

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 2, County Hall, Durham on **Thursday 10 April 2014 at 9.30 am**

### **Present:**

**Councillor B Graham (Chairman)**

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

Councillors E Adam, J Armstrong, D Bell, E Bell, J Clare, J Gray, D Hall, G Holland, K Hopper, O Milburn, S Morrison, P Stradling, L Taylor and S Zair

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

Mr O Graham, Mr D Kinch, Mrs P Spurrell, Mr T Bolton and Mr D Easton

### **1 Apologies**

Apologies for absence were received from Councillors J Clark, I Jewell, P May and D Freeman.

### **2 Substitute Members**

Councillor M Wilkes substituted for Councillor D Freeman.

### **3 Minutes of the Meeting held on 24 January 2014.**

The minutes of the meeting held on 24<sup>th</sup> January 2014 were confirmed as a correct record and signed by the Chairman

### **4 Declarations of Interest, if any**

There were no declarations of interest.

### **5 Any items from Co-opted Members or interested parties**

There were no items from Co-opted Members or interested parties.

### **6 Media Relations**

The Committee received a presentation from the Overview and Scrutiny Officer on recent press articles relating to the remit of Environment and Sustainable Communities.

The first article related to the proactive approach that the council were taking in respect of issuing fixed penalty notices for those caught dropping or tipping litter or waste. The second article related to the repair of potholes across the County.

The third article reported was in relation to work which was being undertaken at Waldrige, Chester le Street to prevent future flooding. It was noted that the Flooding Scrutiny Review Group had undertaken a site visit to view the works with detail of the visit included within the Flooding Scrutiny Review Group report which would be considered by the committee at a future meeting..

The final article related to the Garden Waste scheme and the introduction of charges for 2015.

### **Resolved:**

That the content of the presentation be noted.

## **7 Neighbourhood Services Revenue and Capital Outturn Quarter 3 2013/2014:**

The Committee considered a report and presentation of the Neighbourhood Services Management Team which set out details of the forecast outturn as at Quarter 3 for 2013/14, highlighting variances against revenue and capital budgets for Neighbourhood Services (for copy of report and slides of presentation see file of minutes).

The Finance Manager (Neighbourhoods) advised that the Q3 forecast for the 2013/14 Revenue Outturn for Neighbourhood Services was an underspend of £0.844m after taking account of the forecast use of reserves and items outside the cash limit.. The presentation provided an analysis by Head of Service and reasons for the associated underspends.

The presentation then went on to detail the capital outturn position and it was reported that following various adjustments at the Capital Member/Officer Working Group ( MOWG) meetings during the year, as a result of additional funding sources being identified, and some schemes being re-profiled in to future years this had resulted in a revised 2013/14 Capital Programme of £30.628m. It is currently anticipated that £28.817m will be spent in 2013/14, resulting in a forecast underspend of £1.811m. The main reasons for the capital underspend were detailed within the slides.

Councillor Adam queried why there was such a significant underspend within technical services which would include highways and the repair of potholes. In response the Finance Manager advised that the underspend was mainly related to street lighting with the allocated budget for pothole repairs been fully utilised.

Councillor Adam further noted that in relation to street lighting the new scheme was only in the very early stages and queried as to how the significant underspend had resulted. The Finance manager advised that the project had not commenced until later than planned which had resulted in slippage in the programme. The Corporate Director, Neighbourhood Services advised the committee that the service were confident that they would catch up during 2014/15 in relation to the implementation of the scheme. He added that it had been important that the scheme was solid before moving on.

## **Resolved:**

That the content of the report be noted.

## **8 Quarter 3 Performance Management Report 2013/14**

The Committee considered a report and presentation of the Assistant Chief Executive which presented progress against the council's corporate basket of indicators (PIs) for Altogether Greener priority theme and reported other significant performance issues for the third quarter of 2013/14 (for copy of report and slides of presentation see file of minutes).

The Customer Relations, Policy and Performance Manager advised that all 18 actions had been delivered during the quarter. Further details of those actions were contained within the report. The presentation further provided some of the key performance messages which had come out of the quarter including the following achievements:

- Fewer CO<sub>2</sub> emissions across the authority area
- More properties made energy efficient using Green Deal loans (Warm Up North)
- More Feed in Tariff installations registered and approved.

Other key challenges for the quarter had been:

- Missed target to reduce CO<sub>2</sub> emissions from Local Authority operations
- More sites on Heritage at Risk Register
- More fly-tipping incidents and fewer investigations.

Moving on the presentation went on to detail performance in respect of the Built Environment, Carbon Emissions, Natural Environment, Clean and Attractive Environment and Fly-tipping.

Councillor Morrison asked what resources were being devoted to fly-tipping enforcement. In response the Head of Direct Services advised that fly-tipping enforcement figures were similar across the country. The council had investigated 87% of all reported incidents however in some circumstances it could be very difficult to trace the origin of waste where there was no CCTV or witnesses. Therefore securing prosecutions could be very difficult.

Councillor Holland queried whether it was in fact cheaper to allow all waste to go to HWRC or to clean up after fly tipping incidents at the kerbside and follow up with prosecution. In response the Corporate Director Neighbourhoods advised that this was a very difficult issue to determine, however the situation was monitored very closely and the service was adopting industry best practice following up with as many prosecutions as possible.

Further discussion took place regarding CO<sub>2</sub> emissions and Councillor Holland added that this was a function of air temperature and performance would depend upon climate and usage.

Discussion then ensued regarding Household Waste Recycling Centres (HWRCs) and performance since the closure of a number of sites and why this was not included as a reason for the increase in fly tipping incidents. The Corporate Director Neighbourhood Services responded that there is a wide range of reasons as indicated on the relevant slide in the presentation including the introduction of waste permits in Sunderland which has

resulted in increased incidents of fly tipping in the East of the County and there is no correlation between the closure of the HWRCs and the location of incidents of fly tipping. It was agreed that a map would be circulated to committee members identifying fly-tipping hotspots.

**Resolved:**

That the content of the report be noted.

## **9 Local Air Quality Management within County Durham - Overview:**

The Committee considered a joint report and presentation of the Assistant Chief Executive and Corporate Director Neighbourhood Services which provided detail on the projects which were being undertaken in County Durham for the purposes of fulfilling the requirements of Local Air Quality Management (for copy of report and slides of presentation please see file of minutes).

The Pollution Control Manager provided some background to the work of the team and an overview of air quality management projects in Durham City which included a Technical Working Group and Corporate Steering Group which had been established to formulate an Air Quality Action Plan.

Further details and data were presented which showed diffusion tube monitoring within the Air Quality Management Area (AQMA) between 2009-2012. The results of monitoring had resulted in three main areas being identified for further work to be undertaken to reduce the concentration of nitrogen dioxide which occurred from vehicle emissions.

It was further reported that the existing AQMA was to be extended to include additional areas in Durham City. An 8 week period of consultation would commence on the 28 April via 1 fixed and 1 portable monitor to measure concentration levels 24 hours a day which would complement the extensive non continuous monitoring network across the city.

Councillor Bell commented that he had some concerns regarding the consultation taking place during school and college closures and whether this would impact upon the results. He further queried whether adverse weather conditions could affect readings. In response the Air Pollution Manager advised that the consultation was to run for an 8 week period from the 28<sup>th</sup> April and this would cover both quiet and peak periods. The monitoring of the air quality will take place over a 12 month period and would take into account seasonal changes.

Councillor Adam requested clarification as to whether any other pollutants were monitored and also whether by deterring people from entering the city by car was this further compounding other issues. In response it was noted that 7-8 pollutants were monitored however it is nitrogen dioxide which is causing the problem within County Durham and had resulted in the designation of Air Quality Management Areas within the County. It was highlighted that the team work very closely with planners to take into account any mitigating measures.

Councillor Wilkes commented that he was frustrated at the length of time it had taken to get to this stage with this commencing in 2011. In response it was reported that the process is

time consuming as a detailed assessment has to be undertaken which is then submitted to DEFRA for confirmation, once ratified by DEFRA a corporate steering group was then established together with a technical group this has all taken time however DEFRA has no concerns about the timescale..

Councillor Wilkes further commented that he felt that there was a need for an integrated transport system in Durham and felt that the current plans would not improve the situation in the City Centre.

The Corporate Director, Neighbourhoods added that the development of the plan was a complicated process however the infrastructure required would be put in place as quickly as possible after its implementation.

Further discussion took place regarding the measures and steps which could be taken to reduce pollutants in the City Centre and it was noted that other than providing major infrastructure changes which was the (hard options) the team would continue to raise awareness and encourage others forms of transport and methods of travel in order to reduce congestion (soft option).

Further discussion and debate took place regarding Durham Park and Ride and it was further suggested that a progress report be brought back to the committee in 6 months time.

Councillor Holland added that the data presented was not very scientific and required detailed analysis. He therefore suggested that it may be beneficial to bring on board a dedicated masters student who would be able to carry out multivariate analysis. It was noted that DEFRA were very strict on analysis and guidelines for the presentation of data. It was also noted that a consultant had been employed who was an expert in this field.

#### **Resolved:**

(i) That the content of the report be noted.

(II) That an update on the development of the Air Quality Management projects within County Durham and progress on the Air Quality Action Plan be provided to the committee as part of the refreshed work programme for 2014-2015.

#### **10 Contaminated Land Strategy - Overview:**

The Committee considered a report of the Corporate Director Neighbourhoods which provided an overview on the council's Contaminated Land Inspection Strategy (CLIS), which will be released as a revised version in May 2014 following a period of consultation (for copy see file of minutes).

The release of the contaminated land statutory new guidance had led to the revision of the document to reflect the several new changes which had been made to the regime. The revised strategy set out proposals for identifying, inspecting and assessing contaminated land within the Durham County Council area between 2014 – 2018 in line with the Council Plan.

Discussion then ensued regarding associated government funding and it was noted that the amount of money allocated to the council for contaminated land has significantly reduced for forthcoming years.

**Resolved:**

That the content of the report be noted.

**11 Garden Waste - Update:**

The Committee considered a joint report of the Assistant Chief Executive and Corporate Director Neighbourhoods which reported upon the results of the consultation on the introduction of a charge for the collection of garden waste.

The Head of Projects and Business Services provided a summary of the key results of the consultation as contained within paragraph 21 of the report and advised that the level of take-up was broadly in line with initial assumptions and service modelling. The report further detailed potential risks of imposing a fee and also comparable benchmarking data for information.

It was reported that following consideration of the report and recommendations presented to Cabinet on 19 March it had been agreed that for 2015 a £20 fee would be introduced for collections. Furthermore for the 2015 season it was agreed that a price of £50 be offered to households that subscribed to the service for 3 years.

It was noted that this was an extremely challenging service for the collection team to manage as not all properties would wish to take up the scheme. It was therefore suggested that this should be included within the work programme and progress be monitored regularly.

**Resolved:**

- (i) That the content of the report be noted.
- (ii) That the committee receives a further update on the development of the Garden Waste scheme as part of the future work programme.

**12 Refresh of the Work Programme:**

The Committee considered a report of the Assistant Chief Executive which provided information contained within the Council Plan 2014-2017 that is relevant to the work of the Environment and Sustainable Communities Overview and Scrutiny Committee in order for the Committee to review the work programme for the coming year.

It was highlighted that the council has rationalised the structure of the 'Altogether Greener' and objectives and outcomes framework to concentrate on three objectives. The committee was then provided with a summary of the current work programme focusing on in depth scrutiny reviews, systematic review of previous Scrutiny Review reports, overview activity, budgetary and performance monitoring and areas in the current work programme that would need to be revisited. In addition, new high level actions which had not featured

in the current work programme were identified as possible areas for inclusion within the work programme for 2014-2015.

Councillor Wilkes asked whether Air Quality would be revisited in the forthcoming year. In response Councillor Armstrong advised that this would be an ongoing issue which would be revisited during the year as part of the 2014-2015 work programme. In addition, Councillor Armstrong commented that it was important that there was capacity available to pick up issues which may arise throughout the course of the year and to also enable the committee to look at issues in depth.

Councillor Stradling commented that in his opinion there was only room for one major project / topic, therefore suggested that any topics or issues should be brought forward to the July meeting for consideration and approval.

**Resolved:**

(i) That the content of the report be noted.

(ii) That a further report be considered at the meeting on the 3<sup>rd</sup> July, 2014 detailing the committee's work programme for 2014-15 together with discussion of possible topics for in depth scrutiny review.

**13 Minutes of the meeting of the County Durham Environment Partnership Board held on 21 November 2013**

**Resolved:**

That the minutes of the County Durham Environment Partnership Board be noted.