

## **ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.30 pm on 25 March 2014

### **Present**

Councillor William Huntington-Thresher (Chairman)  
Councillor Samaris Huntington-Thresher (Vice-Chairman)  
Councillors Reg Adams, Judi Ellis, John Getgood,  
Julian Grainger, Nick Milner and Charles Rideout

### **Also Present**

Councillor Colin Smith

#### **40 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies were received from Councillors David Jefferys and Catherine Rideout. Councillor Charles Rideout attended as alternate for Councillor Catherine Rideout.

#### **41 DECLARATIONS OF INTEREST**

There were no declarations.

#### **42 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

There were no questions to the Committee.

#### **43 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 29TH JANUARY 2014**

The minutes were agreed.

#### **44 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

One question was received from Councillor Peter Fookes on behalf of Rae Fleming for written reply and three questions were received from Mr Colin Willetts for written reply. Details of the questions and replies are at **Appendix A.**

**45 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER**

**A) BUDGET MONITORING 2013/14**

**Report FSD14024**

Members considered the latest budget position for the Environment Portfolio.

Based on expenditure and activity levels to 31<sup>st</sup> January 2014, the 2013/14 controllable budget for the Environment Portfolio is projected to underspend by £54k.

Details were provided of the 2013/14 projected outturn with a forecast of projected spend for each division compared to the latest approved budget. Background to variations was also outlined.

The Chairman encouraged officers to refer to winter maintenance budgets as “winter service” budgets. Staffing costs in this area appeared overspent even though the winter had been mild.

Concerning the heavy winter rainfall and emergency flood works, Councillor Ellis highlighted the pumping operation at Borkwood Court (Orpington). She suggested that costs be met by insurance rather than the Council. The Portfolio Holder suggested that residents may be able to access central Government funds. Concerned that Borkwood Court might be uninsurable, Councillor Ellis suggested the approach to the present emergency could be viewed as a precedent for any future flooding emergency. The Portfolio Holder referred to a review and highlighted campaigning action by local MPs. The Director confirmed that a report would be provided to the Committee’s next meeting.

Highlighting current water levels, the Vice-Chairman suggested that it could be some time before water levels receded, and asked whether sufficient allowance had been made for this. The Portfolio Holder indicated that a long term approach was being taken. Councillor Grainger welcomed the Council’s help. He suggested looking at hydrographic maps and responsibilities Thames Water might have for drainage/sewage disposal in such incidents; residents should also have full access to drainage maps. The Chairman supported clarity in the roles and responsibilities of agencies and confirmed there would be an opportunity to discuss the service response to winter weather incidents as part of the Flood and Water Management report to the Committee’s next meeting on 1<sup>st</sup> July 2014.

**RESOLVED that the Environment Portfolio Holder be recommended to endorse the latest 2013/14 budget projection for the Environment Portfolio.**

**B) CAPITAL PROGRAMME MONITORING Q3 2013/14 & ANNUAL CAPITAL REVIEW 2014 TO 2018**

**Report FSD14022**

At its meeting on 12th February 2014, the Executive agreed a revised Capital Programme for 2013/14 to 2017/18. Changes in respect of the Capital Programme for the Environment Portfolio were outlined and a revised programme for the Portfolio was presented. Details on scheme progress at the end of the third quarter 2013/14 were also provided along with spend/budget and scheme re-phasing details. Details of new schemes for the Portfolio as approved by Executive were also highlighted.

**RESOLVED that the Portfolio Holder be recommended to note the changes agreed by the Executive on 12<sup>th</sup> February 2014.**

**C) ON-STREET ENFORCEMENT**

**Report ES14027**

Report ES14027 recommended an extension to the enforcement service provided by Ward Security for serving fixed penalty notices (FPNs) for littering and dog fouling offences.

The original contract with XFOR Local Authority Support Ltd (XFOR), and subsequently Kingdom Security Ltd (KSL), was expected to be cost neutral, but sufficient costs had not been recovered due to non-payment of FPNs and additional resource pressures on the Council's Legal, Finance and Streetscene teams supporting the pilot. Since transferring service delivery to Ward Security, the number of tickets issued per month had fallen and this, along with the latest average recovery rate, indicated additional costs until 31<sup>st</sup> May 2014.

In view of the delay on a new agreement it was not possible to assess the effectiveness of the fixed fee arrangement to inform options for the procurement strategy. As such extending the arrangement with Ward Security to 31 August 2014 would allow a review/analysis to enable a robust procurement strategy to be developed, including consideration of other related enforcement functions and possible joint working with neighbouring authorities.

Members made a number of comments including concern for the rate of recovery i.e. payment of FPN fines. Councillor Ellis felt the contract was not meeting expectations. Councillor Adams shared the disappointment, being particularly concerned about dog fouling. Councillor Getgood suggested the contract had raised expectations too highly. Councillor Rideout suggested a "clean it up" stencil is etched on to pavements.

Benefits of online reporting via "*Fix my Street*" were highlighted. Ward Security personnel were tasked with patrolling "hot spot" streets. The

presence and awareness of enforcement staff could provide a significant deterrent. More fines might be paid with an early payment discount and officers could look into this. Offenders had also given false names and addresses or had refused to provide details. In such cases an enforcement officer can radio for police or PCSO assistance. Such offenders are also captured on video footage through a body camera worn by the enforcement officer. The Vice-Chairman suggested that images are shared with local police and safer neighbourhood teams to help identify offenders. If identified the offenders should be prosecuted to increase deterrence. In cases of dog fouling Councillor Rideout suggested identification by means of a chip on the dog identifying the animal's owner. Councillor Grainger suggested that it might be possible to stand down some enforcement officers in the middle of the day should enforcement against dog fouling be focused during early mornings and evenings. He also recommended no action against those subsequently picking up litter they had dropped. Officers would also look into whether the feeding of pigeons could be regarded as a litter offence.

Suggesting there were probably more litter offences outside of town centres, Councillor Grainger felt it might be possible to reduce the level of enforcement if there were more litter bins. He asked for more detail on the costs of emptying bins, and the provision of new bins. The Chairman suggested that if bins overflow, blown litter could become more of an issue to the street scene - there would also be increased costs to provide and empty more bins. Councillor Ellis supported peer pressure to help reduce littering, advocating an end to the existing arrangement and a drive with Friends Groups to remove litter. She felt it was time to look at other ideas. The Chairman saw the proposed contract extension as the final opportunity to assess whether the current approach could be effective - some actions and changes were being made. Councillor Grainger supported an extension agreeing that more ideas might be worthwhile to consider.

The extension period would enable further consideration of options for more closely linking on street enforcement with environmental enforcement (e.g. fly tipping) and street cleaning. It would progress from an independent to an integrated service. A thorough review and analysis would be undertaken looking at more than punitive aspects and considering other approaches. There were a number of good models. Councillor Ellis suggested the emphasis be on residents reporting concerns to the Council. Members were reassured that all aspects would be considered in the review. Before establishing an appropriate service model from 1<sup>st</sup> September 2014, a further report with recommendations would be provided to Members.

In view of comments made it was agreed that Recommendation 2.3 of Report ES14027 should be removed as it appeared to pre-empt review outcomes.

**RESOLVED that the Environment Portfolio Holder be recommended to:**

**(1) approve the extension to 31st August 2014 of the negotiated variation to an existing contract arrangement with Ward Security under CPR 27.1/13.1.; and**

**(2) approve a review of the previous and current service models for Enforcement Services.**

**46 PRE-DECISION SCRUTINY OF A REPORT FOR BOTH THE ENVIRONMENT PORTFOLIO HOLDER AND THE EXECUTIVE**

**A) MAINTENANCE OF GREEN SPACES TRANSFERRED TO L B BROMLEY**

**Report ES14028**

Two Section 106 agreements had secured the transfer of Cyphers Gate and Cheyne Woods to the Council along with a revenue sum for their future maintenance. Maintenance works to the sites, as outlined in Report ES14028, were now required.

The Section 106 funds for maintaining Cyphers Gate and Cheyne Woods relate to:

- the legal agreement concerning the development at Kings Hall Road Beckenham and transfer of an area of land to the Council with £157,500 towards future maintenance of the open space and tennis courts; and
- the Cheyne Hospital development, with transfer of a woodland area along with £35,000 to cover future maintenance of the land.

Approval was sought to: (i) set aside the sums above (£192,500) in an earmarked reserve for the future maintenance of Cheyne Woods and Cypher Gate open space; and (ii) spend £23,750 of the £192,500 on initial one-off works plus estimated annual maintenance of £8,900 p.a. as summarised below:

<b>Area of land</b>	<b>One-off works £</b>	<b>Annual maint £</b>
Cyphers Gate open space, Kings Hall Road	9,500	6,400
Cheyne Woods, Wood Lodge Road	14,250	2,500
<b>Total estimated costs</b>	<b>23,750</b>	<b>8,900</b>

In discussion it was recommended that delegated authority be given to the Executive Director, Environment and Community Services, to utilise sums from the earmarked reserve each year for maintenance purposes as considered appropriate.

**RESOLVED that:**

**(1) the Environment Portfolio Holder be recommended to approve the carrying out of maintenance works to the following areas of land, funded by S106 monies –**

**a) the enabling, opening and management of Cyphers Gate open space in Kings Hall Road, Beckenham and**

**b) the management of Cheyne Woods, Wood Lodge Road, West Wickham; and**

**(2) the Executive be recommended to –**

**a) agree the setting aside of £192,500 in an earmarked reserve for the future maintenance of Cheyne Woods and Cyphers Gate open space; and**

**b) delegate authority to the Director to utilise sums from the earmarked reserve each year for maintenance purposes as considered appropriate.**

**47 PRE-DECISION SCRUTINY OF A REPORT TO THE EXECUTIVE**

**A) HOUSEHOLD WASTE RECYCLING CENTRES: GRANT FUNDING FROM LONDON WASTE & RECYCLING BOARD**

**Report ES14031**

To help London boroughs improve recycling facilities and boost recycling rates, the London Waste and Recycling Board (LWRB) launched a £1.2 million “Driving Up” Performance Fund in October 2013. L B Bromley has been awarded £145k from this fund to enhance facilities at the Waldo Road and Churchfields Road Household Waste Recycling Centres (HWRCs).

The project is expected to divert 1,000 – 2,000 tonnes of material p.a. from landfill to either recycling or re-use, representing a potential saving in disposal costs of between £48k – 115k p.a.

Councillor Grainger suggested that consideration be given to having additional locations in the borough for recycling facilities. In view of the priority for the Waste Minimisation Working Group to meet in the new Council year (given increased costs associated with waste and recycling), the Chairman was confident Councillor Grainger’s comments would be addressed.

Responding to a question from Councillor Adams, the Assistant Director (Street Scene and Greenspace) outlined advantages in providing mini-skips for the Churchfields site. It was much easier to operate with smaller skips and better to manage. Redesign of the site was expected to be achieved so that spillage of material can be avoided. Councillor Getgood highlighted

technology used at the Canterbury Waste Recycling Centre for compressing material. The Chairman also highlighted the Council's free collection service for electrical goods from houses and flats, available to all borough residents.

**RESOLVED that the Executive be recommended to accept the £145k grant offered by the London Waste and Recycling Board and release the sum from Central Contingency to improve the Household Waste Recycling Centres at Waldo Road and Churchfields Road.**

**48 GRANT FUNDING FROM FORESTRY COMMISSION TO SUPPORT TWO YEAR WOODLAND IMPROVEMENT PROGRAMME**

**Report ES14035**

Approval was sought to accept grant funding of £126,420 from the Forestry Commission under its Woodland Improvement Grant (WIG) scheme, with Report ES14035 outlining proposed improvements at 30 of the Council's woodland sites.

The Council is expected to provide match funding of £31,605, met from a combination of an 'in kind' contribution from existing staff time and volunteer time (50%) and use of the Parks Development budget (50%). The WIG funding includes provision for £7,500 towards 150 hours of staff time to oversee the work programme and monitoring contracts. Terms and conditions for the grant were provided.

The WIG applied for by the Council comprises two strands: (i) the Woodland Access WIG aiming to provide and improve facilities for free public access to woodlands where there is a need and (ii) the Woodland Biodiversity WIG aiming to improve woodland structure and health through careful thinning based on sound silviculture for wildlife to thrive.

Where woodlands have an associated Friends Group work would be delivered in partnership with volunteers and through engagement with the local community. Some funding would be provided for Hobblingwell Wood (Cray Valley West) and officers had met local Friends concerning works at the Wood – the works being briefly outlined to Members. Some 50% of sites benefitting from the grant had a Friends interest; officers were aware of their aspirations and would work with them.

Concerning a series of leaflets (500x3) promoting biodiversity within the woodland, distribution arrangements had yet to be finalised by officers.

**RESOLVED that the Executive be recommended to:**

**(1) agree that the £126,420 grant offered by the Forestry Commission to enhance and sustain 30 of Bromley's woodland sites, as identified at Appendix A to Report ES14035 be accepted; and**

**(2) agree that the scheme be added to the capital programme i.e. £77,410 for 2014/15 and £49,010 for 2015/16.**

**49 FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS, AND CONTRACTS REGISTER**

**Report ES14023**

A draft work programme for 2014/15 was received along with a progress report on previous requests of the Committee and a summary of contracts for the portfolio.

The Vice-Chairman suggested that it might be necessary to prioritise reports for the Committee's next meeting given the number of items. The Assistant Director (Parking and Customer Services) reminded Members that certain types of routine decision can be made without formal pre-decision scrutiny at a meeting and consideration would be given to using this procedure for any appropriate reports.

The Chairman also highlighted the intention to hold a Public Transport Liaison meeting in June 2014.

**RESOLVED that:**

- (1) the Committee's draft work programme for 2014/15 be noted;**
- (2) progress related to previous Committee requests be noted; and**
- (3) a summary of contracts related to the Environment Portfolio be noted.**

The Meeting ended at 8.51 pm

Chairman

### **QUESTION SUBMITTED FOR WRITTEN REPLY BY COUNCILLOR PETER FOOKES ON BEHALF OF RAE FLEMING**

What criteria is used to determine how often individual streets are swept and how often is this reviewed?

#### Reply

The criteria for the frequency of sweeping is based initially upon the hierarchy of the footway and carriageway, and the land use type. For example certain busy main roads within retail areas will be scheduled for cleaning on a daily basis, whereas residential locations may have a pavement frequency of fortnightly and road sweeping on a four weekly cycle. The frequencies were last reviewed in 2011 and implemented with the commencement of the current street cleansing contract on 29th March 2012. The frequency of individual streets being cleansed is reviewed on an ongoing basis at the prompting of Council Officers and Ward Councillors.

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### **QUESTIONS FROM MR COLIN WILLETTS FOR WRITTEN REPLY**

#### Question 1

We understand having chased up a complaint from a resident, that works are progressing to rectify severe over runs on edge of circular green in Robin Hood Green(47-49), could you tell us the details of this scheme?

#### Reply

Cray Valley West Ward Councillors Judi Ellis, John Ince and Harry Stranger are in discussion with Council Officers regarding various possibilities for this location and will be further discussing the options and their recommendations which broadly amount to widening the turn and to provide additional safe parking round the green when they meet again with directly affected residents shortly.

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#### Question 2

Following complaints from local residents driving southbound in Sandy Lane (towards the village), could you have the hedgerow overhang to the highway in front of Ruxley golf course cut back?

#### Reply

This location is scheduled for routine work no later than April 2014.

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Question 3

Following a complaint from a disabled resident at 2 Midfield Way 18/2/14, could you have the backline footway concrete infill completed at the flank of this property apparently left unfinished following slab work renewal?

Reply

We are aware that a fillet of concrete has not been installed at this location and anticipate completion over coming days

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