

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 2 October 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 Clark, J Gray, D Hall, K Hopper, I Jewell, P May, O Milburn, S Morrison, L Taylor and S Zair

Co-opted Members:

Mr T Bolton

1 Apologies.

Apologies for absence were received from Councillors G Holland and Mrs P Spurrell.

2 Substitute Members.

There were no substitute members.

3 Minutes of the Meetings held on 1 May, 3 July, 11 July, 14 July and 8 September 2014

The minutes of the following meetings were confirmed as a correct record and signed by the Chairman with the following amendments:-

- (i) 1 May 2014 – to add apologies from Councillor E Adam.
- (ii) 3 July 2014 – to add apologies from Councillor O Milburn.
- (iii) 11 July 2014 – to add apologies from Councillor E Adam.

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 - Updates on Press Coverage.

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 articles related to an announcement by the Council to install smart traffic light system to ease congestion and traffic pollution in Durham City where approximately 40,000 cars pass through per day. The system called scout will be situated on Leazes Bowl and Gilesgate roundabouts.

The second article related to Seaham Harbour's £3.4m pier restoration to protect surrounding properties from future flooding and erosion. The project is expected to prevent coastal deterioration by stopping storm waves from penetrating the harbour. This was a joint project between DCC, the Environment Agency and port operators the Victoria group.

Further articles were reported in respect of the success of 15 Council run sites in achieving green flag awards. In addition an article was presented regarding the work of the committee on their recent review of flooding.

And finally an article was reported in relation to two new storage barns which were being built for salt in preparation for winter weather.

7 Neighbourhood Services Revenue and Capital Outturn 2013/14 and Revenue and Capital Outturn Quarter 1 2014/15

The Committee considered a report and presentation by the Finance Manager – Neighbourhood Services which set out details of the final outturn as at Quarter 4 for 2013/14 and highlighted variances against revenue and capital budgets for Neighbourhood Services (for copy of report and slides of presentation see file of minutes).

The Finance Manager – Neighbourhood Services in delivering his presentation indicated that there was an under spend of £966,000 against the cash limit after taking account of the forecast use of reserves and items outside the cash limit. Members were advised of an overspend within Strategic Waste of £500,000 which was due to higher than anticipated one off costs associated with maintaining landfill gas power generation equipment and also a continuing fall in income from the sale of dry recyclates. The Committee were advised that the 2013/14 capital spend for Neighbourhood Services was £26.090m against a revised budget of £30.722m, which is a £4.632m underspend for the year.

The Committee also considered a report and presentation by the Finance Manager – Neighbourhood Services which set out details of the forecast outturn at Quarter 1 for 2014/15 and highlighted variances against revenue and capital budgets for Neighbourhood Services (for copy of report and slides of presentation see file of minutes).

The Finance Manager – Neighbourhood Services in delivering his presentation indicated that Neighbourhood Services had an under spend of £486,000 and gave Members the reasons for the under spend. The Quarter 1 forecast for the 2014/15 Capital Outturn is currently estimated to be in line with the budget.

In addition the presentation detailed the capital outturn position as at Quarter 1 along with reasons for the underspend in this area.

Councillor May commented on the overspend that had been seen in the Strategic Waste service and asked whether this was as a result of the market. In response the Head of Projects and Business Services advised that the market did indeed fluctuate and prices for recyclates did go up and down dependent upon market demand. It was noted that glass commanded a high price, however prices on plastic were dropping consistently and paper tended to stay the same. Quality of recyclates is another driver of the price that can be obtained from their sale. The authority has experienced some recent problems with contamination and they are addressing this through the "Bin It Right" campaign.

Further discussion then ensued regarding performance in relation to the Clean and Green team and Councillor E bell queried whether there had been any recent changes in council policy regarding the cutting of hedges. In response it was noted that there had not been any recent policy changes and it was noted that no cutting back of hedges or trees took place whilst birds were nesting. It was also noted that tree thinning work commenced in October.

Further discussion took place regarding the refurbishment of Waste Transfer Stations and the programme for works over the next 12 months. It was also asked whether the refurbishment of the WTCs would have any impact on kerbside collections. It was noted that no impact would be seen at the kerbside.

Councillor Adam then raised a query regarding the increase in surplus generated by Highways Services, he added that the council were often criticised for highway improvement works and questioned whether the surplus would be put back into the service. In response the Corporate Director Neighbourhood Services advised that all surpluses would be put back in to the service for Category 1 and 2 repairs. However it was interesting to note that a recent report showed that road data within County Durham had improved. It was further agreed that this report should be included alongside the next quarterly performance report.

Councillor Hall then raised a query with regard to grass encroaching on to the public footpath and asked what the procedure was for its maintenance as he had found this to be a particular issue in his area. In response the Corporate Director Neighbourhood Services advised that the service were working as best they could with a diminishing budget however it was important to ensure that local priorities were dealt with whilst also balancing higher priority repairs and maintenance.

Further discussion took place regarding the use of the youth offending scheme to help in cases such as this and it was also pointed out by a number of members that if more flexibility was permitted within the members neighbourhood budget then this may help to achieve and resolve a lot more local issues such as edging.

In response the Corporate Director Neighbourhood Services advised that the service were absolutely flexible in what they did and any member with individual ward issues should approach the service to determine whether the work can be completed within the current financial envelope.

Resolved:

- (i) That the final 2012/13 outturn position on Revenue and Capital be noted.

- (ii) That the Quarter 1 forecast outturn position on Revenue and Capital for 2013/14 be noted.

8 Quarter 1 2014/15 Performance Management Report

The Committee considered a report and presentation of the Neighbourhood Services Management Team which presented progress against the Council's corporate basket of performance indicators for the Altogether Greener theme and reported other significant performance issues for the first quarter of 2014/15 covering the period April to June 2014 (for copy of report and slides of presentation see file of minutes).

The Customer Relations Policy and Performance Manager provided an overview of performance along with key messages, achievements and challenges from the first quarter.

The presentation highlighted the key ongoing projects which were taking place across the County in respect of the built environment, carbon emissions, natural environment and the clean and attractive environment.

In addition the presentation provided a focus upon fly-tipping hot spots and the work which was being undertaken on a multi-agency basis to help understand the problem, provide education and seek community involvement and ultimately provide tougher enforcement.

The Customer Relations Policy and Performance Manager further provided detail with regard to deposited waste types, top locations, common fly-tip sizes and prosecutions.

It was noted that during the period of October to December there would be a high profile county-wide campaign alongside educational programmes in schools, roadshows, and work with private land-owners, housing providers and AAPs.

With regard to enforcement it was noted that a specialist fly-tipping team had been established and worked to identify and target repeat offenders, rogue traders and commercial fly-tippers through multi-agency spot check operations. A team of six Neighbourhood Wardens would also work together to increase business compliance with trade waste disposal in hot-spot areas and improve the process for recovering costs from fly-tipped waste.

The Corporate Director, Neighbourhood Services advised that the council did utilise covert cameras and publicity regarding prosecutions would be seen over the coming few months.

The Customer Relations Policy and Performance Manager then invited Sandra Robertson, Special Projects Manager to provide background information in relation to Heritage Open Days and a brief summary of the work undertaken during the year. A copy of the most recent publication which listed the venues and activities taking place during the year was circulated to members for their information.

Discussion then ensued regarding fly-tipping and waste regulations. Councillor Morrison queried whether there was similar regulations for furniture retailers in relation to the disposal of large furniture items as there was for electrical retailers. In response the Head of Projects and Business Services advised that there were no similar regulations in place.

for the removal of furniture waste he added that it was very difficult to get retailers on board to offer this service without any legislation in place.

Councillor Clark raised a number of queries regarding; the collection of additional waste left next to the wheelie bin and the use of plastic bags in recycling bins. She further queried whether local supermarkets could be encouraged to use plastic carrier bags which were accepted for recycling by the local authority. It was noted that only clear bags would be accepted when left next to the wheelie bin and plastic carrier bags were currently not allowed to be placed within the recycling bin.

Councillor Adam queried whether fly tipping would be preventable if charges were dropped for bulky waste collection. He further questioned whether the opening / closing of Household Waste Recycling Centres had also impacted upon fly-tipping.

In response the Corporate Director Neighbourhood Services advised that it had been learnt that fly-tipping was not always about the charge and more about the type of person tipping. He advised that at this time there was no evidence to suggest that charging for the removal of waste had led to an increase in incidents. He further commented that given the very open countryside aspects of County Durham it was very difficult to monitor all sites at all times.

Mr T Bolton, asked whether there was any training provided for magistrates who would be dealing with prosecutions and whether positive outcomes were publicised. In response the Corporate Director Neighbourhood Services advised that training was provided and was key to ensure the correct prosecutions were made. In addition prosecutions were widely publicised.

Mr T Bolton then asked whether it would be possible to include some clearer information within the County Durham News publication regarding carbon emissions and what grants were available as a great deal of confusion regarding grants was felt amongst the public. It was agreed that someone from the Warm Up North team come back to a future meeting to discuss further.

Councillor May asked for clarification in relation to the number of waste permits for HWRCs and in particular the monitoring of business vehicles accessing the sites.

Councillor Zair commented that given the high number of fly-tipping incidents within the Bishop Auckland area could it be expected that extra action would be taken in this area. It was noted that the Multi-Agency Task Force had put an action plan in place for this area, with additional surveillance taking place. The Corporate Director Neighbourhood Services advised that Councillor Zair could contact him directly to discuss actions in his area.

Councillor Clare noted that the map highlighting hotspots showed variance and change across the county, however queried whether another map could be provide showing absolute incidents. The Customer Relations Policy and Performance Manager advised that this could be provided alongside quarter 2 performance.

Resolved:

That the content of the report be noted.

9 Reducing the Council's Carbon Emissions - Scrutiny Review - Update on recommendations

The Committee considered a joint report of the Assistant Chief Executive and Corporate Director Regeneration and Economic Development which detailed progress made in relation to the recommendations contained within the 'Reducing the Council's Carbon Emissions' Scrutiny review published in January 2013 (for copy see file of minutes).

The Sustainability & Climate Change Team Leader provided an update on each review recommendation and action as detailed within Appendix 2 of the report. Members were advised that the corporate Carbon Management Programme Board continued to lead the Council's work on carbon reduction and energy savings. The Council continues to explore opportunities for energy reduction and projects had been initiated including boiler optimisation, new lighting and recommendations for new invest to save projects. The Sustainability and Climate Change Team Leader reminded the committee that 14,000 street lights had been retrofitted with new energy efficient LED street lights as part of the Street Lighting Energy Reduction Project. The committee was advised that the project involves £21 million capital investment in highways that will produce gross revenue savings of £2 million per annum.

Members were advised that Durham County Council is ahead of most other councils in respect of the number of Eco Champions and in relation to the need to reduce business travel there was general awareness of the alternatives available which included conference calls. In relation to review recommendations six and seven members were informed that the council continues to monitor electric, gas and water consumption and of the performance of capital and revenue projects. Elected members and staff had received regular information in Buzz and Member Update publications in relation to the Council's carbon reduction targets and the Big Switch Off had continued to make impressive savings.

Councillor Adam commented that the focus was on the use and reductions of energy, however little was reported on water usage, the recycling of waste water and rainwater harvesting. In response the Sustainability & Climate Change Team Leader advised that the meters currently installed did not provide the same level of data however a number of premises were using Dimeter which was providing some very interesting results. In addition there hadn't been much focus to date on the recycling of water but more so on charges. It was further agreed that a report could be brought back to the committee in due course on this topic.

Councillor Clare asked whether the improvement in performance had been as a direct result of the loss of some buildings from the council's portfolio such as leisure centres or from the actions that have been put in place. In response it was reported that it was as a consequence of both. Further reference was made regarding community run buildings. It was also explained that the council has partnership arrangements with organisations who have taken over the running of our leisure centres whereby we continue to offer them energy efficiency advice.

Resolved:

That the content of the report be noted.

10 Air Quality Action Plan and Consultation Strategy - Update

The Committee considered a joint report and presentation of the Assistant Chief Executive and Corporate Director Neighbourhood Services which provided an update on the development of the Air Quality Action Plan for Durham City (for copy of report and slides of presentation see file of minutes).

The presentation provided details on the Corporate Air Quality Steering Group and Air Quality Technical Working Group and their roles in developing an Air Quality Action Plan for Durham City. Details were also provided of the milestones and associated timescales for the work programme.

The Pollution Control Manager advised that an Air Quality Technical Working Group and an Air Quality Corporate Steering Group had been set up to undertake and fulfil the requirement of establishing a draft Air Quality Action Plan for Durham City. A structured programme that covered identified stages of the work project in the form of work milestones had been established for the drafting of the Air Quality Action Plan.

The Senior Air Quality Officer then went on to provide some detail relating to the requirements that cover Local Air Quality Action Plans and a summary was provided relating to work already completed on milestone 1. The presentation further outlined examples of the options included in the Draft Air Quality Action Plan..

The Senior Air Quality Officer presented a summary of work which was ongoing or yet to be completed on milestones 2, 3 and 4. With regard to progress to date it was reported by the Pollution Control Manager that:

- Work Milestone 1 (July-Dec 2013) =Achieved
- Work Milestone 2 (Jan-Jul 2014) =Achieved in part - some tasks have had to be incorporated into work milestone 3 mainly due to the scale of task
- Work Milestone 3 (Aug-Dec 2014) =on going
- Work Milestone 4 (Jan-March 2015) =on course

It was noted that there were potential challenges that included: other priorities of the Council; dependency upon consultants to complete appraisals and external partners to progress improvement measures.

In conclusion it was noted that targeted monitoring to determine improvements in Air Quality within Durham City would be ongoing and periodically reviewed and revised as and when required. It was noted that the Council is required to report progress on the development of the Air Quality Action Plan and the subsequent impact on air quality from the implementation of the air quality improvement measures annually to the Government via the Department for Environment, Food and Rural Affairs (DEFRA)

Mr T Bolton, asked how closely the team are working with bus operators as it was known that buses are one of the principal sources of air pollution within the city. . In response the Pollution Control Manager advised that the team sought to work closely with transport colleagues to encourage the bus operators to update the fleet of buses with engines with a better emission standard. It was also noted that some progress had already been made since funding had been obtained for the upgrading of buses operating on one route within the Air Quality Management Area. . Further discussion took place regarding the County Durham Plan and Councillor Adam commented that there could be a risk of the actions not

working as a consequence of the impact of the new developments proposed within and on the periphery of Durham City that is contained within the County Durham Plan and the Supplementary Planning Documents.. In response the Pollution Control Manager advised that the Senior Air Quality Officer had undertaken work to establish and develop guidance that seeks to minimise the impact on air quality from new development and that an option is included within the Air Quality Action Plan for this guidance to become a Supplementary Planning Document.

The Pollution Control Manager raised the issue that DEFRA may impose penalties under the Localism Act on Councils where the air quality standards are not met. It was noted that as long as the team could demonstrate working towards achieving the standard DEFRA would be satisfied in the interim.

Councillor Hall asked whether it was possible to access and view air quality levels online from the monitors that were in place in Durham City. In response it was reported that there was a link on the Air Quality web pages that could be found by accessing Durham County Council's website, however not all monitors were linked up to this facility.

I Further to the previous discussion there was a question from the Chair on the likelihood of delays to establish and develop the draft Air Quality Action Plan and therefore penalties being imposed by DEFRA for not achieving the required air quality standards. The Pollution Control Manager advised that they work closely with DEFRA and as long as there is evidence of working toward compliance no action would be taken however if there was no evidence of progressing this work then there is a possibility that the authority could be fined.

Councillor Hall further commented that there are also a large number of taxis that operate within Durham City and queried whether the council could offer preferential rates to taxi licence holders to encourage a mass switch over to lower emission vehicles. It was reported that this had actually been looked in to, however, there had not been much support for this from the Corporate Steering Group. It was something however that would be revisited in the future.

Resolved:

That the content of the report and presentation be noted.

11 Landscape Scale Projects - Overview

The Committee received a joint report and presentation of the Assistant Chief Executive and Corporate Director Regeneration and Economic Development which provided background information on the Landscape Scale project (for copy of report and slides of presentation see file of minutes).

The Landscape Delivery Officer provided some detail regarding the European Landscape Convention and the Landscape Character Assessment which had been undertaken in 2008 and informed the strategy which had been developed for the various landscape characteristics in County Durham.

Landscape scale in County Durham was a Heritage Lottery funded partnership programme and included big projects such as

- Mineral valleys
- Living North Pennines
- Limestone Landscapes
- Heart of Teesdale
- Land of Oak and Iron
- River Tees discovered.

Members were provided with a hand out which provided a summary of each of the schemes work, along with associated timescales for each. The Committee was advised that the Woodland Trust had taken management responsibilities from Durham County Council.

The presentation further provided detail on other ongoing partnerships which were much smaller projects and were not funded through the Heritage lottery but included:

- Durham Hedgerow Partnership
- Heart of Durham
- Jubilee Woods
- Heritage Coast
- Heathland Project

Further details were provided with regard to hedgerows and the impact that hedgerow funding had taken across the county to improve the hedgerow network.

The Landscape Delivery Officer then went on to discuss the legacy of the partnership and advised that legacy planning had been in the pipeline for some time and it was important to ensure that the legacy was ambitious and sustainable whilst also ensuring there was sufficient funding to support the plans.

Mr T Bolton added that County Durham was uniquely blessed with common land and queried what the partnership were doing to protect and promote these areas. Further discussion took place regarding common land and issues with mixes of ownership, and management issues.

Further discussion took place regarding Land of Oak and Iron and the County's involvement. The Landscape Delivery Officer advised that there had been Councillor involvement initially, although Gateshead Council was leading on the project alongside the Environment Agency. Durham would however continue to benefit from the scheme and the council would continue to support its partners. The Landscape Delivery Officer also noted that she would raise the issue that there was currently no councillor representation on this project.

Resolved:

That the content of the report and presentation be noted.

12 Waste Programme - Update

The Committee received a report of the Corporate Director Neighbourhoods and a verbal update by the Head of Projects and Business Services on progress against the waste programme.

The Head of Projects and Business Services advised that Appendix 2 of the report highlighted the main aspects of the programme, including the 'Bin it Right' campaign. It was reported that this had already seen some successes as less waste was now being rejected at the Waste Transfer Centres due to contamination. Further details were included in the report regarding the campaign and the issues that the council encountered due to the contamination of waste.

It was reported that a system of placing stickers on the bin, followed up by letters and door knocking was in place to help residents with disposing of their waste correctly if found to have contaminated their bin.

Moving on the Head of Projects and Business Services provided an update on the Garden Waste scheme. It was reported that the new scheme went live on 5 September with almost 4,000 households having already signed up and approximately 400 more signing up per day. It was expected that this would drop off, but would pick back up next spring ahead of the new grass cutting season. In addition approximately 400 residents had to date requested for their bin to be removed.

Mr T Bolton commented that he had spoken with a lady who had received a letter regarding her waste as she had mistakenly placed a skirt in her recycling bin. He added that the letter she had received had made her upset and fearful. With such, he suggested that the content be revisited so that the first letter was not as threatening especially to older people.

Councillor Morrison requested whether data on Garden Waste opt-outs could be provided to a future meeting. It was noted that this could be provided in a future progress report.

Further discussion took place regarding the Garden Waste scheme following a query relating to those who were not eligible for the scheme. The Head of Projects and Business Services advised that the service had identified those properties where the scheme could not be provided however, there was an appeals procedure in place for anyone wishing to contest the decision.

In response to a question on what would happen to garden waste bins members were advised that properties eligible to participate in the garden waste scheme but decided against it would need to advise the Council of this decision otherwise the garden waste bin would not be removed from the property. Further discussion took place regarding sign up for the garden waste scheme and a query was raised as to what would happen to the bins if sign up or request to remove had been received.

Resolved:

That the content of the report and update be noted.

13 Minutes of the County Durham Environment Partnership Board held on 15 May 2014

Resolved:

That the minutes of the County Durham Environment Partnership Board meeting held on 23 January 2014 and 20 March 2014 be noted.