

Decisions of the Environment Committee

15 March 2017

Members Present:-

Councillor Dean Cohen (Chairman)
Councillor Brian Salinger (Vice-Chairman)

Councillor John Hart	Councillor Alan Schneiderman
Councillor Dr Devra Kay	Councillor Agnes Slocombe
Councillor Alison Cornelius	Councillor Peter Zinkin
Councillor Graham Old	Councillor Adam Langleben

1. MINUTES OF THE PREVIOUS MEETING

Councillor Alan Schneiderman proposed in relation to item 10, paragraph 4 that the minutes be amended to read *'that the decision of the process be deferred.'* This was seconded by Councillor Agnes Slocombe. The Committee agreed this amendment.

Councillor Adam Langleben stated that item 10 of the minutes within paragraph 3 it was stated that detail of the equalities impact assessment be sent Members of the Committee. He therefore reminded officers of this.

RESOLVED that subject to the amendment referred to in the preamble above, the minutes of the Environment Committee held on 11 January 2017 be approved.

2. ABSENCE OF MEMBERS

None

3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

The following declarations were noted:

Councillor	Item	Declaration
Councillor Brian Salinger	Item 6 - Funding of Bowling Clubs	Councillor Brian Salinger declared a Non-Pecuniary Interest. He stated that he had been in discussions with Member of the Friary Park Bowling Club. Councillor Salinger took part in the consideration and voting process.
Councillor Brian Salinger	Item 6 - Improving air quality around schools	Councillor Brian Salinger declared a Non-Pecuniary Interest. He stated that the list of schools with the Member's Item includes Schools which his grandchild attended and also schools which he was a governor. He said that he was the Chairman of Moss Hall Nursery School Governors. Councillor

		Salinger took part in the consideration and voting on the item.
Councillor Peter Zinkin	Item 6 - Improving air quality around schools	Councillor Peter Zinkin declared a Non-Pecuniary Interest. He stated that the list of schools with the Member's Item includes Schools which his grandchild attended. Councillor Zinkin took part in the consideration and voting on the item.
Councillor Peter Zinkin	Item 15 Highways Planned Maintenance Programme 2017/18	Councillor Peter Zinkin declared a Non-Pecuniary Interest. He stated that one of the schemes was on the road that he lived. Councillor Zinkin took part in the consideration and voting on the item.
Councillor Adam Langleben	Item 11 Playing Pitch Strategy 2017/2022	Councillor Adam Langleben declared a Non-Pecuniary Interest. He stated that the report made reference to regeneration areas and noted that was is a trustee of the West Hendon Estate Community Trust Fund. Councillor Langleben took part in the consideration and voting on the item.
Councillor Dean Cohen	Item 6 - Improving air quality around schools	Councillor Dean Cohen declared a Non-Pecuniary Interest. He stated that he is a School Governor at Menorah Foundation School. He took part in the consideration and voting on the item
Councillor Alon Or-bac	Item 6 - Improving air quality around schools	Councillor Alon Or-bac declared a Non-Pecuniary Interests. He stated that he is a School Governor at Martin Primary School. He took part in the consideration and voting on the item.
Councillor Brian Salinger	Not stated	Councillor Brian Salinger declared a non-pecuniary interest as he owned an electric car.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

The Environment Committee noted the details of public questions that had been submitted by residents who were given the opportunity of asking a supplementary question. Mrs Mary O'Connor was given the opportunity to ask supplementary questions. However, she stated that she wanted other residents to be able to ask their questions.

The Committee heard public comments from Mr Philip Davis, Ms Lisa Pate, Mr Derek Bluston, Mary O'Connor and Mr Tucker. In all cases Members of the Committee were given the opportunity to ask all speakers questions.

6. MEMBERS ITEMS

Members Item – Cllr Alon Or-bach – Donoghue Waste Management and Skip Hire

The Committee noted the verbal representation from Ward Member Councillor Ryde.

Council's Constitution, Meeting Procedure Rules, Section 17 provides that no business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. Therefore this matter was not considered or determined.

Members Item – Cllr Alan Schneiderman – Funding of Bowling Clubs

Council's Constitution, Meeting Procedure Rules, Section 17 provides that no business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. Therefore this matter was not considered or determined.

Members Item – Cllr Agnes Slocombe – Hire of Parks, Green Spaces and Other Council Premises

Council's Constitution, Meeting Procedure Rules, Section 17 provides that no business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. Therefore this matter was not considered or determined.

Members Item – Cllr Dr Devra Kay - Parking of Large Vans that turn Residential Streets with No Parking Restrictions into Car Parks

Councillor Devra Kay introduced the item and requested that the Committee supported his Member's Item.

Councillor Kay introduced the item and requested that the Committee consider her Members Item.

The Committee noted the public comment by Derek Bluston.

Having considered the Member's Item the Environment Committee:

RESOLVED that the Commissioning Director for Environment be requested to report to a future meeting a report outlining commercial vehicles parking on residential streets.

Members Item – Cllr Adam Langleben - Improving Air Quality Around Schools

Council's Constitution, Meeting Procedure Rules, Section 17 provides that no business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. Therefore this matter was not considered or determined.

7. MOTION FROM FULL COUNCIL

The Committee heard verbal representation from Councillor Grover who introduced his motion which was part of the agenda of the Full Council meeting on 31 January 2017. The Administration Motion had not been considered at the Full Council meeting and therefore as outlined within the Council's Constitution the matter be referred to the Environment Committee for consideration.

The Chairman noted that Councillor Schneiderman had an amendment to the motion as contained in the report. Therefore he was given the opportunity to introduce his amendment.

The Committee voted on the amendment to the Motion in the name of Councillor Schneiderman.

For – 5

Against – 6

The amendment was therefore lost.

The Committee voted on the substantive Motion in Councillor Grover's name.

For – 6

Against – 5

The Motion was therefore carried.

Councillor Salinger proposed an item onto the committee work programme a report instructing officers to develop options for how the motion could be implement including costing. This was seconded by the Chairman Councillor Dean Cohen.

The Environment agreed was requested to vote on this.

For – 6

Against – 4

Abstain – 1

In addition to this Councillor Langleben proposed that Burnt Oak Conservation Area be included within the scheme. This was seconded by Councillor Schneiderman.

The Committee agreed was requested to vote on this.

For – 6

Against – 4

Abstain – 1

RESOLVED that a report be added to the Committee's Work Programme to request that officers develop options on how A Public Realm Management Forum for Barnet could be implemented, including costings and the Burnt Oak Conservation Area.

8. STREET SCENE ALTERNATIVE DELIVERY MODEL – REVISED OUTLINE BUSINESS CASE (OBC2)

The Chairman introduced the report and suggested that Option C be removed and request that the Commissioning Director for Environment submit further information to a future meeting in regards to Options A and B.

The Committee considered the report including the consultation performed with residents and council staff

Having considered the comments made by the Committee, the Commissioning Director for Environment outlined that if Members were minded to remove Option C a report could be submitted to the Committee that provided further information on Options A and B.

RESOLVED that:

- 1. The Committee approves the transfer of Green Spaces Governance (Lot 4) to the Environment Commissioning Group, to be restructured and aligned to the delivery of the Parks and Open Spaces Strategy and the Capital Investment Programme.**
- 2. The Committee request that the Commissioning Director be instructed to submit report at a future meeting which:**
 - Outlines an efficient, effective and economic service that best delivers street services for residents and businesses across the Borough**
- 3. That the Committee agree that Option C (outsourced option) be deleted.**

9. ENFORCEMENT AND WASTE REGULATIONS

The Commissioning Director for Environment introduced the report. He outlined the Street Scene Enforcement Trial and the Keep Barnet Clean campaign.

Councillor Alan Schneiderman moved an amended to recommendation 2 requesting that the Environment Committee delay approval until the next meeting and that a report be resubmitted detailing the potential for an in-house service option or a Barnet Group option This was seconded by Councillor Agnes Slocombe.

The Chairman requested that this be voted on.

Vote –5

Against – 5

Absent – 1

Councillor John Hart was not in the room to vote on this item and therefore the Chairman used his casting vote. Therefore the amendment was lost.

The Chairman, Councillor Dean Cohen requested that recommendation 1 be voted on and that was unanimously agreed.

The Chairman Councillor Dean Cohen moved that recommendation 2 be amended to read:

That Environment Committee approve the procurement of a street scene enforcement contract with the view of an income share model.

The Chairman requested that this amendment be voted on.

For – 6

Against – 0

Abstain – 5

This was carried.

The Chairman requested that recommendation 3 be voted on:

For – 6

Against – 0

Abstain – 5

The Chairman requested that recommendation 4 be voted on:

For – 6

Against – 0

Abstained – 5

The Chairman requested that recommendation 5 be voted on:

For – 11 (all)

The Committee therefore:

RESOLVED that:

- 1. The Committee note the street scene enforcement update and the recommendations in Appendix A.**
- 2. The Committee approve the procurement of a street scene enforcement contract with the view of an income share model.**
- 3. The Committee note the on-going discussion with other local authorities about the possible joint procurement of a new street scene enforcement contract.**
- 4. The Committee requested the Commissioning Director for Environment carry out a review of the current street scene Fixed Penalty Notices (FPN) and Penalty Charge Notice (PCN) levels (£), including the early payment discounts, including those in areas of street scene which are not currently enforced.**
- 5. The Committee noted the draft Barnet Waste Regulations 2017 set out In Appendix C, and approved the six week public consultation**

10. ENVIRONMENT COMMISSIONING PLAN 2017/18 ADDENDUM

The Commissioning Director for Environment introduced the report. He outlined the updated targets for 2017/18 in an addendum to the Commissioning Plan within Appendix A.

Having considered the report the Committee voted on the recommendation.

Voting was recorded as follows:

For – 6

Against – 5

RESOLVED that the Committee approved the addendum to Environment Committee Commissioning Plan for 2017/18 as set out in Appendix A.

11. PLAYING PITCH STRATEGY 2017-2022

The Commissioning Director for Environment introduced the report. He noted the consultation and the updated Playing Pitch Strategy.

Councillor Brian Salinger requested that Sports Clubs within the Borough be considered favourably when lease renewals are being considered by the Council. This was agreed by the Committee.

Councillor Alan Schneiderman moved an amendment to the report that included bowls clubs and netball. It was requested that both sports be given the same consideration as other sports and therefore a report be resubmitted to a future meeting of the Environment Committee.

The Chairman requested that this be voted on:

For – 6

Against – 1

Abstained – 4

This amendment was carried

Having considered the report the Committee:

RESOLVED that:

- 1. The Committee note the outcome of the public consultation and adopts the updated Playing Pitch Strategy on behalf of the Council.**
- 2. The Committee agreed that Sports Clubs within the Borough be considered favourably when lease renewals are being considered by the Council. The Chairman agreed to communicate this to the Chairman of the Assets, Regeneration and Growth Committee and the membership of that Committee.**
- 3. The Committee agree that bowls and netball be given the same consideration as other sports and therefore a report be resubmitted to a future meeting of the Committee.**

12. LOCAL IMPLEMENTATION PLAN (LIP) WORK PROGRAMME 2017/18

The Commissioning Director for Environment introduced the report. The Committee noted that appendices 2, 3 and 4 had been tabled and published on the website.

Having considered the report the committee, the Committee voted on the recommendations. Votes were recorded as follows

For – 6
Against – 0
Abstained – 5

RESOLVED that:

- 1. The Committee approved the Local Implementation Plan (LIP) work programme for “Corridors, Neighbourhoods and Supporting Measures” as detailed in Appendices1-4 of this report to be funded from the 2017/18 LIP allocation.**
- 2. The Committee grant delegated authority to the Commissioning Director for Environment to adjust the detailed programme and funding for individual proposals as they develop.**

13. HIGHWAY PLANNED MAINTENANCE - PROPOSED FOOTWAY TREATMENT TYPES UPDATE

The Commissioning Director for Environment introduced the report. He provided an update to the Committee on work carried out to date and on the different standardised types of footways and their service benefits and costs.

The Committee noted that in respect to the information relating to type 2 treatments was not accurate in the report (2.18). The Commissioning Director for Environment verbally corrected the information and stated that the recommendations were accurate which the Committee were being requested to consider and determine.

The Committee considered how developments and conservation areas are considered prestigious. Mr Blake informed the Committee that this was in connection with major redevelopment schemes which enable enhancements of an area.

Councillor Alan Schneiderman moved that a third recommendation be added to include - that residents in all residential streets should have the choice between paving stones and asphalt. This was seconded by Councilor Adam Langleben. The amendment was put to the vote:

For – 5
Against – 6

The amendment was lost

Having considered the report the committee the recommendations were put to the vote. Voting was recorded as follows:

For – 6
Against – 5

RESOLVED that:

- 1. The Committee noted the trials carried out using the standardised footway types, as detailed in paragraph 2.18 and Appendices 1 and 2, and the standard use of a Type 3 treatment to footways.**
- 2. The Committee noted the continued use of the standardised footway types, as detailed in paragraph 2.18 and Appendices 1 and 2 for footway works throughout the Borough with Type 3 being the standard treatment and Type 1 being used for town centres and conservation areas.**

14. FOOTWAY PARKING REVIEW UPDATE

The Commissioning Director for Environment introduced the report. He detailed the outcome of the review of footway parking undertaken in the 71 roads and requested that further consultation be carried out with all Members of the Council. He stated that these roads had not been formally exempted from the London Wide footway parking ban and this report outlined the review undertaken together with the necessary measures and recommendations to formally exempt these roads to meet the requirements of the Council's agreed Parking Policy.

Councillor Peter Zinkin proposed an amendment to recommendation 3 to ensure that there was not automatic enforcement on roads other than the 71 and that enforcement on any other road should be subject to judgement to be exercised by an officer of the Council. He added that this would provide necessary flexibility. The amendment was seconded by Councillor John Hart.

This was agreed by the Committee.

Having considered the report the Committee:

RESOLVED that:

- 1. The Committee note the contents of this report and appendices.**
- 2. That subject to the 5 roads listed below the Committee resolved to authorise the parking of vehicles completely on or part of the footway in Barnet in accordance with Section 15(4) and 15(5) of the GLC General Powers Act 1974, beginning with the 71 roads listed in Appendix B of this report where identified.**
- 3. That subject to the above agreed amendment the Committee resolves to authorise the enforcement of illegal footway parking by the Parking Enforcement Contractor in roads where footway parking is not permitted in line with the Council's Parking Policy following the actions set out in Paragraph 3.**
- 4. That subject to the 5 roads listed below the Committee approved the recommended options listed in Appendix A of this report in relation to the proposed measures to regulate footway parking in the 71 prioritised roads, subject to Ward Members / residents consultation and Equality Impact**

Assessments (EQIA) at an estimated total one off cost of £244,417.11 to be met from the Service Development Reserves.

- 5. That the Commissioning Director is authorised to resolve any objections received from residents and businesses during the consultation process and proceed with implementation in consultation with Ward Members.**
- 6. That the Environment Committee approves the process for considering new requests for footway parking as detailed in Paragraph 4 of this report.**
- 7. The Committee agreed resolution 1 – 6 above subject to the 5 roads listed below and the deletion on paragraph 4.2 as follows:**

If a new request is made for footway parking, until the investigation is completed and a decision made whether to permit footway parking in a given road, footway parking will not be permitted and the applicant will be informed accordingly.

Road 1	Courthouse Road
Road 2	Courthouse Gardens
Road 3	Pyecombe Corner
Road 4	Lullington Garth
Road 5	Twineham Green

15. HIGHWAYS PLANNED MAINTENANCE PROGRAMME 2017/18

The Commissioning Director for Environment introduced the report. He stated the report outlined the delivery of the 2017/18 Highway Planned Maintenance and Network Recovery Plan (NRP) Work Programme as listed in Appendix A.

Councillor Alison Cornelius requested that Priory Close and two Totteridge roads be amended which was agreed.

Having considered the report the recommendations were put to the vote:

The vote was recorded as follows:

For – 6
Against – 0
Abstained – 5

RESOLVED that:

- 1. That the Committee approve the capital expenditure of £8 million for the delivery of the 2017/18 Planned Maintenance and Network Recovery Plan work programme consisting of carriageway and footway renewal works as listed in Appendix A of this report.**
- 2. That the Committee agree the proposed investment proportions detailed in paragraph 5.2.3 of this report.**
- 3. That subject to the overall costs being contained within agreed budgets, the Commissioning Director for Environment is authorised to instruct Re to**

implement the schemes proposed in Appendix A by placing orders with the Council's term maintenance contractors or specialist contractors appointed in accordance with the public procurement rules and or the Council's Contract Procedure Rules as appropriate.

16. ADOPTION OF SECTION 16 LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON ACT 2003

The Commissioning Director for Environment introduced the report

Councillor Peter Zinkin moved that resolution 3 (below) be inserted which was supported by all Committee Members.

Having considered the report the Committee:

RESOLVED that:

1. The Committee recommended to Full Council that the Council should adopt Section 16 of the London Local Authorities and Transport for London Act 2003 ("the Act") so as to give effect to highway enforcement powers concerning unauthorised vehicle crossings over footway and verges for the benefit of public safety.
2. The Committee recommended to Full Council that the Council fixes a day on which Section 16 of the London Local Authorities and Transport for London Act 2003 will come into operation. The Appointed Day for implementation of the adopted legislation should be 10th July 2017 pursuant to Section 3 of the (Act); and that the resolution and associated public notices be published in accordance with Section 3 of the Act.
3. The Committee recommended to Full Council to note that, by adoption of this legislation, crossovers should not be enforced where they are no longer usable.

17. COMMITTEE FORWARD WORK PROGRAMME

The Committee noted the work programme.

18. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

The Chairman noted that he had agreed that to accept an urgent item relating to legionella. Therefore he allowed Councillor Alon Or-bach the opportunity to outline his concerns in regards to water supply within the Borough.

Having considered the item the Committee:

RESOLVED that the Chairman be requested to write to the Chief Executive in order for Members of the Committee to receive an update on this issue.

The meeting finished at 9:59pm