also to ensure their rubbish was disposed of appropriately. In total, 60 household duty of care warnings had been issued from April to December 2024.

In terms of the scale of the work, the Neighbourhood Protection Manager highlighted that approximately 4,500 yards and gardens jobs were undertaken in 2023/24. In some cases enforcement action was required, however 1,927 jobs were cleared without enforcement action. Approximately 1,800 were proactive jobs, using early intervention in order to reduce fly-tipping. In addition, a default removal team was implemented which had led to an increase in the use of legislation and quicker clearance, resulting in efficiency savings.

The Neighbourhood Protection Manager outlined actions for the future including the continuation of targeted media campaigns and surveillance. In addition, he referred to the implications for the service in response to the introduction of legislation in respect of simpler recycling.

The Chair commended the improved performance, adding that it was testament to the amount of work that had been undertaken and she requested that the Neighbourhood Protection Manager convey the Committee's thanks to the staff. Comments and questions were then invited from the Committee.

Councillor Adam thanked the Neighbourhood Protection Manager for the detailed report and he remarked on the positive, proactive work being undertaken. Councillor Adam asked whether fly-tipping incidents were being caused by repeat perpetrators and, if so, what action was being taken to tackle repeat offenders. The Neighbourhood Protection Manager confirmed that repeat perpetrators were responsible for some incidents. He explained that penalties increased according to the seriousness of the offence, with minor offences being dealt with through the issuing of fines. Repeat offenders may face court proceedings and serious cases may be dealt with through the use of Criminal Behaviour Orders. Councillor Adam asked whether intelligence was shared with neighbouring authorities and the Neighbourhood Protection Manager confirmed that information was shared with other authorities when fly-tipping incidents were believed to have links across county boundaries.

Councillor Adam referred to the gradual reduction in fly-tipping incidents following the peak during the pandemic, with refreshed education and awareness campaigns, however, he noted that there had been a slight increase in fly-tipping during 2023-24. Councillor Adam asked if targets were set to achieve reductions in fly-tipping. He added that the presentation had not included information on costs to the authority for the removal of fly-tipping and for carrying out education and awareness campaigns. Councillor Adam highlighted the importance of targets in order to scrutinise whether actions taken were effective. In response, the Neighbourhood Protection Manager clarified that details of how the service was maintaining its performance per 1,000 population were included in the quarterly corporate performance management reports, however, he would ensure that future fly-tipping updates to the Committee would also include that information. He added that a DEFRA calculation was used to quantify the cost of enforcement action and fly-tipping incidents and he offered to provide the relevant figures, for circulation to the Committee, following the meeting.

The Neighbourhood Protection Manager clarified that, as most waste tipped in Durham derived from households, serious fly-tipping incidents were much less common.

Councillor Sutton-Lloyd referred to the slide in the presentation which showed where fly-tipping incidents occurred and he observed that Bishop Auckland was a fly-tipping hotspot. The Neighbourhood Protection Manager explained that hotspot areas were typically located in areas where conurbations were clustered and in the more challenged areas of the county. He commented that there were a number of towns near to Bishop Auckland which could account for the relatively high number of incidents. The Neighbourhood Protection Manager added that data systems were used to track fly-tipping and information was shared with the Clean and Green team, Neighbourhood Wardens and the Police, in a partnership approach.

Resolved:

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

6 Air Quality Management in County Durham - Update

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on the results from the air quality monitoring network across County Durham for 2023 and 2024. The report also provided information on the revised Air Quality Action Plan and details of future priorities in relation to air quality and traffic measures to support air quality management (for copy of report and presentation, see file of minutes).

The Committee welcomed Ian Harrison, Business Compliance Manager and David Gribben, Senior Environmental Health Officer to introduce the presentation.

The Senior Environmental Health Officer explained that local air quality management across County Durham focused on identified locations at which the measured concentrations of nitrogen dioxide, i.e. the main pollutant from vehicle exhaust emissions, had exceeded or were at risk of exceeding the national annual mean air quality pollutant. The national annual mean air quality objective was $40\mu\text{g}/\text{m}^3$ and there was a risk of exceeding the objective when the level was within ten percent i.e. above $36\mu\text{g}/\text{m}^3$. The Senior Environmental Health Officer clarified that the 2024 results had not yet been adjusted to take into consideration bias and missing data.

The Senior Environmental Health Officer then provided details of the highest measured levels of nitrogen dioxide across the county at 'hotspots' in the city of Durham City located at Gilesgate bank (Eastbound), Crossgate (Sutton Street) and New Elvet (Church Street). The highest annual mean measured level was at a receptor located at Gilesgate bank.

Referring to the two monitors at Neville's Cross, the annual mean results for 2023 and 2024 were below the annual mean air quality objective. The corrected measured annual mean in 2023 for the monitor adjacent to the carriageway at Neville's Cross indicated a risk that the objective will be exceeded. The annual mean measured levels in 2022, 2023 and 2024 of nitrogen dioxide at both receptors at Menceforth Cottages in Chester le Street were below the air quality objective and the level at which there may be a risk of exceeding the air quality objective. The highest level of nitrogen dioxide measured by the continuous air quality analyser expressed as a mean, was close to but below the limit. The analyser was located on Leazes Road at Framwellgate and not at the façade of a residential property. The full monitoring results obtained in 2023 were included in the Annual Air Quality Status Report 2024. The report was submitted to DEFRA and subsequently accepted as providing a detailed representation of local air quality across the county.

The Senior Environmental Health Officer then outlined the progress of the review of the Durham City Air Quality Action Plan which was detailed within the covering report. The Committee noted that predicting future concentrations was difficult as a number of variables could impact on air quality such as future working habits, travel choices and the take-up of low emission vehicles. Future modelling predicted that there will be less than 10 receptors within the modelled area of the Durham City Air Quality Management Area that will remain non-compliant after 2024.

The Committee received information on legislation relating to the target and objective for fine particulates (PM_{2.5} - particles with a diameter less than 2.5 microns). This comprised a Population Exposure Reduction Target and an air quality annual mean of 10 µg/m³ as a target to be met by 2040.

The Committee then welcomed Nick Bryan, Transport and Infrastructure Manager, to provide information on key measures identified in the Air Quality Action Plan relating to transport projects to support wider air quality initiatives across County Durham.

The Committee noted that whilst the A690 corridor had the highest volume of traffic on a daily basis, it operated without significant congestion. The location which performed the worst in terms of nitrogen dioxide levels where traffic volume applied, was Leazes Road and the locations within Durham City where nitrogen dioxide levels were highest did not correspond with the busiest or most congested parts of the road network. The Transport and Infrastructure Manager explained that built environment factors contributed to emission levels at some locations.

The Transport and Infrastructure Manager stated that transport projects played a vital role in supporting local air quality improvements. For example, creating more opportunities for sustainable travel choices, the expansion of Park and Ride facilities and the coordination of traffic signals to improve movement during peak traffic hours. The Committee noted countywide transport projects to improve active travel routes were being developed at locations throughout the county, including bus priority corridors and electric vehicle charging point installations. In addition, action measures were being integrated with other strategies, policies and plans being developed across the Council, such as the Regional Transport Plan and the Climate Emergency Response Plan.

The Transport and Infrastructure Manager concluded by highlighting future opportunities for transport projects to support local air quality improvements through the City Regions Sustainable Transport Settlement funding and the North East Combined Authority, with many measures identified in the Air Quality Action Plan being supported at a regional level.

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

Councillor Stubbs thanked the officers for the interesting report and he referred to the difficult task ahead in achieving the target of an air quality annual mean of $10\mu\text{g}/\text{m}^3$ by 2040. He commented that this would require a step change in terms of active travel and sustainable transport. He raised concern that electric vehicle charging facilities may become obsolete in the future if battery and technological advances led to cars requiring less frequent charging. Councillor Stubbs asked whether consideration had been given to the provision of 'electric vehicles only' parking bays, without charging facilities. The Transport and Infrastructure Manager replied that whilst there was a need to ensure public provision for electric vehicle charging points at present, as technology evolved, it was likely that vehicles would require less frequent charging. Nationally there had been an increase in the number of charging hubs being developed on strategic routes and charging technology was moving towards rapid charging facilities. He expected that as technology developed infrastructure would be adapted to reflect people's habits and that there would be an increase in the electric vehicle parking offer in future. Councillor Stubbs commented that the most practical locations for electric vehicle charging points were within Park and Ride facilities, rather than at city centre locations and the Transport and Infrastructure Manager clarified that at present, electric vehicle charging points were provided at Park and Ride facilities and within city centres, where cars were likely to be parked for longer time-periods.

Councillor Sutton-Lloyd commented on the valuable information provided in the report, however the focus was on Durham City whilst there were hotspots in other parts of the county. Councillor Sutton-Lloyd said that Middridge, in particular, experienced an exceptional amount of heavy traffic and he asked whether monitoring could be carried out in that area in the future. The Senior Environmental Health Officer confirmed that consideration was given to carrying out air quality monitoring in other locations. Councillor Sutton-Lloyd agreed to contact the officer to discuss the matter further, following the meeting.

Councillor Adam thanked the officers for the good work. He recalled that work had been ongoing over many years and he was pleased to see good progress had been made in terms of active travel, improvements in the highway network and electric vehicle charging point installation. Agreeing with Councillor Sutton-Lloyd's comment that reports focused on Durham city, Councillor Adam noted that there seemed to have been little improvement at the Gilesgate and Colpitts Terrace locations. Councillor Adam commented on the previous opportunity to build a bypass to divert standing traffic and he added that he could not see any measures within the Action Plan to exclude or divert traffic. The Transport and Infrastructure Manager responded that current pressures did not correspond with the locations which were the most congested, for example the volume of traffic on Gilesgate bank was less than that at Milburngate Bridge, however the air pollution levels were higher at Gilesgate bank, which suggested that other environmental measures were a factor. He was, therefore, not convinced that reducing or diverting traffic alone, would result in compliance at Gilesgate bank. The Transport and Infrastructure Manager also pointed out that, diverting traffic, may have adverse, unintended consequences elsewhere. The Senior Environmental Health Officer highlighted that the Action Plan required monitoring results to be reported to the Corporate Steering Group and additional measures would need to be considered, if air pollution did not improve.

Councillor Elmer remarked that during the examination in public of the County Durham Plan, the Inspector provided the view that a bypass would not solve the problem as most of the issues were caused by peak hour traffic and the Inspector provided examples of other areas of the country that had successfully reduced peak hour traffic through the introduction of school and workplace travel plans. Councillor Elmer commented that Durham was not keeping pace with other areas of the country in being proactive to implement workplace travel plans. Whilst he acknowledged the good work that was being undertaken to promote active travel, Councillor Elmer gave the view that there was little action being taken to disincentivise driving and major travel schemes seemed to be making driving more accessible, leading to induced traffic. The Transport and Infrastructure Manager highlighted that new highway projects included measures for active travel and he recognised that there was more to be done to promote active travel opportunities within planning processes.

The Transport and Infrastructure Manager added that measures could be put in place to encourage modal shift through making active travel easier, quicker and cost-effective, as opposed to disincentivising driving. He also pointed out that making driving more difficult could have negative consequences for highway operation, such as causing congestion at alternative routes.

Mr McArdle, Co-opted Member, thanked the team for the detailed presentation. He referred to the 'warning limit' in respect of nitrogen dioxide at which there was a risk of exceeding the objective and he asked whether there was a similar warning limit for fine particulates. The Senior Environmental Health Officer clarified that the reduction target in respect of fine particulates was a national target and there was no air quality objective for fine particulates as the aim was to assist in complying with the national target of 10 µg/m³ to be met by 2040. The Transport and Infrastructure Manager added that whilst nitrogen dioxide was relatively safe to a specific level, there was no safe level of fine particulates, therefore, there was no national target, as the level should be as low as possible.

Mr McArdle then asked whether monitoring was undertaken in larger towns within the county. The Senior Environmental Health Officer clarified that continuous monitoring of fine particulates had been introduced within Durham city and other areas of the county were investigated, where levels of fine particulates were raised, in order to identify whether detailed monitoring should be undertaken.

Member of the public, Dr Ian Spencer, gave the view that there was an emphasis on levels of nitrogen dioxide and whilst there had been acknowledgement that particulates were a risk to health, this was largely ignored. He added that he was not aware of any measurement of particulate matter within the city from HGVs and brake and tyre pollution and he suggested that there should be more emphasis in the future on monitoring where levels of particulates were raised. The Transport and Infrastructure Manager commented that engine combustion also generated particulates, as well as tyre and brake wear and he pointed out that zero emission vehicles were not free from particulates. He added that most particulate matter figures related to the volume of traffic and a higher volume of traffic would correspond to the volume of fine particulates. The Senior Environmental Health Officer explained that fine particulate levels may be impacted by pollution episodes from Europe with wind directions causing levels to be raised.

In response to a further question from Dr Spencer as to the location of the fine particulate sensors, the Senior Environmental Health Officer clarified that sensors were located at the base of Gilesgate bank which was identified as a receptor by the Air Quality Action Plan and at Crossgate, which was a hotspot in terms of pollution.

Councillor Brown commented that particulate emissions may be caused by the increasing use of wood burning stoves.

Resolved:

The Environment and Sustainable Communities Overview and Scrutiny Committee:

- a) considered and commented on the information provided in the report and presentation;
- b) included in its work programme for 2025/26 a further progress update on the management of air quality in County Durham.

7. Climate Emergency Response Plan

The Committee considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided an update on the progress of the Council's Climate Emergency Response Plan (CERP 2). The report also presented a progress update on the third Climate Emergency Response Plan for the period 2024-27 (CERP 3) together with a first six month review of actions within the plan (for copy of report and presentation, see file of minutes).

Stephen McDonald, Net Zero Manager, introduced the presentation by commenting that the effects of climate change had been the subject of increasing media attention over the past year, with recent global extreme weather events. In addition, January 2025 was the warmest January ever recorded, globally.

The Net Zero Manager recapped that CERP 2 which was adopted by Cabinet on the 15 June 2022, agreed to achieve net zero in terms of Council emissions by 2030 and net zero by 2045, in respect of countywide emissions. In order to achieve the ambitious targets, CERP 2 contained 150 actions. Over 120 of those actions were either complete or on track.

The Net Zero Manager then provided details of progress of decarbonisation projects at various leisure centres throughout the county and the Morrison Busty low carbon depot. Transport decarbonisation was underway with the purchase of electric vehicles and awareness was being raised through staff engagement activities including the climate change webinars 'Let's Talk About' sessions.

The Committee noted that the development of CERP 3 required a realignment of the calculation of emissions to accord with the global standard Greenhouse Gas Emissions Protocol.

This required the removal of assets falling outside of the Council's operational control. The school academisation programme led to the academisation of over 100 schools which were no longer within the Council's control and they were therefore removed from the 2008/9 baseline measure.

With reference to Council emissions, annual carbon emissions had decreased year on year since 2008/9, reaching 64% in 2023/24. The delivery of fuel poverty and energy efficiency programmes had contributed towards the reduction of countywide emissions. The most up to date countywide data was from 2022 and this showed a 57% reduction in emissions from the 1990 baseline. The messages continued to be conveyed at a county level through the dedicated Climate County Durham Facebook page and the Climate County Durham website, which was to be relaunched with new pages, for CERP 3.

The Net Zero Manager explained that CERP 3, which was agreed by Cabinet in July 2024, covered the period 2024-2027 and comprised of 232 actions across eight themes, to achieve Council and countywide reductions. Whilst the targets contained in the plan were challenging, the Council had a track record of success in attracting external funding for low carbon initiatives and it was hoped that opportunities would arise through the North East Combined Authority's investment plans.

The Net Zero Manager concluded the presentation by highlighting that Durham County Council retained the Investors in Environment Scheme green accreditation for making the Council and County Durham greener. Success was also achieved for the EV Team who won Durham County Council's staff award for Innovation and Change.

The Chair thanked the Net Zero Manager and all the staff for their good work to achieve progress in such challenging times and she invited comments and questions from the Committee.

Councillor Adam thanked the team for the comprehensive covering report which detailed the excellent work being achieved and for continuing to drive the climate change emergency message forward. Referring to the reduction of countywide emissions, Councillor Adam referred to the presentation slide which showed that there had been relatively little reduction in terms of transport and he asked what more work could be done. The Net Zero Manager highlighted the work with regard to the Local Cycling and Walking Infrastructure Plans and the installation of electric vehicle chargepoints. He added that electric vehicles did not have a benefit in terms of particulate pollution compared to internal combustion engine vehicles as this was caused by tyres and it was generally the same for both types of vehicle.

Mr McArdle thanked the officer for the excellent report noting, however, that it did not include information on developments in respect of heat and electricity storage. The Net Zero Manager responded that he was aware of a number of private sector electrical storage projects in the county and he remarked that the decarbonisation of heat was a critical part of the work going forward. The Net Zero Manager agreed to discuss the work further, with Mr McArdle, following the meeting.

Councillor Wilkes informed the Committee that a public consultation was to be held on Wednesday 19 February 2025 at 4.00pm at the Robin Todd Community Centre in South Hetton regarding plans for a new battery storage facility.

Councillor Elmer referred to the action summary within the presentation which showed that, under the theme of Transport and Connectivity projects, there were 46 Council actions and only 3 partner actions. Councillor Elmer commented that he would like to see the Council develop a workplace travel plan and work with partners, employers and schools to encourage them to do the same. The Head of Transport, Mark Jackson, informed the Committee that work had now begun on the Council's workplace travel plan.

Councillor Elmer spoke of the large amount of older housing stock across the county and he highlighted the importance of improving home energy efficiency in order to reduce the carbon footprint and he asked whether more could be done to lobby government to provide funding for this area of work. The Net Zero Manager highlighted that previously, the government had provided a range of grants to assist householders to improve home energy efficiency and it was hoped that the North East Combined Authority will provide a more streamlined approach to funding schemes in the future.

Councillor Stubbs referred to the work in relation to engagement and education and he commented that the Council was likely to have more control over how to achieve its own Council net zero target than the countywide net zero target. Councillor Stubbs also remarked that if engagement was a key priority, there should be more social media work undertaken to increase the following on Facebook and he asked if there was an engagement plan in place, which included targets. The Net Zero Manager confirmed that a communication strategy was being established which will include a series of actions within the thematic areas and that he would make enquiries with the Communication Lead, with a view to including targets. The Chair referred to the opportunity to increase the reach through social media which, as had been discussed earlier in the meeting, in terms of raising awareness of fly-tipping, had reached approximately 3.25million people.

Resolved:

The Environment and Sustainable Communities Overview and Scrutiny Committee:

- a) noted the progress against CERP 2 projects which have helped to achieve a Council 64% reduction in tCO₂e (2023/24) since 2008/9 and a Countywide 57% reduction (2022) in tCO₂e from 1990 levels;
- b) noted the new CERP 3, 6 month review and corresponding projects and challenges that are faced.

8. Such other business

Members were reminded that a Special joint meeting of the Environment and Sustainable Communities Overview and Scrutiny Committee and the Economy and Enterprise Overview and Scrutiny Committee would be held on 4 March 2025 at 9.30am which would provide Members with details of current transport policy and delivery.