

MINUTES OF THE PLANNING AND ENVIRONMENTAL COMMITTEE HELD ON 14TH JANUARY, 2014

Present: Councillor Mrs J A Bell (Chair) and Councillors B Allen, Mrs B E Allen, R Arthur, E Bell, B. Burn (Snr), B Burn (Jnr), Mrs H J Cahill, S Cudlip, Mrs S Forster, R Meir, Miss S Morrison, I Paul, G A Shepherd, R Whitehead and K Younger

Observer: Councillor Mrs G Bleasdale

1. DISCLOSURE OF INTERESTS

Members were reminded prior to the start of the meeting of the need to disclose any interests, prejudicial or personal, in accordance with the code of conduct.

2. SPEAKER – NEIGHBOURHOOD WARDENS

The Chair welcomed to the meeting Mr Dave Riseley the Education and Enforcement Manager at Durham County Council, who was present to address Members' concerns in relation to the work of the neighbourhood wardens within Seaham. Mr Riseley began by handing round a leaflet showing the services of the street wardens and also contact numbers for the warden service. One of his main concerns was that the numbers of calls to the wardens has dropped off dramatically and he does not know if it is because of the number change from when the former District of Easington Council ceased to exist and Durham County Council took over. There is concern that people are not aware of the new number for the wardens and so attempts are being made to increase awareness as this number is unique to this side of the county. Mr Riseley went on to say that the county is split into three different areas for wardens and this number covers what used to be the ex-District of Easington area which he now manages.

Mr Riseley was keen to stress that the wardens are still around and the department is very, very busy because of the large area it has to cover. He referred to the information card which indicated the four operational areas in the east locality. Area One is large and covers Seaham, Easington, Peterlee and lots of other parishes that surround it. The service is widely spread but is still doing a very worthwhile job and that has been recently ratified by Durham County Council's scrutiny committee.

The bulk of calls concern dog fouling, littering and fly tipping followed by requests for litter clearing of back yards, gardens, etc and of accumulations in public places. With regard to dog fouling it is very difficult to catch the culprits as they have to be witnessed for a fixed penalty to be issued. There are patrols out on a regular basis in the known hot spot areas but the service needs the public's help by providing intelligence on known offenders. Many members of the public will ring up and say they have a problem with dog fouling in their area but without detailed information on when and where regular offenders walk their dogs, wardens can't be there to witness the activity. So if they know of a dog walker who does not pick up after

his/her dog, information on who he/she is, what sort of dog they have, where they live and the times they usually walk their dog are essential to apprehend them. Recent figures demonstrate that the east of the County had more fixed penalty notices issued than the other two areas combined so we are quite successful at it.

We have organised the shift patterns for the wardens to start at 7am so that the early morning dog walkers can be targeted. However, that is only on a shift pattern basis and will only happen once per week and varying between a Tuesday and a Friday where we operate a double shift system.

A Member stated that over the last few years they were aware of three incidents where letters had been sent to totally innocent people.

Mr Riseley stated that there had been discussions on this just last week and he was aware of this problem. His department send a letter which appears successful and which he hopes will be adopted county wide. It is not a specific letter to a specific person and it has a three faceted approach. It notifies that a registered complaint of dog fouling has been received in the area, it notifies dog walkers of their responsibility to pick up after their pets and it requests any information on known offenders.

A Member stated that that approach was much better because letters used to be addressed directly and people got distressed if they were innocent.

A Member asked what the policy was for repeat offenders?

Mr Riseley responded that the legislation allows a fixed penalty to be issued to anyone caught dog fouling. If it is a repeat offender it is possible to bypass that and take them straight to Court for prosecution. The problem is that it is very difficult to catch people and once you have caught people once, they tend to be on the lookout. The wardens are highly visible due to the uniforms they have to wear, so catching someone more than once doesn't often happen. If it did, I would certainly be looking at taking them straight to Court and bypassing the fixed penalty notice.

A Member asked under what circumstances would you not have to disclose any information you have regarding the investigation?

Mr Riseley responded if there is a witness they would be asked if they would be willing to supply a statement which could be used in Court. What would be hoped with the right intelligence, is get a warden to catch the offender and then that member of staff would be the witness in court. They would certainly not disclose information that, for instance, a neighbour has divulged about another neighbour, etc.

A Member stated that one of the biggest problems is that when people report dog fouling or any other kind of offence they do not get any feedback. The odd person rings back but mostly they are left wondering what has happened. That seems to be the biggest problem and people have lost faith with this warden system because they feel it is a waste of time.

Mr Riseley responded that he is always drumming into his staff to provide feedback which is good customer service. The problem is often that his team don't always have the contact phone numbers because some people ring up anonymously. Where they do have contact numbers feedback is always provided. When someone rings the warden number to report something, they are supposed to ask for their phone number and if they want any feedback. Mr Riseley hopes to widely publish this request and asked for the help of Members to do so. He went on to say that he had fought hard to keep the telephone number as it is current policy at the County Council for all numbers to go through the portal so they are logged. For people ringing up on the number on the information card, it is down to the warden to make sure that feedback is given.

A Member stated that the card detailed five areas and they asked what amount of time is spent specifically in Seaham because they had never seen a warden.

Mr Riseley responded that he could assure the Member that wardens are in the area and as you can see it is a large area to cover. There are two wardens on duty at any one time covering all of that area and all of those villages and once 5pm comes around they have to be paired up for health and safety reasons so you have one vehicle covering that total area.

A Member asked how long do they spend in the area?

Mr Riseley responded that this varies day to day dependent on the number of calls received. His team are also linked up to the police airwaves so they deal with low level anti-social behaviour jobs from the Police as well as responding to telephone requests and they also have their routine work to do such as litter clearing. As they have a very diverse job it is not possible to instruct them to spend a specific amount of time in each village.

A Member stated they were very glad that the telephone number had been retained because it is much quicker than trying to go through the main County switchboard. They went on to ask if dog fouling was to be dealt with by the Restorative Justice method?

Mr Riseley responded that he hadn't heard about that change of direction as after discussions with the police approval had been received for police officers and PCSO's to issue fixed penalty notices for dog fouling, littering and other minor offences. Fixed penalty books have now been issued to police officers, PCSOs and to traffic officers.

A Member stated that in Seaham Neighbourhood Wardens are hardly talked about and people don't know about them because you don't publicise them as well as you should do.

Mr Riseley responded that they have been around for a long time, 12 to 14 years and were formerly known as street wardens. The monthly reports produced give an

indication of what the wardens are doing and they are distributed around libraries, leisure centres and other public buildings. He went on to say that there are a number of prosecutions going to court in February 2014 for fly tipping and these will be publicised to increase awareness of the service and its activities.

A Member stated that they personally had observed a strong presence of the neighbourhood wardens in Seaham. There has been a big clean up with them from cottages road all the way along past the welfare along with dog micro-chipping at Seaham Leisure Centre just before Christmas.

A Member commented that in their experience there is a major problem with dog waste on the paths in Dawdon where they walk their own dog.

Mr Riseley responded that the service does have limited resources but wardens are attending the areas for which more calls are received, so if Dawdon is an area that is heavily dog fouled it will receive appropriate attention. What tends to be the case is that where an area is heavily fouled, it is one or two people who are responsible for it. The majority of people do pick up after their dogs and this was confirmed by a recent campaign. Wardens recently counted how many people were picking up because statistics had previously been based on how many fixed penalties had been issued. It was actually well over 80% of people who were picking up and this was witnessed by the wardens.

A Member commented that the key issue was the size of the areas covered and that resources were extremely limited. It is not possible to expect all these problems to be sorted out if you haven't got the resources to cover them. The times of patrols are crucial as most people walk their dogs early on a morning and then late on a night. I appreciate the problems you have, it isn't easy and the only solution would be more resources for neighbourhood wardens.

A Member asked if neighbourhood wardens are allowed to assist with village parking because they had noticed one or two thoughtless drivers causing a lot of damage to the environment by parking on the grass verges. You can see literally people driving down the verge going on one end and off the other. Is there any way you can catch those individuals and take them to task?

Mr Riseley responded that it was a difficult one to tackle and that legal advice had been taken on it. Technically the only offence committed is criminal damage due to the damage to the grass. But again, this has to be witnessed and it is very difficult and potentially very costly to obtain a prosecution.

The Member responded by stating that in this wetter weather the damage can be substantial and where they have churned up the grass you can literally follow the track and usually find a commercial vehicle so you know where the tyre tracks have come from.

Mr Riseley responded that usually all that can be done is to issue them with a warning. We do the door knock and speak to them and try to use the Restorative Justice approach to show that it is an issue for other residents but as previously highlighted resources are limited and it is not seen as a high priority unfortunately.

A Member commented that there is always a car parked on station road outside the shop and that there was one parked there that evening.

Mr Riseley responded that if it is obstructing the highway then it is a police matter. Unfortunately what has to be considered is that if you force all these people off the grass and onto the road, is that going to cause any congestion and create a further worse situation? This problem is common in Peterlee because of the way Peterlee was built with narrow roads on the housing estates with the vast green areas. People are driving over the grass and parking outside their windows but if all of these cars were forced back onto the roads it would probably create a gridlock situation. Unfortunately there is no perfect solution.

Mr Riseley went on to say that fly tipping is getting gradually worse and the number of incidents suffered in the east has been more than the other two areas combined. We have taken legal advice and we now have an agreement that we can put more cameras out covertly for fly tipping and we have just bought another 12. I have also had meetings with Sunderland City Council which borders onto Seaham because we are getting quite a few offenders who are from the Sunderland area and we are doing joint investigations now with Sunderland City Council to target some of the people who are doing the pick-ups in Sunderland and dumping it in Seaham and vice-versa. If you have any hot spot areas where you think cameras would be useful please let us know.

A Member commented that if you come off the A19 and go down towards Sunderland, that stretch of road leading to the County boundary is absolutely appalling at the moment with the amount of rubbish which is lying on the verges. How can you deal with that?

Mr Riseley responded that they did have another campaign running recently which was targeting litter from vehicles. Again this was quite successful but current legislation requires definite proof rather than just the licence plate of the offending vehicle. It is always difficult to prove who actually has thrown the litter out so we are using a new power now called Section 108 where we can serve a notice on the registered keeper asking for details of who his/her passenger was if it came out of the passenger side or if he/she had loaned the vehicle to someone, who it was to. The A19 slip road in question which goes towards Ryhope has had cameras placed on it in the past.

A Member asked for information concerning underage drinking on the streets.

Mr Riseley responded that six/seven years ago when he was a neighbourhood warden supervisor, that this was a common problem but it appears to have reduced significantly. This is something we work very closely with the Police on.

A Member commented that when the County decided that it would be a fortnightly collection of refuse, it was thought that there would be an increase in complaints about fly tipping. Has this been the case?

Mr Riseley responded that in his opinion he didn't think that has added to the fly tipping problem. The trend in increased fly tipping looks as if it has developed because of the fact that you had so many people collecting scrap but now they are closely licenced and can't get cash from scrap yards. A lot of the lower level collectors have moved on to provide a rubbish and yard clearance service and that is what we are tending to find we are getting fly tipped.

Mr Riseley concluded by saying that fly tipping in the back yards of properties is also a problem which is being dealt with through the clearance processes and a fixed penalty is issued to the person it has come from if they can be traced.

The Chair then thanked Mr Riseley for his attendance and he withdrew from the meeting.

3. MINUTES OF THE MEETING HELD ON 26TH NOVEMBER, 2013

RECOMMENDED the minutes of these meetings, copies of which had been previously printed and circulated to each Member, be approved and signed as a correct record by the Chairman

4. TRANSPORT AND HIGHWAYS ISSUES

a) George Street/Adolphus Street West – Road Safety Concerns

The Committee considered a response from the Cleveland and Durham specialist operations unit in relation to the concerns expressed by the Town Council on road safety in this vicinity.

RECOMMENDED this information be noted.

b) Seaham Trinity Primary School Lollypop Person

The Committee considered a response from the Road Safety Manager at Durham County Council to the concerns expressed by the Town Council on the decision not to maintain a school crossing patrol at this site.

RECOMMENDED this information be noted.

c) North Terrace, Seaham – Temporary Road Closure

RECOMMENDED the Council note the Order made under the Road Traffic Regulation Act, 1984 to temporarily close a 20 metre section of the above road for a period of eight days by means of a Notice under section 14(1), to allow flood alleviation sewer works to be undertaken.

5. GENERAL ISSUES - Neighbourhood Protection Team Updates

RECOMMENDED the Neighbourhood Protection Team performance report for Seaham for November 2013, be noted.

6. PLANNING ISSUES

a) Monthly List

RECOMMENDED that the list of planning applications referred to all Councillors since the last meeting, namely 5262 to 5265 as circulated be noted.

b) Embarking on Neighbourhood Plan

The Committee considered a communication from CDALC which included a presentation from Planning Aid England.

RECOMMENDED the information be noted.

7. PRESS OPPORTUNITIES

RECOMMENDED the Council note that no press opportunities existed from this meeting.

8. PARKING PROBLEMS

A Member stated that part of the traditional parking at St Cuthbert's school had just been fenced off as the housing development had begun. This is expected to exacerbate the difficulties in that area as parking for the church and for the school will inevitably increase in the surrounding streets around Mill Road and possibly in the Seaham Town Hall car park.

RECOMMENDED this information be noted.