

ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 5 October 2017

Present

Councillor Samaris Huntington-Thresher (Chairman)

Councillors David Cartwright QFSM, Ian Dunn,
Robert Evans, Russell Mellor, Terence Nathan,
Angela Page, Sarah Phillips and Melanie Stevens

Also Present

Councillor William Huntington-Thresher

14 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Cllr Catherine Rideout, Cllr Michael Tickner, and Cllr Ellie Harmer. Cllr Robert Evans attended as substitute for Cllr Catherine Rideout and Cllr Russell Mellor attended as substitute for Cllr Michael Tickner.

15 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

16 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Two questions had been submitted to the Committee by Cllr Ian Dunn for written response. The questions are attached at **Appendix A**.

17 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 12TH JULY 2017

The Committee requested that a typing error on page 3 of the minutes be corrected.

In response to a question from the Chairman concerning whether the introduction of direct debit payments for the Green Garden Waste Service was in progress, the Executive Director for Environmental and Community Services confirmed that the proposal was in progress and would be implemented early in 2018.

In response to a question from a Member concerning when the public consultation in respect of when the safe cycle ways on Crofton Road would begin, the Head of Traffic and Road Safety reported that there had been a number of design issues that needed to be finalised but Officers were hopeful that the consultation would begin soon after Christmas however, due to the design issues it could be delayed until early Spring 2018. The Chairman asked Officers to provide confirmation to the Committee of when

the public consultation was expected to start. This was to be reported at the November ES PDS.

RESOLVED: That the minutes of the meeting held on 12th July 2017 be agreed and signed as an accurate record subject to the amendment outlined above.

18 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

A total of five oral questions and three written questions were submitted to the Environment Portfolio Holder for response. These questions, along with the supplementary questions that were asked are attached to the minutes at Appendix B.

19 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER

**a CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18
Report FSD17074**

The Committee considered a report highlighting changes agreed by the Executive in respect of the Capital Programme for the Environment Portfolio.

In July 2017, Council approved a report relating to the clearance of the remaining waste at the former Waste4Fuel site at the end of Cornwall Drive, where the land had previously been used as a waste transfer station and still had significant quantities of illegally deposited waste. The Environment Agency/DEFRA had agreed to transfer the sum of £1,607,000 to the Council to facilitate the clearance of the remaining waste, to supplement the £226,000 contribution from revenue during 2016/17 and £47,000 allocation from the 2017/18 central contingency. £1,880,000 was added to the Waste Clearance Cornwall Drive scheme to reflect the available funding and the estimated increased scheme costs.

The 2016/17 Capital Outturn was reported to the Executive on 20th June 2017, and the final outturn for Environment Portfolio schemes was £8,131,000 compared to the revised budget of £8,944,000 approved by Executive in February. After allowing for adjustments in respect of schemes that were not re-phased, a net underspend of £803,000 was re-phased into 2017/18.

Provision for transport schemes to be 100% funded by TfL was originally included in the Capital Programme 2017/18 to 2020/21 on the basis of the bid in the Borough Spending Plan (BSP). Notification of an overall reduction of £107,000 in the 2017/18 grant was reported to the Executive in July and the Capital Programme was reduced accordingly.

In response to a question from a Member, the Executive Director of Environmental and Community Services reported that as a result of the funding that had been received from the Environment Agency, waste clearance at Cornwall Drive, St Paul's Cray had started on Monday 2 October 2017, and was progressing as planned. It was

anticipated that the clearance would be completed within 8 weeks. The Committee congratulated the Executive Director on the positive outcome that had been achieved.

In response to a question from the Chairman, the Executive Director confirmed that post completion reports from all the capital projects would be presented to the PDS Committee as they became available.

RESOLVED: That the Portfolio Holder be recommended to note and confirm the changes agreed by the Executive on 19th July 2017.

b TFL FUNDED WORK PROGRAMME 2018/19
Report ES17065

The Committee considered a report confirming that Bromley's LIP allocation from Transport for London (TfL) for 2018/19 would be £2.432m and details of Officer proposals as to how the funding for 2018/19 would be allocated and to which particular schemes.

The Transport Planning and Traffic Engineering Manager highlighted some key issues to the Committee, most importantly the reduction in the proposed LIP allocation for 2018/19 of £2.432m which was £50,000 less than the 2017/18 settlement, which represented a 2% reduction. 17 of the 33 London Boroughs would receive less funding next year although Bromley compared well with the average reduction of 3.65% across those 17 boroughs, the range of reduction being from 1% to 10%. Regrettably, TfL had also announced that the Local Transport Fund (LTF), which had been used to support local transport priorities and resulted in an additional £100,000 of funding each year, is also to be withdrawn with effect from 2018/19.

He also described that the Major Projects funding stream was to be replaced with a new funding stream called 'Liveable Neighbourhoods', although this would involve a new process whereby schemes were submitted and tested against the new criteria and, if successful, would receive funding. The Chairman asked Officers to circulate the criteria and guidelines to enable Members to consider and put forward suggested uses for the funding.

In response to a question surrounding access issues at Clock House station, the Transport Planning and Traffic Engineering Manager confirmed that all access issues would be reviewed and suggested that it may be helpful to have a dialogue with local Ward Members to enable Officers to be guided on local issues. The Head of Traffic and Road Safety highlighted that it was likely that a bid would need to be made to Network Rail's 'Access for All' budget to install a lift to the platform and, even if successful, was unlikely to coincide with the improvements funded through the LIP. The Head of Traffic and Road Safety agreed to follow this up with Network Rail.

In response to a question from Cllr Stevens regarding improvements at Keston Mark in order to improve the Biggin Hill corridor, the Head of Traffic and Road Safety reported that the LIP funding would fall far short of meeting those costs. Officers had been lobbying TfL for additional funding and there was now a design which needed to be modelled and required further input from TfL, although LIP funding could be used to support that. Unfortunately, this had not been straight forward and there had not been

any promise of funding at this stage. The Chairman suggested that Officers should liaise with Ward Members and that any concerns surrounding funding should be brought back to a future meeting of the Committee if necessary.

Cllr Stevens also requested that the Committee be provided with timescales concerning improvements to the bus stops that will serve the new Biggin Hill Visitor Centre, opening in November 2018, to enable progress to be monitored.

Turning to the cessation of the Local Transport Fund, the Transport Planning and Traffic Engineering Manager reported that the funding had always been fully allocated and £38,000 had been allocated to support the provision of School Crossing Patrols across the Borough. In response to a question, the Transport Planning and Traffic Engineering Manager confirmed that funding for the School Crossing Patrols would continue in 2018/19 but would come from other sources. The Head of Traffic and Road Safety reported that the money had previously been used to fund smaller schemes that had supported some of the larger schemes and it was therefore unlikely that residents would notice any impact from the loss of funding.

The Executive Director of Environmental and Community Services reported that all London Boroughs were upset about the withdrawal of the funding and a great deal of lobbying was underway. The Environment PDS Committee expressed dissatisfaction and disappointment at the withdrawal of the funding and requested that concerns be raised with GLA Assembly Members.

In response to a question from the Chairman concerning issues surrounding inappropriate use of electric car charging bays, the Transport Planning and Traffic Engineering Manager reported that Parking Enforcement had been made aware to look out for improper use. In relation to the location of charging bays, a good database had been developed and this was already helping inform the location of future bays. It was highlighted that Bromley had one of the highest levels of electric vehicle ownership. In addition, the Portfolio Holder highlighted that going forward it was expected that there would be more residential charging as electric vehicle owners chose to trickle charge overnight. It was anticipated that this would be a policy development item going forward as plans were trialled and issues identified. It was agreed that the Committee would receive a further update on this issue at a future meeting.

RESOLVED: That the Portfolio Holder be recommended to:

- 1. Approve the programme of schemes for 2018/19 contained in the enclosure for submission to Transport for London;**
- 2. Note the Environment PDS Committee's dissatisfaction and disappointment that TfL have withdrawn the Funding of £100,000 for Local Transport Priorities with effect from 2018/19; and**
- 3. Authorise the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder and notification to Ward members, to make post-submission changes to the programme to reflect necessary**

changes to priority, potential delays to implementation following detailed design and consultation, or other unforeseen events.

**c HIGHWAY INVESTMENT
Report ES17066**

The Committee considered a report recommending future programmes of planned carriageway and footway maintenance following the Council's decision to invest capital funding in highways maintenance.

On 12th December 2016 the Council approved capital funding of £11.8m for investment in planned highway maintenance and the scheme was added to the Capital Programme. This would allow the condition of the borough's non-principal and unclassified roads and footways to be improved, which would also reduce the demand for reactive maintenance and enable annual revenue savings of £2.5m to be made amounting to a total of £12.5m over a period of 5 years from 2017/18. This would be partly offset by a total estimated reduction in treasury management income of £167,000 over the five year period. In January 2017 and July 2017, the Environment Portfolio Holder approved respective Phase 1 and Phase 2 programmes of work. The report before the Committee sought approval for the third phase, as shown at Appendix 'A' to the report with further reports being considered during 2018 once additional technical assessments had been completed.

The Head of Highway Network Management agreed that following the meeting clarification would be provided concerning which part of the footway in Lunar Close Biggin Hill was proposed for Phase 3 Investment as it was not clear from the information provided.

In response to a question concerning the action that could be taken to stop vehicles parking on and damaging footpaths, the Head of Traffic and Road Safety highlighted that enforcement action was always the first option and it was possible to target enforcement action in known hotspots if these were reported to the Council. The Head of Highway Network Management highlighted that where the Department was aware of problems, where possible stronger, more hardwearing materials were used. The Executive Director for Environmental and Community Services reported that where there was sufficient evidence that delivery lorries had caused damage to the footpath action had been taken to recover costs incurred in relation to repairing such damage. However, in order to recover costs there had to be solid, indisputable evidence in relation to the cause of the damage.

RESOLVED: That the Portfolio Holder be recommended to agree that the schemes listed in Appendix 'A' form the next phase of the Council's investment programme of planned highway maintenance for 2017/19, to be undertaken by the Council's existing highway term maintenance contractors.

**d POST COMPLETION REVIEW REPORT – STAND-BY GENERATORS
FOR DEPOTS
Report ES17061**

The Committee considered a post implementation review of the acquisition of stand-by generators for use at depots.

To ensure that the depots were able to function in the event of a total or partial loss of electrical power, it was considered necessary to provide back-up power in order to minimise disruption to essential services operating from the depots.

The Chairman noted that the scheme completed within budget and the original contract programme was met.

RESOLVED: That the Portfolio Holder be recommended to:

- 1. Endorse the findings of the Post Completion Review that has been carried out in respect of Stand-by Generators for Depots.**
- 2. Notes that the unspent balance will be removed from the capital programme.**

**20 EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18
Report CSD17137**

At its meeting on 7th September 2017, the Executive and Resources PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue and capital budgets.

In response to a question from the Chairman, the Head of Highway Network Management confirmed that an update to the AECOM contract had last been provided to Members in July 2017. The Chairman suggested that for clarity the table at appendix 3 should be updated to reflect the most recent update provided to Members.

RESOLVED: that the report be noted.

**21 CONTRACT REGISTER AND CONTRACTS DATABASE
UPDATE
Report ES17074**

The Committee considered a report which presented an extract from the Contracts Register from September 2017 and an update on progress with the Council's new Contract Database.

The Contract Register detailed key information concerning 20 contracts within the Environment Portfolio with a Total Contract Value (TCV) greater than £50,000.

The Chairman stressed that in future reports, for the purposes of transparency, as much information as possible should be provided in the Part 1 report.

The Executive Director of Environmental and Community Services reported that a full report on the current position in relation to the commissioning of contracts would be provided to the Committee at its meeting in November 2017. This update would also be considered by the Council's Executive.

RESOLVED: That the report be noted.

22 FORWARD WORK PROGRAMME AND MATTERS ARISING Report ES17063

The Committee considered its forward work programme and progress against matters arising from previous meetings.

The Chairman reported that for the November meeting she had requested a report and presentation on customer service to enable the Committee to undertake a 'deep dive' into this important area of work.

In January 2018, Contractors would be invited in to provide a presentation to the Committee and an update on the contractors attending the meeting would be provided at the November meeting. A Member highlighted that neither Veolia nor Kier had addressed the Committee for some time and stressed the importance of regularly scrutinising contractors.

It was also agreed that scrutiny of the Environment Portfolio Holder would be undertaken in January 2018 when the Environment Portfolio Plan was presented.

The Executive Director of Environmental and Community Services reported that in November 2017 a report setting out plans for the Commissioning of Environment contracts would be presented to the Committee.

In response to a question concerning scrutiny of the risk register, it was agreed that an item would be included on the agenda for the Committee's March meeting.

Turning to the Committee's Working Groups, the Chairman proposed that the Environmental Services Working Group be replaced with a Working Group that had an ongoing remit to take forward recommendations arising from scrutiny undertaken by the PDS Committee and to develop ideas for efficiency savings and income generation.

Following a discussion with Officers it had been suggested that the Traffic Congestion/LIP Working Group should remain.

The Chairman asked Members to forward their interest in either of the Working Groups.

RESOLVED: that the report be noted.

**23 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE
LOCAL GOVERNMENT (ACCESS TO INFORMATION)
(VARIATION) ORDER 2006, AND THE FREEDOM OF
INFORMATION ACT 2000**

RESOLVED: That the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters involving exempt information**

**24 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE
MEETING HELD ON 12TH JULY 2017**

The exempt minutes for the meeting held on 12th July 2017 were agreed.

**25 PRE-DECISION SCRUTINY OF PART 2 REPORT TO THE
ENVIRONMENT PORTFOLIO HOLDER**

**a STREET LIGHTING POLICY
Report ES17046**

The Committee considered a report which proposed variations to the street lighting policy and supported the recommendations that had been made.

**26 CONTRACT REGISTER AND CONTRACTS DATABASE
UPDATE - PART 2
Report ES17075**

The Committee considered the Part 2 report containing additional, potentially commercially sensitive information, and noted that a full report would be provided to the Committee in November 2017.

RESOLVED: That the Part 2 report be noted.

The Meeting ended at 8.25 pm

Chairman