

MEETING

ENVIRONMENT COMMITTEE

DATE AND TIME

WEDNESDAY 15TH MARCH, 2017

AT 6.30 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF ENVIRONMENT COMMITTEE (Quorum 3)

Chairman: Councillor Dean Cohen BSc (Hons)

Vice Chairman: Councillor Brian Salinger

John Hart

Dr Devra Kay

Alan Schneiderman

Alison Cornelius

Alon Or-bach

Peter Zinkin

Graham Old

Agnes Slocombe

Adam Langleben

Substitute Members

Sury Khatri

Lisa Rutter

Nagus Narenthira

Stephen Sowerby

Tim Roberts

Laurie Williams

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions or comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Friday 10 March 10AM. Requests must be submitted to paul.frost@barnet.gov.uk

**You are requested to attend the above meeting for which an agenda is attached.
Andrew Charlwood – Head of Governance**

Governance Services contact: Paul Frost 020 8359 2205 paul.frost@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the previous meeting	5 - 12
2.	Absence of Members	
3.	Declarations of Members' Disclosable Pecuniary Interests and Non-Pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Public Questions and Comments (if any)	
6.	Members Items	13 - 20
7.	Motion from Full Council	21 - 26
8.	Street Scene Alternative Delivery Model – Revised Outline Business Case (OBC2)	27 - 128
9.	Enforcement and Waste Regulations	129 - 194
10.	Environment Commissioning Plan 201718 addendum	195 - 218
11.	Playing Pitch Strategy 20172022	219 - 226
12.	Local Implementation Plan (LIP) Work Programme 201718	227 - 238
13.	Highway Planned Maintenance - Proposed Footway Treatment Types Update	239 - 260
14.	Footway Parking Review Update	To Follow
15.	Highways Planned Maintenance Programme 201718	261 - 276
16.	Adoption of Section 16 London Local Authorities and Transport for London Act 2003	277 - 286
17.	Committee Forward Work Programme	287 - 290

18.	Any Other Items that the Chairman Decides are Urgent	
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Decisions of the Environment Committee

11 January 2017

Members Present:-

AGENDA ITEM 1

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

Councillor John Hart Councillor Graham Old Councillor Alan Schneiderman Councillor Agnes Slocombe Councillor Sury Khatri (Sub for Councillor Alison Cornelius) Councillor Nagus Narenthira (sub for Councillor Alon Or-Bach)	Councillor Peter Zinkin Councillor Adam Langleben Councillor Alon Or-Bach – Left meeting early (Replaced by Councillor Nagus Narenthira) Councillor Laurie Williams (sub for Councillor Devra Kay)
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1. MINUTES OF THE PREVIOUS MEETING

The Committee agreed to make minor amendments to the minutes of the meeting that took place on 08 November.

Councillor Schneiderman moved to amend:

- Item 6, 'Footways Treatments' paragraph 4 line one. To delete 'Committee noted' and replace with 'That the Governance Officer in attendance stated that...'
- Item 7, to insert that he spoke in favour of the North Finchley CPZ
- Item 7, to insert 'small', to read 'small consultation'.
- That the headings on page 4 be amend to reflect the correct items
- That paragraph 3 be amended to delete the last 4 words 'unanimously agreed'

Having considered the above the Committee agreed the amendments and therefore the minutes were signed as an accurate record.

2. ABSENCE OF MEMBERS

An apology of absence was received from Councillor Devra Kay (who was replaced by Councillor Laurie Williams), Councillor Alison Cornelius (who was replaced by Councillor Sury Khatri) and an apology was received by Councillor Alon Or-bach who left during the meeting (who was replaced by Councillor Nagus Narenthira).

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

A non-pecuniary interest was made by Councillor Sury Khatri. He stated that he had met with Mill Hill Bowling Club. Councillor Khatri took part in the consideration and voting process.

A non-pecuniary interest was made by Councillor Adam Langleben in respect to item 11. He outlined that he was a trustee of West Hendon Trust and confirmed that Barratt

Homes was also a trustee. Councillor Langleben took part in the consideration and decision making process.

A non-pecuniary interest was made by Councillor Adam Langleben in respect to item 4. Councillor Langleben stated during the public engagement and participation section of the meeting that he knew Mr Geoff Johnson. Councillor Langleben took part in the consideration and decision making process.

Councillor Brian Salinger declared a non-pecuniary interest as he owns an electric car. Councillor Salinger remained in the room for the consideration of the item and took part in the decision making process

The Chairman Councillor Dean Cohen declared non-pecuniary interest in regards to item 8 as he is a governor of Menorah Foundation School. Councillor Cohen remained in the room for the consideration of the item and took part in the decision making process

Councillor Adam Langleben declared non-pecuniary interest in regards to item 8 as he was a former governor of Colindale primary School. Councillor Adam Langleben remained in the room for the consideration of the item and took part in the decision making process

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 asked supplementary questions and these were verbally responded to.

Mr Barry Cormody, Mr Ron Smith and Mr Geoff Johnson addressed the Committee and made a public comment in relation to item 10. Following each Public Comment Members of the Committee were given the opportunity to ask questions.

6. MEMBERS' ITEMS

Alon Or-bach - Pavement and Road Gritting

Councillor Alon Or-bach introduced the item and requested that the Committee supported his Member's Item.

Having considered the Member's Item the Environment Committee:

Resolved:

- That the Commissioning Director for Environment be requested to revise the list of roads into alphabetical order
- That the Committee requested that web-platform functionality be improved to enable a search function if possible.

- That the Area Committee Members receive information that outlines the schedule for gritting of pavements and roads

Alan Schneiderman – Road Safety in Friary Road N12

Councillor Alan Schneiderman introduced the item and requested that the Committee support his Member's Item. He requested that a site visit take place and proposals be considered for implementation.

Councillor Geoff Cooke spoke in relation to this item as a Ward Member. He outlined his support for the item and highlighted the need for traffic calming measures within the road.

Having considered the Member's Item the Environment Committee:

Resolved:

- That officers assess Friary Road against the agreed assessment tool for potential inclusion in the 2017/18 LiP programme. If the road is not assessed as a priority, a report be submitted to the appropriate Area Committee that outlines a road safety scheme for Friary Road that could be funded through the area committee process

Adam Langleben Orbital Rail in Barnet

Councillor Adam Langleben introduced his Member's item and requested that Members of the Committee provide support.

Having considered the Member's Item the Environment Committee:

Resolved:

- That officers consider orbital rail routes as part of the development of a sustainable transport strategy for the Borough.

7. MOVING TRAFFIC CONTRAVENTIONS

The Commissioning Director for Environment introduced the item. He outlined progress to date in regard to the implementation of CCTV cameras, and requested that additional sites were added to the current list for future development.

Councillor Peter Zinkin requested that the site Locations for implementation in 2017 as outlined in Appendix 1 of the report include the Vale, highlighting weight restriction.

The Committee noted that this report will be included in the Committee work programme and reported on an annual basis.

Having considered the report the Environment Committee:

Resolved

- That the Environment Committee noted the contents of the report.
- That the Environment Committee approved the 13 additional sites (Phase 3) for Traffic Enforcement in 2017 detailed in Appendix 1 of this report and the additional insertion of the Vale as highlighted above.

- That the Environment Committee approved the siting of Moving Traffic Contravention Enforcement cameras at all schools and traffic junctions so that consideration may be given to siting Moving Traffic Contravention Enforcement cameras at any school or traffic junction in the future without the need to keep returning for Committee approval.
- That authority was delegated to the Commissioning Director Environment to approve the deployment of future CCTV Traffic Enforcement Cameras to any newly designed schemes (schools or other locations) which ward Member will be advised off.

8. 2016-17 HIGHWAY NETWORK RECOVERY PLANNED MAINTENANCE PROGRAMME, LIP AND SECTION 106 QTR 3 UPDATE

The Commissioning Director for Environment introduced the item and the intentions of the report. He updated the Committee on progress during the 3rd Quarter of delivery of the 2016-17 Network Recovery Plan (NRP) Highways Planned Maintenance work programme at a total investment of £10m.

The Committee gave consideration to the item and therefore:

Resolved:

- That the Environment Committee noted the list of carriageway and footway planned maintenance schemes completed in the third quarter of the financial year, shown in Appendix A.
- That the Environment Committee noted the list of Section 106 schemes completed and in progress in the third quarter of the financial year, shown in Appendix B.
- That the Environment Committee noted the list of Local Implementation Plan (LIP) funded schemes completed and in progress in the third quarter of the financial year, shown in Appendix C, and approved the up-dated programme shown in Appendix C.

9. REGULATORY SERVICES OPERATIONS- 201516

The Commissioning Director for Environment introduced the item. He provided the Environment Committee with a summary of the activity undertaken by Regulatory Services (excluding Private Sector Housing) in the financial year 2015/16.

The Service Director for Regulatory Services, gave a verbal representation of the key elements contained within the report as outlined in appendix 1 of the report.

The Committee gave consideration to the item and therefore:

Resolved:

- That the Environment Committee noted the Regulatory Services operations report for 2015/16 in Appendix 1.
- That the Environment Committee instruct the Commissioning Director for Environment to submit an operations report to the Committee annually for information on activity which also sets out priorities for the coming year.
- That the Environment Committee requested that an annual Regulatory Service report be added to the Committee's work programme.

10. COMMUNITY MANAGEMENT OF BOWLING GREENS

The Commissioning Director for Environment introduced the item and the intentions of the report. He outlined that bowls facilities are estimated to cost the Council £111k in the current financial year (2016/17). The Committee were requested to consider the Medium Term Financial Strategy (MTFS) that included a reduction in the annual cost to the Council of providing the bowls facilities of £100k.

The Committee gave consideration to the item and in doing so considered the public comments which were made earlier in the meeting. The Committee noted support for a sustainable future for bowling clubs.

Councillor Adam Langleben questioned the equalities impact assessment which was explained by The Commissioning Director for Environment. The Committee were informed that information would be circulated outlining the work conducted by the Council in respect to equalities.

Councillor Alan Schneiderman proposed that the decision of the item be deferred, this was seconded by Councillor Agnes Slocombe. The Chairman requested that the Committee voted on this.

The vote recorded was:
For deferring the item – 5
For not deferring the item – 5

The Chairman Councillor Dean Cohen used his casting vote that therefore concluded that the item not be deferred.

Councillor Cohen said that 2 of the listed clubs (Oak Hill and Hendon) were processing terms and near to agreement, therefore he stated that this should continue as the clubs were happy with the position. Councillor Cohen proposed that the remaining clubs should have the opportunity to continue to negotiate with the Council and prior to any significant development the item be reported back to the Environment Committee. This was seconded by Councillor Peter Zinkin. The Chairman put this to the vote, this was unanimously agreed by the Committee.

Having considered the report and the verbal representations the Environment Committee:

Resolved:

- The Environment Committee noted progress to date on negotiations with the Bowls clubs relative to the MTFS savings requirement and provided instruction to the Commissioning Director for Environment to continue negotiations with the clubs as set out in 1.22 of the report in association with the Council's Estates Team as appropriate.
- The Environment Committee authorised the Commissioning Director for Environment to agree the final terms of the new arrangements with the bowls clubs set out in 1.22 below; or as further settled and agreed by the Council as appropriate.

- That the Environment Committee noted that Oak Hill and Hendon clubs will continue to reach a lease agreement and requested that prior to any significant development with the remaining clubs the item be reported back to the Environment Committee that outlines progress made.

11. DRAFT PLAYING PITCH STRATEGY

The Commissioning Director for Environment introduced the item and the purpose of the report and therefore updated the Committee on the development of the Playing Pitch Strategy (PPS) for Barnet.

Having considered the report the Committee:

Resolved:

- That the Environment Committee agreed the draft Playing Pitch Strategy for Barnet and the commencement of the public consultation.

12. ADDRESSING LIMITED BURIAL CAPACITY AT HENDON CEMETERY AND CREMATORIUM (HCC)

The Commissioning Director for Environment introduced the item and the intentions of the report. He stated that there was a shortage of new burial space at Hendon Cemetery and Crematorium (HCC) and requested that the Committee considered the report and the appendixes'

The Committee gave consideration to the item and therefore:

Resolved:

- **That the Environment Committee noted the evidence in appendix 1 demonstrating that HCC is running out of new burial space and that population changes will increase demand going forward and note the financial impact set out in 1.10 of this report.**

Vote – unanimous

- **That the Environment Committee approved the re-use of graves at HCC as set out in Appendix 2.**

Vote

For - 7

Against - 1

Abstain 2

- **That the Environment Committee agreed to extend the existing policy of providing cemetery provision for Barnet residents and to direct that a paper will be submitted to the March 2017 Environment Committee setting out the options for consideration.**

Vote – unanimous

- **That the Environment Committee approved the increase in the pre-purchase premium for grave purchases for non-residents from 40% to**

60% taking into full consideration the definitions of residency as set out in Appendix 3 and to implement the change forthwith.

Vote

For - 6

Abstain – 5

- **That the Environment Committee noted the 2017 Hendon Cemetery Rules and Regulations set out in Appendix 4.**

Vote - unanimous

- **That the Environment Committee agreed commissioning for recommendations 2 and 3 be delegated to the Commissioning Director for Environment, and be subject to the agreed commissioning arrangements in place.**

Vote - unanimous

13. COMMITTEE FORWARD WORK PROGRAMME

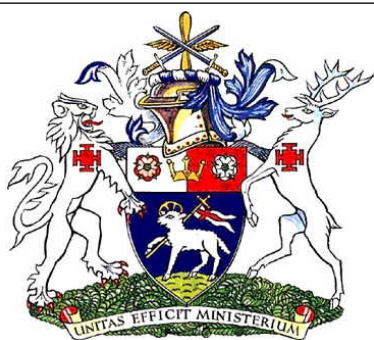
The Committee noted the work programme and agreed that the start time should be 18:30 in order to accommodate the meeting's business.

14. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

None

The meeting finished at 9.56 pm

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Environment Committee

15 March 2017

<p>Title</p>	<p>Member's Item</p> <p>Cllr Alon Or-bach - Donoghue waste management and skip hire</p> <p>Cllr Alan Schneiderman - Funding of Bowling Clubs</p> <p>Cllr Agnes Slocombe - Hire of parks, green spaces and other council premises</p> <p>Cllr Dr Devra Kay - Parking of large vans that turn residential streets with no parking restrictions into car parks</p> <p>Cllr Adam Langleben - Improving air quality around schools</p>
<p>Report of</p>	<p>Head of Governance</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>None</p>
<p>Officer Contact Details</p>	<p>Paul Frost, Governance Service Team Leader Email: Paul.Frost@Barnet.gov.uk Tel: 020 8359 2205</p>

Summary

The report informs the Environment Committee of a Member's Item and requests instructions from the Committee.

Recommendations

1. That the Environment Committee's instructions in relation to this Member's item are requested.

1. WHY THIS REPORT IS NEEDED

- 1.1 Members of the Committee have requested that the items tabled below are submitted to the Environment Committee for considering and determination. The Environment Committee are requested to provide instructions to Officers of the Council as recommended.

Name of Councillor	Member's Item
Cllr Alon Or-bach	Donoghue waste management and skip hire Residents are concerned about air quality around the Donoghue waste management and skip hire site in Claremont Road NW2. I recognize that LB Barnet has been awarded the Cleaner Air Borough accreditation, which is part of the Mayor of London's Local Air Quality Management (LLAQM) framework, and I therefore request that the committee considers and agrees what action can be taken locally by the council to improve things in the Claremont Road area. In particular I request that the committee considers commissioning a full air quality audit for this area. Any audit should include the neighbouring children's play area, nearby community center and Handley Grove which directly abuts the site. Appropriate enforcement action should then be taken if breaches of air quality standards are found.
Cllr Alan Schneiderman	Funding of Bowling Clubs At the last meeting in relation to ongoing negotiations with the borough's bowling clubs the Committee agreed "that the remaining clubs should have the opportunity to continue to negotiate with the Council and prior to any significant development the item be reported back to the Environment Committee." I request that the Committee is updated with how the

	<p>negotiations with each of the clubs are progressing and that the council confirms that the final agreed position will be based on ensuring that the clubs have a secure and sustainable future.</p>
Cllr Agnes Slocombe	<p>Hire of parks, green spaces and other council premises</p> <p>At last year's East Barnet Festival a plastic water pipe was accidentally cut through during the set-up of the main tent. In order to help prevent incidents of this kind occurring in the future during any hire of Council land or premises I request that the committee receives a report at a future meeting setting out how the council can advise people hiring out Council land or premises for events where pipes and cables are.</p>
Cllr Dr Devra Kay	<p>Parking of large vans that turn residential streets with no parking restrictions into car parks</p> <p>Across Barnet large commercial vans are using residential roads that have no parking restrictions to park overnight and often for days at a time, taking up all the parking spaces in a street, preventing residents and their visitors from parking anywhere near their homes, depriving properties of daylight, threatening security by obscuring the front of buildings and pedestrians walking along the pavement, turning a residential area in which they do not belong into a car park. Residents feel distressed, intimidated and helpless living with this situation and the lack of any measures to deal with it.</p> <p>To date residents are told that such parking is entirely legal. The process of installing a CPZ can take a year or two or longer and is not appropriate in all cases.</p> <p>Mayfield Gardens in West Hendon is one such street plagued by vans taller than the residents, higher than the first storey of the houses, that for several years have taken over the parking spaces in the road. Residents have complained repeatedly to the Council to no avail.</p> <p>I request that the Environment Committee receive a report on the most effective potential solutions to what is a borough-wide problem.</p>
Cllr Adam Langleben	<p>Improving air quality around schools</p> <p>Mayor of London, Sadiq Khan, recently commissioned a study of areas around schools and other educational institutions in London where levels of nitrogen dioxide (NO2) had breached EU legal limits, which the Government accepts is harmful to</p>

	<p>health.</p> <p>According to the study, fifteen Barnet schools / educational institutions were near areas where air tests show NO₂ is above the legal limit of 40.</p> <p>Forty two other schools were near areas where air tests show NO₂ is between 35 and 40.</p> <p>As LB Barnet has been awarded the Cleaner Air Borough accreditation, which is part of the Mayor of London's Local Air Quality Management (LLAQM) framework, I request that the committee is updated with details of what local action the council is taking to reduce pollution around these schools.</p> <p>*See table A below</p>
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**Table A*

Rank	LA	Institution	NO₂	Type
3163	Barnet	Wentworth Tutorial College	52	Other Independent School
3060	Barnet	Beis Soroh Schneirer	47.8	Other Independent School
3047	Barnet	Rhodes Farm School	47.5	Other Independent School
3027	Barnet	Torah Vodaas	47.1	Other Independent School
2996	Barnet	Mapledown School	46.5	Community Special School
2981	Barnet	St Joseph's Catholic Primary School	46.1	Voluntary Aided School
2938	Barnet	Ayesha Community School	45.1	Other Independent School
2937	Barnet	Unity Girls High School	45.1	Other Independent School
2900	Barnet	Beis Medrash Elyon	44.7	Other Independent School
2776	Barnet	Wessex Gardens Primary School	43.1	Community School
2587	Barnet	Whitefield School	41	Academy Converter
2559	Barnet	Tudor Primary School	40.7	Community School
2541	Barnet	Beis Yaakov Primary School	40.6	Voluntary Aided School
2474	Barnet	Hasmonean Primary School	40.1	Voluntary Aided School
2459	Barnet	The Orion Primary School	40	Community School
2406	Barnet	Golders Hill School	39.6	Other Independent School
2374	Barnet	All Saints' CofE Primary School NW2	39.4	Voluntary Aided School
2308	Barnet	St Agnes RC School	39	Voluntary Aided School
2212	Barnet	Brampton College	38.4	Other Independent School
2191	Barnet	Ambitious College (Grahame Park Campus)	38.3	Special Post 16 Institution
2177	Barnet	Pardes House Grammar School	38.2	Other Independent School
2176	Barnet	Pardes House Primary School	38.2	Voluntary Aided School
2175	Barnet	Limespring School	38.2	Other Independent Special School
2158	Barnet	Kisharon Day School	38.1	Other Independent Special School
2138	Barnet	Holland House School	38	Other Independent School
2123	Barnet	St Paul's CofE Primary School N11	37.9	Voluntary Aided School
2122	Barnet	Dwight School London	37.9	Other Independent School
2085	Barnet	The Hyde School	37.7	Academy Sponsor Led
2008	Barnet	Our Lady of Lourdes RC School	37.3	Voluntary Aided School

1988	Barnet Kerem School	37.2	Other Independent School
1959	Barnet Alma Primary	37	Free Schools
1914	Barnet St James' Catholic High School	36.7	Voluntary Aided School
1899	Barnet Claremont Primary School	36.6	Community School
1880	Barnet Hendon School	36.5	Academy Converter
1843	Barnet Childs Hill School	36.3	Community School
1842	Barnet The King Alfred School	36.3	Other Independent School
1841	Barnet London Academy	36.3	Academy Sponsor Led
1811	Barnet St Theresa's Catholic Primary School	36.1	Voluntary Aided School
1800	Barnet Blessed Dominic RC School	36	Voluntary Aided School
1799	Barnet Martin Primary School	36	Community School
1788	Barnet Nancy Reuben Primary School	35.9	Other Independent School
1787	Barnet Parkfield Primary School	35.9	Academy Sponsor Led
1745	Barnet Woodhouse College	35.7	Further Education
1725	Barnet St Martin's School	35.6	Other Independent School
1724	Barnet Barnet and Southgate College	35.6	Further Education
1704	Barnet Courtland School	35.5	Community School
1703	Barnet Sunnyfields Primary School	35.5	Community School
1702	Barnet Akiva School	35.5	Voluntary Aided School
1687	Barnet Susi Earnshaw Theatre School	35.4	Other Independent School
1686	Barnet Christ's College Finchley	35.4	Academy Converter
1685	Barnet Rimon Jewish Primary School	35.4	Free Schools
1659	Barnet Manorside Primary School	35.3	Community School
1658	Barnet Talmud Torah Tiferes Shlomoh	35.3	Other Independent School
1657	Barnet Peninim	35.3	Other Independent School
1641	Barnet Barnfield Primary School	35.2	Community School
1640	Barnet Hasmonean High School	35.2	Academy Converter
1639	Barnet Finches School	35.2	Other Independent Special School
1608	Barnet Brookland Junior School	35	Community School
1607	Barnet Brookland Infant and Nursery School	35	Community School
1606	Barnet Beit Shvidler Primary School	35	Voluntary Aided School
1556	Barnet Mathilda Marks-Kennedy Jewish Primary School	34.7	Voluntary Aided School
1555	Barnet Kisharon College	34.7	Miscellaneous
1554	Barnet The Northgate School	34.7	Miscellaneous
1553	Barnet Northgate School	34.7	Pupil Referral Unit
1552	Barnet The Archer Academy	34.7	Free Schools
1534	Barnet Beth Jacob Grammar School for Girls	34.6	Other Independent School
1516	Barnet Menorah Primary School	34.5	Voluntary Aided School
1499	Barnet Garden Suburb Junior School	34.4	Community School
1498	Barnet Garden Suburb Infant School	34.4	Community School
1497	Barnet Independent Jewish Day School	34.4	Academy Converter
1483	Barnet Bell Lane Primary School	34.3	Community School
1450	Barnet Watling Park school	34.1	Free Schools
1427	Barnet Tiferes High School	34	Other Independent School
1412	Barnet Queen Elizabeth's Girls' School	33.9	Academy Converter
1389	Barnet Hendon Preparatory School	33.8	Other Independent School
1388	Barnet Oakleigh School & Acorn Assessment Centre	33.8	Community Special School
1387	Barnet Finchley and Acton Yochien School	33.8	Other Independent School

1368	Barnet Colindale Primary School	33.7	Community School
1341	Barnet Dollis Infant School	33.6	Community School
1340	Barnet Dollis Junior School	33.6	Foundation School
1339	Barnet Tashbar of Edgware	33.6	Other Independent School
1338	Barnet Edgware Jewish Girls - Beis Chinuch	33.6	Other Independent School
1291	Barnet Chalgrove Primary School	33.4	Community School
1290	Barnet Holy Trinity CofE Primary School	33.4	Voluntary Aided School
1267	Barnet Brunswick Park Primary and Nursery School	33.3	Community School
1242	Barnet St Mary's and St John's CofE School	33.2	Voluntary Aided School
1241	Barnet Cophall School	33.2	Academy Converter
1226	Barnet St Catherine's RC School	33.1	Voluntary Aided School
1225	Barnet Bishop Douglass School Finchley	33.1	Voluntary Aided School
1224	Barnet The Compton School	33.1	Academy Converter
1205	Barnet Hampden Way Nursery School	33	LA Nursery School
1204	Barnet Oak Lodge Special School	33	Community Special School
1185	Barnet Goldbeaters Primary School	32.9	Community School
1184	Barnet Menorah Grammar School	32.9	Other Independent School
1183	Barnet Menorah Foundation School	32.9	Voluntary Aided School
1163	Barnet St John's CofE Primary School	32.8	Voluntary Aided School
1162	Barnet All Saints' CofE Primary School N20	32.8	Voluntary Aided School
1161	Barnet The Henrietta Barnett School	32.8	Academy Converter
1160	Barnet Sacks Morasha Jewish Primary School	32.8	Voluntary Aided School
1133	Barnet Hollickwood Primary School	32.7	Foundation School
1087	Barnet Osidge Primary School	32.5	Foundation School
1086	Barnet Annemount School	32.5	Other Independent School
1070	Barnet St Mary's CofE High School	32.4	Voluntary Aided School
1053	Barnet Coppetts Wood Primary School	32.3	Community School
1027	Barnet Woodcroft Primary School	32.2	Community School
982	Barnet Summerside Primary School	32	Community School
981	Barnet St Mary's CofE Primary School	32	Voluntary Aided School
980	Barnet Etz Chaim Jewish Primary School	32	Free Schools
920	Barnet The Annunciation RC Infant School	31.7	Voluntary Aided School
919	Barnet Millbrook Park Primary School	31.7	Academy Sponsor Led
875	Barnet Brookhill Nursery School	31.4	LA Nursery School
874	Barnet Edgware Primary School	31.4	Community School
857	Barnet Frith Manor Primary School	31.3	Community School
819	Barnet St Mary's CofE Primary School, East Barnet	31.1	Voluntary Aided School
818	Barnet St Andrew's CofE Voluntary Aided Primary School, Totteridge	31.1	Voluntary Aided School
801	Barnet Wren Academy	31	Academy Sponsor Led
781	Barnet Moss Hall Junior School	30.9	Community School
780	Barnet Moss Hall Infant School	30.9	Community School
779	Barnet Friern Barnet School	30.9	Community School
778	Barnet St Michael's Catholic Grammar School	30.9	Voluntary Aided School
760	Barnet Goodwyn School	30.8	Other Independent School
736	Barnet Moss Hall Nursery School	30.7	LA Nursery School
719	Barnet Danegrove Primary School	30.6	Community School
718	Barnet Northway School	30.6	Community Special School
695	Barnet St Margaret's Nursery School	30.5	LA Nursery School
694	Barnet Deansbrook Infant School	30.5	Community School
693	Barnet Fairway Primary School and Children's Centre	30.5	Community School

692	Barnet Northside Primary School	30.5	Community School	
691	Barnet St John's CofE Junior Mixed and Infant School	30.5	Voluntary Aided School	
690	Barnet The Annunciation RC Junior School	30.5	Voluntary Aided School	
689	Barnet St Andrew the Apostle Greek Orthodox School	30.5	Free Schools	
688	Barnet Deansbrook Junior School	30.5	Academy Converter	
667	Barnet Holly Park Primary School	30.4	Community School	
554	Barnet Queenswell Infant & Nursery School	29.8	Community School	
553	Barnet Queenswell Junior School	29.8	Community School	
552	Barnet Ellern Mede School	29.8	Other Independent School	
511	Barnet The Holmewood School London	29.6	Other Independent Special School	
466	Barnet Mill Hill School Foundation	29.4	Other Independent School	
449	Barnet St Paul's CofE Primary School NW7	29.3	Voluntary Aided School	
436	Barnet St Vincent's Catholic Primary School	29.2	Voluntary Aided School	
435	Barnet Sacred Heart Roman Catholic Primary School	29.2	Voluntary Aided School	
434	Barnet Finchley Catholic High School	29.2	Voluntary Aided School	
420	Barnet Church Hill School	29.1	Community School	
366	Barnet Ashmole Academy	28.8	Academy Converter	
353	Barnet Monkfrith Primary School	28.7	Community School	
338	Barnet East Barnet School	28.6	Academy Converter	
329	Barnet Rosh Pinah Primary School	28.5	Voluntary Aided School	
309	Barnet Pavilion Study Centre	28.3	Pupil Referral Unit	
270	Barnet Woodridge Primary School	28.1	Community School	
269	Barnet Lyonsdown School	28.1	Other Independent School	
240	Barnet Mill Hill County High School	27.8	Academy Converter	Secondary
228	Barnet Underhill School	27.7	Community School	Primary
224	Barnet Trent CofE Primary School	27.6	Voluntary Aided School	
211	Barnet Broadfields Primary School	27.5	Academy Converter	Primary
189	Barnet Grasvenor Avenue Infant School	27.3	Academy Converter	Primary
165	Barnet The Totteridge Academy	26.8	Academy Converter	Secondary
141	Barnet Cromer Road Primary School	26.5	Community School	Primary
140	Barnet Whitings Hill Primary School	26.5	Community School	Primary
114	Barnet Foulds School	26.2	Community School	Primary
101	Barnet Livingstone Primary and Nursery School	25.9	Community School	Primary
100	Barnet JCoSS	25.9	Voluntary Aided School	
91	Barnet Monken Hadley CofE Primary School	25.8	Voluntary Aided School	
90	Barnet St Martha's School	25.8	Other Independent School	
89	Barnet Queen Elizabeth's School, Barnet	25.8	Academy Converter	Secondary
64	Barnet Christ Church Primary School	25.2	Voluntary Aided School	

2. REASONS FOR RECOMMENDATIONS

- 2.1 No recommendations have been made. The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

- 5.3.1 The Council's Constitution (Meeting Procedure Rules, Section 6) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members' items must be within the term of reference of the decision making body which will consider the item.

5.4 Risk Management

- 5.4.1 None in the context of this report.

5.5 Equalities and Diversity

- 5.5.1 Members' Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 Consultation and Engagement

- 5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

- 6.1 None.

	<h2>Environment Committee</h2> <h3>15 March 2017</h3>
<p style="text-align: right;">Title</p>	<p>Motion from Full Council – A Public Realm Management Forum for Barnet</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Paul Frost – Governance Officer paul.frost@barnet.gov.uk 0208 359 2205</p>

Summary

The report informs the Environment Committee of a Motion on ‘A Public Realm Management Forum for Barnet’ which was reported to Full Council on 31 January 2017. In accordance with Council Procedure Rule 23.5, if a Member’s Motion is not dealt with by the end of a Full Council meeting, it will be referred to the appropriate committee for consideration. An opposition amendment Motion has also been referred to the Environment Committee under this rule. Details of the original motion and the amendment are set out in this report.

Recommendations

1. That the Environment Committee instructions are required in relation to this item.

1. WHY THIS REPORT IS NEEDED

1.1 On Tuesday 31 January 2017 Councillor Rohit Gover submitted an Administration Motion to Full Council as follows:

1.2 A Public Realm Management Forum for Barnet

Council believes that Barnet's 16 conservation areas contribute to the Borough's distinctive character, making it an attractive place to live and work. Any dilution of this character due to insufficient conservation input with respect to the design of streets could have profound consequences for perceptions of Barnet and therefore its future prosperity.

Council notes that improving traffic flows and parking across Barnet is important, but that as well as getting people from A to B roads and streets also serve as arteries of communities which have the capacity to greatly affect the overall quality of life for local residents. While traffic signs control and guide traffic and promote road safety, when used to excess and with no clear function they can clutter streets, make them unattractive, and introduce hazards for users. This is also true for excessive street furniture and lighting equipment.

Council therefore believes that designers and stakeholders should be encouraged to work together at an early stage in order to promote a focus on the creation of locally distinct high quality places. A Public Realm Management Forum, with specialist input from conservation experts, would enable such a multi-disciplinary approach to be adopted with respect to the design of public realm works across the Borough, secure improved decision-making and instil best practice in line with other local authorities.

Such an approach is recommended by the Department for Transport, Historic England and the Institute of Highway Engineers.

Council acknowledges that all parts of the public sector face challenges of reduced budgets. However, a Public Realm Management Forum would actually save Council money by avoiding abortive works and expensive mistakes being made which then have to be corrected at implementation stage - while ensuring compliance with best practice and statutory conservation requirements. Considerable sums could also be saved by minimising the need for street clutter and its subsequent maintenance, and through the recycling of materials.

Council therefore requests that officers are instructed to:

- Investigate how a Public Realm Management Forum may be able to ensure multi-disciplinary input into the design of future public realm works across the Borough; and*
- Consider a trial period for certain areas, bearing in mind that informal collaboration of this nature already takes place within Garden Suburb ward where a number of residents and other stakeholders have specialist conservation expertise.*

Council also requests that the results of this investigation are reported back to the Environment Committee for consideration.

- 1.3 Councillor Allan Schneiderman submitted an Opposition amendment to the Motion, to Full Council as follows:

Add after the first paragraph:

"In addition to conservation areas being important, Council also believes that every area of the Borough is important and that proper planning and investment is necessary across Barnet."

Insert in second bullet point after 'certain areas':

"... - Cricklewood, for example, which is on the border of three Boroughs -...."

Substantive text to read:

Council believes that Barnet's 16 conservation areas contribute to the Borough's distinctive character, making it an attractive place to live and work. Any dilution of this character due to insufficient conservation input with respect to the design of streets could have profound consequences for perceptions of Barnet and therefore its future prosperity.

In addition to conservation areas being important, Council also believes that every area of the Borough is important and that proper planning and investment is necessary across Barnet.

Council notes that improving traffic flows and parking across Barnet is important, but that as well as getting people from A to B roads and streets also serve as arteries of communities which have the capacity to greatly affect the overall quality of life for local residents. While traffic signs control and guide traffic and promote road safety, when used to excess and with no clear function they can clutter streets, make them unattractive, and introduce hazards for users. This is also true for excessive street furniture and lighting equipment.

Council therefore believes that designers and stakeholders should be encouraged to work together at an early stage in order to promote a focus on the creation of locally distinct high quality places. A Public Realm Management Forum, with specialist input from conservation experts, would enable such a multi-disciplinary approach to be adopted with respect to the design of public realm works across the Borough, secure improved decision-making and instil best practice in line with other local authorities. Such an approach is recommended by the Department for Transport, Historic England and the Institute of Highway Engineers.

Council acknowledges that all parts of the public sector face challenges of reduced budgets. However, a Public Realm Management Forum would actually save Council money by avoiding abortive works and expensive mistakes being made which then have to be corrected at implementation stage - while ensuring compliance with best practice and statutory conservation requirements. Considerable sums could also be saved by minimising the need for street clutter and its subsequent maintenance, and through the recycling of materials.

Council therefore requests that officers are instructed to:

- *Investigate how a Public Realm Management Forum may be able to ensure multi-disciplinary input into the design of future public realm works across the Borough; and*
- *Consider a trial period for certain areas, - **Cricklewood, for example, which is on the border of three Boroughs** - bearing in mind that informal collaboration of this nature already takes place within Garden Suburb ward where a number of residents and other stakeholders have specialist conservation expertise.*

Council also requests that the results of this investigation are reported back to the Environment Committee for consideration.

1.4 Council's Constitution, Full Council Procedure Rule 23.5 states that:

If the Member's Motion is not dealt with by the end of the meeting, it will be referred to the appropriate Council Committee or sub-Committee for consideration and any necessary action. (However, if the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion).

1.4 The motion was not discussed or voted on at the Full Council meeting. Therefore the Environments Committee are requested to consider the contents of the motion as set out in this report and give instruction.

2. REASONS FOR RECOMMENDATIONS

2.1 No recommendations have been made. The Environment Committee are therefore requested to give consideration to the motion and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

4.1 Post decision implementation will depend on the decision agreed by the Board.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 As and when issues raised, they will need to be evaluated against the Corporate Plan and other relevant policies.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 None in the context of this report.

5.3 **Social Value**

5.3.1 None in the context of this report.

5.4 **Legal and Constitutional References**

5.4.1 Council Constitution, Full Council Procedure Rules (section 23.5) states if the Member's Motion is not dealt with by the end of the meeting, it will be referred to the appropriate Council Committee.

5.4.2 The Council's Constitution, Responsibility for Functions (Annex A) sets out the terms of reference for the Environment Committee, it is therefore considered appropriate that this motion is considered by this Committee.

5.5 **Risk Management**

5.5.1 None in the context of this report.

5.6 **Equalities and Diversity**

5.6.1 None in the context of this report.

5.7 **Consultation and Engagement**

5.7.1 All of these issues must be considered for their equalities and diversity implications.

5.8 **Insight**

5.8.1 None in the context of this report.

6. **BACKGROUND PAPERS**

6.1 Motion to Full Council, 31 January 2017:

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=8818&Ver=4>

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	<h2>Environment Committee</h2> <h3>15th March 2017</h3>
<p>Title</p>	<p>Street Scene Alternative Delivery Model – Revised Outline Business Case (OBC2)</p>
<p>Report of</p>	<p>Commissioning Director for Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix A – Revised Outline Business Case (OBC2) Appendix B – Consultation and Engagement Report Appendix C – Revised Initial Service User EIA Appendix D – Revised Initial Staff EIA</p>
<p>Officer Contact Details</p>	<p>Jamie Blake – Commissioning Director for Environment Jamie.Blake@barnet.gov.uk Kitran Eastman - Strategic Lead, Clean and Green Kitran.Eastman@barnet.gov.uk</p>

Summary

This report sets out the options for the future delivery of Street Scene services, specifically; recycling and waste collection, street cleansing, green spaces maintenance, and green spaces governance.

On 29 September 2016, Environment Committee approved an initial outline business case which recommended pursuing a shortlist of four options (from an initial long list of seven) for further consideration. These included; to continue in-house service delivery with management support from The Barnet Group, all service delivery being transferred to The Barnet Group, outsource to an external provider(s), or to share services with a neighbouring local authority.

Further work has been done to review the short listed options and examine their respective benefits, risks, opportunities and ability to contribute to the Environment Committees MTFS targets. This includes public consultation and staff engagement activity, from the week commencing 07 November to the week ending 15 January. Staff and public were consulted on the project aims, assessment criteria, and shortlisted options. The opportunity was also

the provided to comment on the longlisted options which were not recommended. During this process consideration has been given to i) value for money, ii) place-based service, iii) technology and innovation, iv) income generation, v) continual service improvement, and vi) track record. Any service provider would also have to be capable of achieving the savings agreed by Environment Committee in the Medium Term Finance Strategy (MTFS).

Recommendations

- 1. That Environment Committee approves the transfer of Green Spaces Governance (Lot 4) to the Environment Commissioning Group, to be re-structured and aligned to the delivery of the Parks and Open Spaces Strategy and the Capital Investment Programme.**
- 2. That Environment Committee consider and decide on the course of action for the Street Scene Delivery Unit services for; recycling and waste, street cleansing, and green spaces maintenance (Lots 1-3) from the following options (further outline in Section 2):**
 - Option A - In-house (with management support from The Barnet Group): To transform Street Scene services with management support from The Barnet Group. Services to be re-structured and re-directed from 01 April 2017.**
 - Option B - Local Authority Trading Company (The Barnet Group): To transfer Street Scene services to The Barnet Group (or a subsidiary of) on 01 October 2017 for an initial ten-year contract with a three-year break clause; including the TUPE transfer of all staff in scope.**
 - Option C - Outsourced: To outsource Street Scene services to a specialist provider(s) via the procurement of a contract(s) for the delivery of; recycling and waste, street cleansing, and green spaces maintenance (Lots 1-3).**
- 3. That Environment Committee approves a course of action from one of the options set out in Section 2 and subsequently delegates the authority to proceed with delivery to the Commissioning Director for Environment.**

1. WHY THIS REPORT IS NEEDED

Background

- 1.1 In September 2015, the council commissioned the Street Scene Alternative Delivery Model project (ADM) to assess the best way of delivering Street Scene services in the future. Its purpose was both to ensure the future delivery of high performance against key strategic indicators, and to resolve the significant savings challenges facing services now and over the next several years.
- 1.2 The council has a statutory duty to maintain the urban environment and support public health via services such as; recycling and waste, street cleansing, and maintenance of green spaces. These are universal services which are highly visible to, and used by, residents

- 1.3 As part of the Medium-Term Finance Strategy approved by Environment Committee in November 2015, and an updated version approved in November 2016 by Policy and Resources Committee, a target saving of £900k by 2019/20 has been allocated to the ADM process.
- 1.4 Additionally, the project must maintain the current recycling and waste, street cleansing, and maintenance of parks and open spaces service provision as expressed through the key drivers below; in line with the Commissioning Group intentions for 2020:
- Re-use, recycle or compost 50% of all municipal waste and minimise the amount of municipal waste being sent to landfill.
 - Provide services to residents and businesses that are cost effective, easy to use, and encourage positive behaviour change.
 - Manage and maintain a high quality physical environment that contributes to the quality of life of residents and visitors, enhances local areas, and supports a thriving local economy.
 - Work with partners to secure investment in public spaces.
 - Implement relevant delivery models that deliver a stable and sustainable financial position.
 - Build stronger local communities by promoting volunteering and other forms of community engagement.
 - Relevant and targeted enforcement that promotes prevention of forms of anti-social behaviour.
- 1.5 As part of the Street Scene Alternative Delivery Model Revised Outline Business Case (OBC2) in Appendix A, most activities currently delivered by the Street Scene Delivery Unit are in scope of the ADM project. This includes recycling and waste, grounds maintenance, and street cleansing. Services undertaken by partners (such as CSG or Re), as well as those which are classed as being 'strategic' and therefore sit with the Commissioning Group, are considered to be out of scope.
- 1.6 This has enabled the project board to identify four possible "lots" in relation to the services identified as being in scope of the ADM. These are:
- Lot 1 – Recycling and Waste
 - Lot 2 – Street Cleansing
 - Lot 3 – Green Spaces Maintenance
 - Lot 4 – Green Spaces Governance
- 1.7 On 01 November 2016 Full Council approved the initial outline business case which reduced the longer list of seven options down to a shortlist for further consideration; to continue in-house service delivery with management support from The Barnet Group, all service delivery being transferred to The Barnet

Group, outsource to an external provider(s), or to share services with a neighbouring local authority.

Revised Outline Business Case (OBC2)

1.8 The Street Scene Alternative Delivery Model Revised Outline Business Case (OBC2) can be seen in Appendix A.

1.9 OBC2 fully outlines the evaluation carried out on the four options approved by Full Council for further consideration on 01 November 2016. These include:

- **Option A:** In-house option (with management support from The Barnet Group)
- **Option B:** Local Authority Trading Company (The Barnet Group)
- **Option C:** Outsourced
- **Option D:** Shared service

Each of these three options contain benefits, risk and challenges in different areas, as highlighted in the table below:

Option	Cost vs. Savings	Place-based Service	Technology and Innovation	Income Generation	Service Improvement	Track Record
In-house	A	G	R	A	A	A
LATC	A	G	A	G	A	R
Outsourced	G	R	G	A	A	G

Cost Summary

1.10 Two different cost review methods were used to assess the financial implications of the four shortlisted options. The table below summarises the approaches used. The full detail of these evaluation processes can be seen in Appendix A, section 3.

Options		Review Method
Option A	In-house (with management support from The Barnet Group)	Options evaluated by council officers and specialists.
Option B	Local Authority Trading Company (The Barnet Group)	
Option C	Outsourced	Benchmarking with other local authorities through in-depth discussion and review.
Option D	Shared Service	

1.11 To enable the financial evaluation of Options A and B, affordability criteria were set. These affordability criteria were indicative of the maximum cost budget estimated for the in-house options; including MTFS savings.

	2017/18	2018/19	2019/20
Affordability Criteria	£12,139,994	£11,089,994	£9,889,994
Option A: In-house (with TBG)	£12,612,726	£12,284,168	£10,499,059
Variation	-£472,732	-£1,194,174	-£609,065
Option B: LATC (TBG)	£12,012,726	£11,047,668	9,200,059
Variation	£127,268	£42,326	£689,935

1.12 To enable the financial evaluation of Options C and D, benchmarking with other local authorities through in-depth discussion and review was used. This approach focused on the management and organisation savings which could be made. These are comparable with the £900k Medium-Term Finance Strategy approved by Environment Committee

	Est. Cost	Potential Savings	Variation
2016/17 Level – Current Service	£13,636,969	Needed £900,000	-
Option C: Outsourced Medium range savings (14%)	£11,727,793	£1,909,176	£1,009,176
Option D: Shared service Medium range savings (7.5%)	£12,614,196	£1,022,773	£122,733

1.13 In addition to these savings, based on management, operations efficient and alignment, changes to policy-driven services based on the MTFS could also be achieved

Public Consultation and Staff Engagement

1.14 An online public consultation was held on the options put forward in OBC2 for a ten-week period; from the week commencing 07 November 2016 to the week ending 15 January 2017. The detailed results of the public consultation are available in Appendix B to this report.

- 1.15 Staff were provided with hard copies of a shortened version of the online public consultation questionnaire. Staff were also encouraged to view the full public consultation via Engage Barnet. Staff engagement activity ran in parallel to the public consultation; from the week commencing 07 November 2016 to the week ending 15 January 2017. The detailed results of the staff engagement are also available in Appendix B to this report.
- 1.16 The public consultation was responded to by 506 individuals. Overall, the majority of respondents agreed with the aims of the ADM. The results show that the aim respondents agreed with the most was *'to identify opportunities to improve services'*; with 92% saying that they agreed or strongly agreed. The aim respondents agreed with the least was *'to achieve council savings targets'*; with only 45% saying that they strongly agreed and 24% saying that they disagreed, or strongly disagreed.
- 1.17 Respondents were asked to indicate how important they believed each of the assessment criteria for the ADM to be; with options ranging from *'very important'* to *'not at all important'*. The criteria deemed to be the most important were; *'continual service improvement'*, *'good local knowledge'*, and *'ability to provide value for money'*.
- 1.18 Respondents were also asked to choose, from the shortlist, the option that they believed would deliver the best services for them. The results are summarised in the table below:

Shortlisted Options	Response Totals	Response %
In-house (with management support from The Barnet Group)	222	55%
Local Authority Trading Company (The Barnet Group)	141	35%
Outsourced	25	6%
Shared Service	81	20%
Don't know / Not sure / No difference	26	7%

- 1.19 Staff Respondents were also asked to choose, from the shortlist, the option that they believed would deliver the best services for them. The results are summarised in the table below:

Shortlisted Options	Response Totals	Response %
In-house (with management support from The Barnet Group)	16	64%
Local Authority Trading Company (The Barnet Group)	13	52%
Outsourced	2	8%
Shared Service	3	12%

Shortlisted Options	Response Totals	Response %
Don't know / Not sure / No difference	1	4%

1.20 The full consultation report can be accessed in Appendix B.

2. REASONS FOR RECOMMENDATIONS

2.1 **Recommendation 1** - It is recommended that Environment Committee approves the transfer of green spaces governance (Lot 4) to the Environment Commissioning Group. This will enable the team to be to be restructured and aligned to the delivery of the Parks and Open Spaces Strategy and the Capital Investment Programme.

2.2 **Recommendation 2** - It is recommended that Environment Committee considers and decides on a course of action for the delivery of Street Scene services for recycling and waste, street cleansing and green spaces maintenance (Lots 1-3) from the following options:

- **Option A: In-house (with management support from The Barnet Group)** – To transform Street Scene services with management support provided by The Barnet Group. Services to be restructured and redirected from 01 April 2017.
- **Option B: Local Authority Trading Company (The Barnet Group)** – To transfer Street Scene services to The Barnet Group (or subsidiary of) on 01 October 2017 for an initial ten-year contract with a three-year break clause; including the TUPE transfer of all staff within scope.
- **Option C: Outsourced** – To outsource Street Scene services to specialist providers via the procurement of a contract(s) for the delivery of recycling and waste, street cleansing and green spaces maintenance (Lots 1-3).

2.3 **Recommendation 3** – That Environment Committee approves a course of action from one of the options set out in above and subsequently delegates the authority to proceed with delivery to the Commissioning Director for Environment.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Consideration was given to retaining green spaces governance (Lot 4) and green spaces maintenance (Lot 3) as a single service lot. However, this is not recommended as an option going forward.
- 3.2 Four options were evaluated as part of OBC2. Consideration was given to the shared service option but due to the lack of current partners it was considered that this would not deliver a sustainable service within the required timescales.

4. POST DECISION IMPLEMENTATION

- 4.1 The approach will be determined by the decision made by Environment Committee on which option to progress.
- 4.2 It is likely that all options will result in the production of a Full Business Case (FBC) before the project can proceed to delivery. As part of the process of developing an FBC, due consideration will be given to the results of the public consultation and staff engagement activity, as set out in Appendix B.
- 4.3 If Option C (outsourced) is selected by Members, authorisation will be needed from Environment Committee to proceed with a procurement exercise to identify a third party supplier(s), in order to inform the Full Business Case for this option.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Environment strategies and frameworks set out the strategic vision and future demand management for Recycling and Waste, Parks and Open Spaces, Street Cleansing and Enforcement. The Alternative Delivery Model project will serve as a vehicle for delivering this vision at the operational level. The strategies will therefore shape the service requirements of the Alternative Delivery Model.

Recycling and Waste

- 5.1.2 Barnet has amongst the highest levels of recycling and the lowest levels of waste compared with similar councils. This results in high levels of resident satisfaction and maintains the green and clean nature of the borough.

Street Cleansing

- 5.1.3 Barnet has amongst the lowest levels of littering compared with similar councils. This results in high levels of resident satisfaction and maintains the green and clean nature of the borough.

Parks and Open Spaces

- 5.1.4 It is a Commissioning Group ambition that Barnet is seen as a national leader

in developing attractive suburban parks with its communities that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth. There are approximately 224 parks or open spaces in Barnet, including; 7 nature reserves, the Welsh Harp reservoir, 8 outdoor gyms, and over 40 play areas. Most homes in the borough are within one mile of the nearest park.

5.1.5 The council has also made a strategic commitment to enhancing borough infrastructure, as outlined in the Commissioning Plan for Environment (2015-20).

5.2 Health and Wellbeing

5.2.1 There are no health and wellbeing implications at this time.

5.3 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Finance and Value for Money

5.3.1 The ADM project has been assigned a total Medium-Term Finance Strategy (MTFS) savings of £900k by 2019/20. This is divided into £250k by 2017/18, £550k by 2018/19 and £100k by 2019/20. There are also additional MTFS savings outside of the ADM project, for the wider Street Scene programme, of £1,245k by 2017/18, £575k 2018/19, and £1,150k by 2019/20.

5.3.2 It is anticipated that these savings will be achieved through the transformation of Street Scene services, in line with delivering the respective action plans for each of the environmental strategies.

5.3.3 If any new additional costs are generated by transformation, these would need to have appropriate funding sources; identified either on a one-off or recurring basis.

Procurement

5.3.4 Procurement implications exist for all of the options for lots 1-3.

Staffing

5.3.5 A robust approach to change management is currently in place, following the approval of the change management strategy for Street Scene by Strategic Partnership Board on 20 April 2016.

5.3.6 The strategy is currently being implemented by The Barnet Group. Engagement with staff, trade unions, and other senior stakeholders is ongoing.

5.3.7 Staff engagement activities include (but are not limited to):

- Survey
- Briefings
- Newsletter
- Change champions network
- Suggestion boxes

5.3.8 This approach applies to all areas of Street Scene where change management is required; not just the ADM project (e.g. Unified Reward, Mill Hill Depot relocation).

IT

5.3.9 The Alternative Delivery Model would need to incorporate any changes to use of IT as part of wider service delivery across the council. This is also in line with one of the assessment criteria for the ADM, which requires evidence of innovation within service delivery; making best use of existing and new technologies as available. The ADM would therefore need to be consistent with, if not better than, council IT policy and best practice.

Property

5.3.10 The implementation of the Alternative Delivery Model is operationally dependent on the relocation of the depot facilities. Any delay, or unforeseen amendment, to the depot relocation will not only have a subsequent impact on day-to-day service delivery operations ('business as usual') but could also impact the delivery of the ADM (e.g. additional fuel costs, route rationalisation etc.).

Sustainability

5.3.11 There are no sustainability impacts at this time

5.4 **Social Value**

5.4.1 Section 1 (3) of the Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This is being considered as part of the ADM process

5.5 **Legal and Constitutional References**

5.5.1 The Council's Constitution (Clause 15A, Responsibility for Functions, Annex A) sets out the terms of reference of the Environment Committee. This includes:

- Commissioning refuse and recycling, waste minimisation and street cleaning.
- Approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources Committee.
- Approve fees and charges for those areas under the remit of the Committee

5.5.2 This matter is not reserved to Full Council or to the Policy and Resources Committee as the Constitution specifically allocates matters of this type to the Environment Committee.

- 5.5.3 Depending on the outcome of the alternative delivery model project the final decision is one for Full Council under paragraph 1.6 of section 15 of the constitution responsibility for functions; “*all policy matters and new proposals relating to significant partnerships with external agencies and local authority companies*”.
- 5.5.4 Section 3 (1) of the Local Government Act 1999 requires local authorities to make arrangement to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Section 3 (2) of the Local Government Act 1999 also provides that in order to fulfil this duty it must consult with representatives of persons liable to pay tax to the Authority and representatives of persons who use or are likely to use services provided by the Authority. In deciding on the persons consulted and the form, content and timing of consultation the must have regard to the Revised Best Value Statutory Guidance 2015.
- 5.5.5 The Public Contracts Regulations 2015 exempt from the application of public procurement law certain contracts between contracting authorities and entities controlled by them provided certain conditions are satisfied. These are:
- The contracting authority exercises over the contractor concerned a control which is similar to that which it exercises over its own departments.
 - More than 80% of the activities of the contractor are carried out in the performance of tasks entrusted to it by the controlling contracting authority.
 - There is no private sector ownership of the contractor (with certain exceptions).
- 5.5.6 Officers will need to ensure appropriate due diligence is carried out to ensure compliance with each of the Teckal conditions. It is understood that The Barnet Group is a company wholly owned by the council EU Procurement Rules are likely to apply if the envisaged arrangements do not meet the Teckal exception.
- 5.5.7 If at any time the proposals under either Option A or Option B envisage either the council or The Barnet Group, trading (not recharging) a local authority ordinary function (or anything in exercise of the General Power of Competence), the council will need to put together and approve a Business case under section 95 of the Local Government Act 2003 and the 2009 Trading Order England unless the trading is with another public body. Further, all income generating options will need to be identified in order to assess the availability of the council’s ability to use its trading or recharging legal powers. Proposals which will result in changes to service delivery including charging, will need to be agreed internally (scheme of delegation and any special governance structure for the wholly owned company) and may require public consultation.

5.6 Risk Management

5.6.1 All project risks are managed using the risk management procedure, as set out by the Corporate Risk Management Framework.

5.6.2 A full project risks table is available in the revised Business Case (OBC2), in Appendix A.

5.7 Equalities and Diversity

5.7.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people from different groups.
- Foster good relations between people from different groups.

5.7.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies, and the delivery of services. The impact of the ADM project on staff and the public is not known at this stage. The content of both EIAs is therefore predictive only.

5.7.3 The nine protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Gender
- Sexual orientation
- Marriage or civil partnership

5.7.4 The complete updated Equalities Impact Assessments (EIAs) for both service users and staff are available in Appendices C and D, respectively.

5.7.5 As the project moves into the next phase, the EIAs will be reviewed and updated in line with project requirements and in accordance with Barnet project management methodology. It is expected that the revised EIAs will show the actual scale and type of impact of the chosen delivery model option on both staff and service users.

5.8 Consultation and Engagement

5.8.1 As a matter of public law, the duty to consult on proposals which may vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework.
- Where the practice has been to consult or where a policy document states the council will consult then the council must comply with its own practice or policy.
- Where the matter is so important that there is a legitimate expectation of consultation.
- Where consultation is required to complete an equalities impact assessment.

5.8.2 A full consultation report can be seen in Appendix B.

6. BACKGROUND PAPERS

- 6.1 The Environment strategies and frameworks set out the strategic vision and future demand management for Recycling and Waste, Parks and Open Spaces, Street Cleansing and Enforcement. The ADM project will serve as a vehicle for delivering this vision at the operational level.
- 6.2 [Environment Committee September 2016 Papers](#) – including the initial Outline Business Case (OBC1) for the Street Scene Alternative Delivery Model project.
- 6.3 [Environment Committee March 2016 Papers](#) – including Commercial Waste Transformation and Street Scene Enforcement.
- 6.4 [Environment Committee May 2016 Papers](#) – including the Parks and Open Spaces Strategy, and the Municipal Waste Management Strategy.
- 6.5 [Environment Committee July 2016 Papers](#) – including the Street Cleansing Framework.

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Revised Outline Business Case (OBC2): Street Scene ADM Project

Service / Dept.:	Commissioning Group for Environment
Date:	06/03/2017
Version:	9.0

Contents

Contents	1
1. Introduction and Strategic Context	2
2. Rationale.....	7
3. Options	10
4. Project Approach	25
5. Expected Benefits.....	34
6. Risks	35
7. Project Assurance.....	35
8. Dependencies.....	37
9. Approach to Consultation	38
10. Appendices.....	39
Distribution List.....	40

1. Introduction and Strategic Context

The purpose of the Street Scene Alternative Delivery Model (ADM) project is to:

- Increase customer satisfaction with service delivery.
- Achieve the Medium-Term Finance Strategy (MTFS) savings targets.
- Identify opportunities to transform the service in order to most effectively delivery the Environmental Strategies actions plans; in line with Commissioning Group intentions for the borough.

This document is a Revised Outline Business Case (OBC2). It provides the strategic context to the ADM project and explains why alternative delivery is necessary. This document sets out the work that has been undertaken in order to assess the best way to deliver Street Scene services so that they will meet the objectives above. It also puts forward a shortlist of potential alternative delivery model options for review by Environment Committee.

An Initial Outline Business Case (OBC1) was submitted to Environment Committee on 29 September 2016 and approved by Full Council on 01 November 2016. The purpose of OBC1 was to put forward a longlist of seven potential delivery model options and seek approval to pursue the shortlist of four options referred to above. Full Council agreed to proceed to consult on four of those options, as well as research them in more depth. This Revised Outline Business Case (OBC2) sets out the outcomes of the further work that has been undertaken to assess the viability of each of the four options against the project objectives.

Interim Changes to Street Scene Senior Management

Following an operational review of Street Scene in late 2015, The Barnet Group have been awarded an interim management agreement by Barnet Council to deliver transformative work required within the Delivery Unit. This decision was approved by the Policy and Resources Committee on 22 March 2016:

“The Barnet Group has been engaged to provide senior management oversight to the Delivery Unit... They will use their internal management resources and utilise suitable specialist support to help develop and deliver the short to medium term financial and operational Key Performance Indicators and to develop and deliver the Street Services Alternative Delivery Model project”.

This agreement was extended by Policy and Resources Committee on 01 December 2016 to allow Members time to consider the Revised Outline Business Case (OBC2) on 15 March 2017. It is not anticipated that this agreement will have any negative impact on the ADM project. However, this agreement has had an impact on the project insofar as the Delivery Unit of the shortlisted in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group) has been coordinated by The Barnet Group, as opposed to by Street Scene senior management.

Input from the Street Scene Delivery Unit

It should be highlighted that the Street Scene Delivery Unit staff have worked hard to prepare the proposals for Options A and B. A significant level of work has been done reviewing services, scoping potential future improvements and delivery options. Engagement with the ADM project has been done alongside delivering 2016/17 MTFs savings and business as usual service delivery.

1.1 Background

The council has a statutory duty to maintain the urban environment; via services such as waste and recycling, street cleansing, and maintenance of parks and open spaces. The current Corporate Plan includes the following statements:

- *Recycling and Waste* – Barnet has amongst the highest levels of recycling and the lowest levels of waste compared with similar councils. This results in high levels of resident satisfaction and maintains the green and clean nature of the borough.
- *Street Cleansing* – Barnet has amongst the lowest levels of littering compared with similar councils. This results in high levels of resident satisfaction and maintains the green and clean nature of the borough.
- *Parks and Open Spaces* – It is a Commissioning Group ambition that Barnet is seen as a national leader in developing attractive suburban parks with its communities that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth. There are approximately 224 parks or open spaces in Barnet, including; 7 nature reserves, the Welsh Harp reservoir, 8 outdoor gyms, and over 40 play areas. Most homes in the borough are within one mile of the nearest park.

The council has also made a strategic commitment to enhancing borough infrastructure, as outlined in the Commissioning Plan for Environment (2015-20).

The Street Scene ADM project has been commissioned to assess the best way of delivering Street Scene services in the future, in light of significant savings challenges to services and performance requirements against key strategic indicators. Also relevant is the launch of the Recycling and Waste and Parks and Open Spaces strategies approved by Environment Committee in May 2016, which were publicly consulted on from January to March 2016. The Street Cleansing framework has also been approved by Environment Committee, in July 2016, as well as other initiatives that consider demand management priorities within the future delivery of these important services.

The project needs to achieve the Medium-Term Finance Strategy (MTFS) savings target of £900k by 2019/20. Additionally, the project must maintain or improve the current waste and recycling, street cleansing, and maintenance of parks and open spaces service provision as expressed through the key drivers below.

The project has reviewed the current functions and output of the services in scope, in order to identify possible alternative models of delivery which will be used to achieve financial savings.

The key drivers for the ADM are in line with the Commissioning intentions for 2020, which include:

- Re-use, recycle or compost 50% of all municipal waste and minimise the amount of municipal waste being sent to landfill.
- Provide services to residents and businesses that are cost effective, easy to use, and encourage positive behaviour change.
- Manage and maintain a high quality physical environment that contributes to the quality of life of residents and visitors, enhances local areas, and supports a thriving local economy.
- Work with partners to secure investment in public spaces.
- Implement relevant delivery models that deliver a stable and sustainable financial position.
- Build stronger local communities by promoting volunteering and other forms of community engagement.
- Relevant and targeted enforcement that promotes prevention of forms of anti-social behaviour.

1.2 Links to Environment Strategies

The Environment strategies and frameworks set out the strategic vision and future demand management for Recycling and Waste, Parks and Open Spaces, Street Cleansing and Enforcement. The ADM project will serve as a vehicle for delivering this vision at the operational level.

1.2.1 Recycling and Waste

The Municipal Recycling and Waste Strategy vision is to keep the local environment clean and attractive, reduce waste, and encourage increasing levels of recycling.

It has the following aims:

- Provide services that help the community to manage environmental impact.
- Manage the rising cost of waste collection and disposal by designing services that promote recycling and reuse and are integrated, intuitive and efficient.

- Encourage Barnet residents, businesses and visitors to take responsibility for recycling the waste that they produce, using enforcement where necessary.
- Embrace new technologies and ways of working that help to deliver services that respond better to the needs of the community.

1.2.2 Street Cleansing Framework

The Street Cleansing Framework sets out the policy and direction, key drivers, and overall approach for the delivery of street cleansing services. The objective being a high quality environment in streets and public places throughout the borough. The associated improvement plan will identify the short, medium and longer term actions that will deliver the strategy; these being prioritised accordingly.

The plan is expected to drive performance, thereby increasing customer satisfaction levels and enhancing the attraction and appeal of the area as a place in which to live, work and visit. This will also enhance the reputation of the council and its partners, who contribute in a significant way to achieving a high quality local environment. Priority is given to solutions that are environmentally responsible and financially sustainable in the longer term. This reflects increasing concerns about air quality, the possible impact of future climate change, natural resources, and uncertainty regarding the continued availability of adequate resources to provide core public services.

The borough cleansing framework sets out the vision of maintaining a clean street scene:

- Supporting Barnet's town centres; ensuring they are clean, litter free and welcoming (day-time and evening).
- Ensuring residential streets are litter picked and swept to a good standard.
- Recycling over 50% of waste.
- Operating in an efficient, effective and responsive manner.

To achieve this the service will:

- Be 'intelligence-led' and data driven.
- Engage with residents and businesses and enable individual and community participation.
- Use technology and mechanisation to improve efficiency.
- Follow, review, trial and implement best practice, and new ideas.

- Enforce against those who continue to degrade Barnet's street scene.
- Promote the generation of income for the service, for private works.

1.2.3 Parks and Open Spaces

The Parks and Open Spaces Strategy provides a review of Barnet parks and open spaces. It has assessed the current provision of green spaces in terms of quantity and quality, public benefit or public value and accessibility. The strategy sets out details of current and future challenges including; future funding, demographics change, climate change and green infrastructure demands.

The strategy sets out the economic, social and environmental benefits of good quality parks and open spaces for Barnet and it describes the ways in which people who live and work in Barnet have contributed to the development of the strategy through an engagement process.

To help advance the parks and open spaces as community assets and be best placed to contribute to the wellbeing of the borough's residents, the draft strategy outlines a capital investment strategy identifying; investment opportunities and priorities, targeted investment themes and sites, investment programme and the revenue implications.

To meet the varying demands to be placed on these spaces, the draft strategy looks at various future funding and governance models to enable the strategy to be effectively and efficiently carried through. These include; council management, trusts, third party and / or private management, precepts and local taxation, social enterprise, and endowments.

1.2.4 Enforcement

The Enforcement Strategy and Enforcement Procedures Policy meet Barnet Council's strategic objective to improve the local environment and enhance Street Scene, by providing efficient and effective enforcement. This translates into a number of key actions to improve the local environment, such as:

- Conducting education and enforcement operations which target known 'hotspots', such as transport hubs and town centres, to reduce fly-tipping and improve cleanliness.
- Issuing fixed penalty notices (FPNs) and penalty charge notices (PCNs) for waste-related offences and increasing the proportion of those paid, or successfully prosecuted.
- Regularly reviewing duty of care compliance with high street businesses. Also ensuring compliance with time band restrictions, to enable commercial waste to be collected at the designated times.

- Working with different agencies to reduce the number of illegal waste carriers operating in the borough.
- Using CCTV monitoring equipment (both overt and covert) to identify littering and fly-tipping offences.
- Supporting the Entrepreneurial Barnet programme by removing containers from busy high streets and ensuring that businesses comply with relevant legislation.

2. Rationale

This section of the paper outlines the services in scope, including proposed service lots for alternative delivery, and provides an overview of the current cost of service delivery. These costs form the baseline from which opportunities for financial and operational efficiencies are identified.

It also sets out the Medium-Term Finance Strategy (MTFS) savings assigned to the Street Scene ADM project from 2015 to 2020.

2.1 Services in Scope

Project board have agreed that all activities currently delivered by the Delivery Unit for Waste and Recycling, Fleet Management, Grounds Maintenance, and Borough Cleansing are in scope of the ADM; except for those which are undertaken by partners (such as CSG or Re), as well as those which are classed as being 'strategic' and would therefore sit with the Commissioning Group.

2.1.1 Waste and Recycling

In Scope	Out of Scope
Refuse collection	Recycling centre (civic amenity and recycling centre)
Food waste collection	Call centre (CSG)
Bring Bank sites	Depots (site management)
Commercial waste collection	NLWA (strategic aspects)
Education	Enforcement
Recycling collection	
Garden waste collection	
Bulky waste collection	
Clinical waste collection	
Bin delivery (operations)	
Bin delivery (orders)	
Bin delivery (entitlement)	
Skip collections	
Haulage	
NLWA (operational aspects)	

2.1.2 Fleet Management

In Scope	Out of Scope
Street Scene fleet	Passenger transport brokerage (ADM)
Passenger Transport fleet*	Passenger transport service (TBA)
Other fleet(s)*	
Workshops	
Barnet Homes fleet*	

* All items marked above may become out of scope if the decision was taken to go out to procurement.

2.1.3 Grounds Maintenance

In Scope	Out of Scope
Parks (locking)	Parks (strategic development)
Parks (grounds maintenance)	Tree Preservation Orders and conservation (<i>Re</i>)
Parks (management)	Highways (<i>Re</i>)
Parks (pavilions and changing rooms)	Highways DLO (<i>Commissioning Group</i>)
Closed cemeteries	
Community development	
Highways grounds maintenance	
Sports and events bookings	
Infrastructure development	
Tree management	
Barnet Homes (and other existing SLAs)	
Winter gritting (re-fill of grit bins)	
Advising on planning applications	

2.1.4 Borough Cleansing

In Scope	Out of Scope
Road Traffic Accident clear up	Abandoned vehicles (NSL)
Post-match cleansing (events)	Emergency (out of hours)
Residential street cleansing	Street trading (<i>Re</i>)
Town centre cleansing	Road closures (<i>Re</i>)
Fly tipping cleansing	Gullies (<i>Re</i>)
Seasonal (e.g. leaf)	Market licensing (<i>Re</i>)
Fly poster removal	Carriageway gritting (<i>Commissioning Group</i>)
Work with Transport for London	
Town team liaison	
Graffiti removal	
Chewing gum cleansing	
Weed control	
Gritting (town centres)	
Footway gritting	

2.1.5 Other

In Scope	Out of Scope
	Cafés (<i>Estates</i>)
	Automatic Public Convenience (APC) toilets (<i>Commissioning Group</i>)
	Cleaning of property (<i>CSG</i>)
	Operational crematoriums (<i>Re</i>)
	Mortuary (<i>Shared Service</i>)
	Street Lighting (<i>Commissioning Group</i>)

2.2 Service Lots

Project board have identified four lots in relation to the services identified as being in scope of the ADM project. These are:

- Recycling and Waste
- Street Cleansing
- Green Space Maintenance
- Green Space Governance

The diagram below illustrates how Lot 4 could function separately from Lots 1-3:



2.3 Medium-Term Finance Strategy (MTFS) Savings

2015-16	2016-17	2017-18	2018-19	2019-20
£0	£0	£250k	£550k	£100k

As part of the Medium-Term Finance Strategy approved by Environment Committee in November 2015, and by Policy and Resources Committee in February 2016, a target saving of £900k by 2019/20 has been allocated to the ADM project.

It is anticipated that these savings will be achieved through the transformation of Street Scene services, in line with delivering the respective action plans for each of the environmental strategies.

Please refer to the Medium-Term Finance Strategy document for additional savings targets allocated to Street Scene services outside of the ADM Project.

2.4 Financial Case

Two different cost review methods were used to assess the financial implications of the four shortlisted options. The table below summarises the approaches used:

Options		Review Method
Option A	In-house (with management support from The Barnet Group)	Options evaluated by council officers and specialists.
Option B	Local Authority Trading Company (The Barnet Group)	
Option C	Outsourced	Benchmarking with other local authorities through in-depth discussion and review
Option D	Shared Service	

The detail of these evaluation processes can be seen in section 3.

To enable the financial evaluation of Options A and B, affordability criteria were stated alongside the Authority's Requirements. These affordability criteria were indicative of the maximum cost budget estimated for the in-house options; including MTFS savings. The maximum cost was not intended to be seen as a target and sustainable cost models that could demonstrate costs lower than those set out in the affordability criteria were both encouraged and welcomed. It was stated that it would be highly likely that cost models which were submitted above the affordability criteria would be considered to be non-compliant, unless clear and satisfactory rationale was provided. It was requested that transformation cost were included within the affordability.

The table below sets out the affordability criteria specified:

	Affordability Criteria		
Lot 1-4	2017/18	2018/19	2019/20
TOTAL	£12,139,994	£11,089,994	£9,889,994

Key savings and cost changes can be seen for each option in section 3 below.

3. Options

The Initial Outline Business Case that was presented to Environment Committee on 29 September 2016, and Full Council on 01 November 2016, outlined seven potential options for the future delivery of Street Scene services. Full Council agreed to proceed to consultation on, and further review of, four of the seven options.

This section of the paper sets out the evaluation and viability of the four options shortlisted for alternative delivery.

The following four options have been considered and evaluated:

- **Option A** – In-house (with management support from The Barnet Group)
- **Option B** – Local Authority Trading Company (The Barnet Group)
- **Option C** – Outsourced
- **Option D** – Shared Service

3.1 Option D: Shared Service

3.1.1 Description

The council could provide services in partnership with a neighbouring local authority. Any shared service arrangement would not include The Barnet Group; either in their current role as providing management oversight or as a full service transfer model.

3.1.2 Evaluation Process

At the time of writing OBC1, discussions were underway in relation to the feasibility around future shared services; both with West London Alliance (WLA) Directors and North London Waste Authority (NLWA) boroughs. Some initial shared service research was also carried out by the project manager, in order to ascertain how environmental services were being delivered by neighbouring boroughs.

Initial findings – as per the table below – revealed that the London Boroughs of Enfield, and Harrow, and also Hertsmere District Council, provided their environmental services in-house (current as of December 2015).

Council	Street Cleansing	Parks and Open Spaces	Waste & Recycling
Brent	Outsourced	Outsourced	Outsourced
Camden	Outsourced	Outsourced	Outsourced
Enfield	In-house	In-house	In-house
Haringey	Outsourced	Outsourced	Outsourced
Harrow	In-house	In-house	In-house
Hertsmere	In-house	In-house	In-house
Hounslow	Outsourced	Outsourced	Outsourced

More detailed research has since been undertaken in order to evaluate the viability of a shared service option.

The research team engaged with representatives from three partnership models across London and the South East:

- East Sussex Joint Waste Partnership
- South London Waste Partnership
- Surrey Waste Partnership

The East Sussex Joint Waste Partnership was formed in 2011 between Eastbourne, Hastings, Rother and Wealden councils. The partnership used a competitive dialogue process to procure a single joint contract to deliver waste collection, recycling, street (and beach) cleaning and other associated services. The contract was awarded to Kier and was implemented in April 2013.

The South London Waste Partnership has been formed between Croydon, Kingston, Merton and Sutton councils. This partnership model was originally formed to deliver services in-house as a joint waste disposal authority but has since moved towards a joint procurement approach. A contract is currently in the final stages of being secured; with Veolia as the preferred bidder and Amey as the reserve bidder.

The Surrey Waste Partnership is in the process of forming. Councils which have committed to the partnership to date include; Elmbridge Borough Council, Mole Valley District Council, Surrey Heath Borough Council, Woking Borough Council, and Surrey County Council (which is already a waste disposal authority). The aim of the partnership is to procure a joint contract for service delivery from an external provider. The contract is anticipated to achieve savings of up to £2 million per year.

3.1.3 Financial Impact

The findings of the shared service research indicate that a partnership of two local authorities can reasonably expect to achieve operational savings of between 5% and

10%. This percentage would be expected to increase to between 10% and 20% for a partnership of four authorities (or more).

	Cost	Potential Savings
2016/17 Level	13,636,969	
Low range savings (5%)	12,955,121	681,848
Medium range savings (7.5%)	12,614,196	1,022,773
High range savings (10%)	12,273,372	1,363,697

There is likely to be a need to transform services, prior to engaging in either a joint service agreement or tender process, in order to meet MTFs savings targets for 2017/18. The cost of transformation would need to be fully scoped as part of the Full Business Case, should this option be selected.

In addition to these savings, based on management, operations efficient and alignment, changes to policy-driven services based on the MTFs could also be achieved.

3.1.4 Evaluation Outcomes

Following the evaluation process, the project team have reached the following conclusions:

- Shared services need to have strong political backing (where possible cross-party support) in each of the local authority areas.
- The complex nature of shared services can result in longer timescales for preparation and transformation before a shared service can be established.
- One (or more) of the partner authorities must be prepared for Street Scene services to be managed from another local authority area.
- There are currently no neighbouring local authorities who are able to (or wish to) enter into a shared Street Scene service within the timescales required to meet the requirements of the current ADM process.
- Longer term savings can be achieved that meet the targets required as part of the MTFs.
- However, there is a risk to the 2017/18 MTFs savings targets if the timescales needed to implement a shared service were to be adhered to.

3.1.5 Key Risks and Benefits

Risks	Benefits
Lack of suitable shared service partners in neighbouring boroughs.	Shared resources (e.g. depot, contracts, overheads) could result in savings and a more resilient and efficient service.
Political appetite for sharing front line services has not been tested, therefore member views are not currently known.	Operational systems and processes can be brought together by taking the best from each partner. This could result in shared learning and expertise.
Complex governance structure could compromise strategic direction.	Minimal impact on locally based Street Scene staff.
Complex link between service delivery and customer contact across partnership.	Potential for cross-borough route optimisation, resulting in a more efficient service.
Potential delay in achieving 2017/18 and 2018/19 MTFS targets.	

3.2 Option A: In-house (with management support from The Barnet Group)

3.2.1 Description

The Barnet Group is a wholly owned local authority company which is controlled by the council as a Local Authority Trading Company (LATC). The Barnet Group has been engaged to provide senior management oversight to the Delivery Unit for an interim period from March 2016 (this is the current model of service delivery).

This option would continue and formalise this senior management oversight arrangement. The Barnet Group would continue to use their internal management resources and utilise suitable specialist support to help develop and deliver the financial and operational Key Performance Indicators (KPIs).

All staff, apart from two interim managers, have remained employees of the council, and remain on council terms and conditions¹ and this would continue for this model. The governance structure would continue as it is at present; with The Barnet Group providing senior management oversight of, and support to, the service.

3.2.2 Evaluation Process

The in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group) were not entered into a competitive procurement process with external companies. They were evaluated using the following process:

- Data from the 2015-16 ABC model provided a financial overview of how services were being run at the present time.
- The Commissioning Group prepared a set of Authority Requirements (ARs) as a minimum specification of how the service could be delivered in the future. Service leads were asked to demonstrate how they could achieve financial savings, deliver service efficiencies, and improve rates of customer satisfaction.
- The Delivery Unit prepared proposals for the in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group) to submit in response to the Commissioning Group ARs.
- The in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group) were evaluated by a panel, facilitated by the project team.

3.2.3 Financial Impact

The financial review of this option highlighted the key elements where changes in the current cost / budget model would be best applied, according to SSDU and TBG. Key management and operational changes are included in the table below:

Savings Description	Savings Type	2017/18	2018/19	2019/20
Management and Delivery Savings	Service management	232,877	582,192	712,607
Fleet	Vehicle usage	142,399	-18,531	192,876
Post changes and overtime review	Structure and management	1,264,828	1,416,815	1,279,064
Income generated to achieve full cost recovery	Income growth	25,000	25,000	1,360,380
Tree planting to be funded from non-budget sources	Income growth	50,000	50,000	50,000
Alternative disposal site for green waste, at reduced cost per tonne and transportation	Service delivery	50,000	100,050	100,050
Cost Description	Cost Type	2017/18	2018/19	2019/20
Increase in insurance estimate	Insurance	-10,000	-10,000	-10,000
Additional funding for senior management posts	Staffing	-13,000	-13,000	-13,000
Additional TBG management fee	TBG Payment	-600,000	-600,000	-600,000
Contingency	TBG Payment	-250,000	-250,000	-250,000
IT system improvements	IT	-62,350	-62,350	-62,350

Overall, this option did not fully achieve a cost model within the affordability criteria which had been set. It also did not include the transformation cost as requested. The table below sets out the affordability for Street Scene services and contrasts this with the proposed running costs set out in Option A: In-house (with management support from The Barnet Group).

	2017/18	2018/19	2019/20
Affordability Criteria	£12,139,994	£11,089,994	£9,889,994
Option A (In-house)	£12,612,726	£12,284,168	£10,499,059
Variation	-£472,732	-£1,194,174	-£609,065

Key areas which were not included within the option and would need further funding included the cost of transformation. A menu of costs was put forward, whereby if all transformation costs requested were funded this would require an additional £4 million of funding between 2017/18 and 2021/22. There is likely to be a need to transform services, in order to meet MTFs savings targets for 2017/18. The cost of transformation would need to be fully scoped as part of the Full Business Case, should this option be selected.

3.2.4 Evaluation Outcomes

Following the evaluation process, the project team have reached the following conclusions:

- Assessment of the proposal and presentation put forward by the Street Scene Delivery Unit (SSDU) and The Barnet Group (TBG) resulted in a final score of 2.49 out of 5 for Lots 1-3 and 1.69 out of 5 for Lot 4. The benchmark set for a “satisfactory” offer was a score of 3 (see below):

Score	Category	Definition
0	Unacceptable	An unacceptable response or a response that is missing.
1	Poor	Response falls <u>significantly</u> short of the required standards of the council (as per the Authority’s Requirements).
2	Unsatisfactory	Response falls short of the required standards of the council (as per the Authority’s Requirements).
3	Satisfactory	Response meets the Authority’s Requirements and would meet the goals of the relevant council targets, strategies, and customer satisfactions rates.
4	Good	Response exceeds the Authority’s Requirements and would meet the goals of the

		relevant council targets, strategies, and customer satisfactions rates. It would also demonstrate improvement on the current approach and standards.
5	Excellent	A very good response which significantly exceeds the Authority's Requirements and would surpass the goals of the relevant council targets, strategies, and customer satisfactions rates. It would also demonstrate significant improvement on the current approach and standards.

Lots 1-3

- From the initial quality assessment, it was felt that the submission in many areas had come close to achieving a “3”. Due to a lack of detail around the customer experience, managing demand and a clear vision and route to achieve the change within the timescales, the assessors felt elements just fell short.
- To ensure that these areas could be assessed fully and openly (given the close nature of the scoring) the SSDU and TBG were asked to submit an addendum highlighting their approach to the customer experience, managing demand, visions and the route to achieve the changes.
- With the inclusion of the addendum material, the lot 1-3 submission can be categorised as ‘satisfactory’.

Lot 4

- The score was deemed as being unsatisfactory due to lack of separation between lot 3 (operational green space maintenance) and lot 4 (Greenspace management) as requested. This included lack of separation activities, costs and proposals. There was an unacceptably long lead in times for change, and a lack of clear vision linking to the council’s Parks and Open Spaces Strategy. As this lot fell significantly short, and would not deliver the outcomes of the strategy, a new delivery method was proposed.
- The financial basis for four had a lack of robustness and deliverable. Although these figures have been used to place the financial assessment (see 3.2.3) in a more positive bottom line position. The deliverability risk in this area is high.
- Due to the strategic and commissioning-led nature of this lot, the assessor believed that this lot should be transferred to the commissioning group in order to ensure that the outcomes of the strategy are achieved.

Lots 1-4

- It is anticipated that, overall, this option would cost £472,732 to £1,194,174 more than the target affordability criteria specified in the Authority’s Requirements.
- The Barnet Group annual management fee for this option was a significant amount; totalling at £850,000; including contingency funds.
- Ongoing work and oversight would still be required by the Commission Director for Environment with this option, although this has not been costed.
- There would be a risk to the MTFS savings targets.
- Significant transformation would be required, and is recommended, in order to mitigate against the financial risk. This cost has not been including in the option.
- The evaluation panel raised concerns as to the robustness of the proposal for achieving the MTFS.
- The evaluation panel raised concerns as to whether TBG has the capacity to deliver positive cultural change at ‘arms-length’ and whether this would have a negative impact on the high levels of performance currently demonstrated elsewhere in the Group.

3.2.5 Key Risks and Benefits

Risks	Benefits
Lack of vision for service transformation.	Minimal impact on Street Scene staff.
Potential delay in achieving 2017-18 MTFS savings targets.	Integration with other council services.
The Barnet Group are not Street Scene specialists.	Good understanding of residents and locality.

3.3 Option B: Local Authority Trading Company (The Barnet Group)

3.3.1 Description

As stated in section 3.2.1 above, The Barnet Group is a wholly owned local authority company which is controlled by the council. This option would involve the transfer of all services in scope to The Barnet Group. This option would also involve a TUPE

transfer of Delivery Unit staff to The Barnet Group. The Barnet Group would then be in a position to trade Street Scene services commercially and generate a shared profit.

This model would involve a contract (which may be described as a service level agreement) between the council and The Barnet Group, setting out the key performance indicators and clearly defined savings targets.

3.3.2 Evaluation Process

The evaluation process for this option was conducted in the same manner as, and in parallel with, the evaluation process for the in-house option (with management support from The Barnet Group) as described in section 3.2.2 above.

3.3.3 Financial Impact

The financial review of this option highlighted the key elements where changes in the current cost / budget model would be best applied, according to SSDU and TBG. Key management and operational changes are included in the table below:

Savings Description	Savings Type	2017/18	2018/19	2019/20
Management and Delivery Savings	Service management	232,877	582,192	712,607
Fleet	Vehicle usage	142,399	-18,531	192,876
Post changes and overtime review	Structure and management	1,264,828	1,416,815	1,279,064
Income generated to achieve full cost recovery	Income growth	25,000	25,000	1,360,380
Tree planting to be funded from non-budget sources	Income growth	50,000	50,000	50,000
Alternative disposal site for green waste, at reduced cost per tonne and transportation	Service delivery	50,000	100,050	100,050
TBG Flex contract introduction	Staff Contracts	0	200,000	200,000
Enhanced financial control & accounting policy	Management	0	374,000	374,000
Additional Income from Advertisements	Income growth	0	50,000	50,000
Savings from additional redundant post	Structure and management	0	62,500	125,000
Addition unspecified savings	Unknown	400,000	400,000	400,000
Cost Description	Cost Type	2017/18	2018/19	2019/20
Increase in insurance estimate	Insurance	-10,000	-10,000	-10,000
Additional funding for senior management posts	Staffing	-13,000	-13,000	-13,000

Additional TBG management fee	TBG Payment	-350,000	-350,000	-350,000
Contingency	TBG Payment	-250,000	-250,000	-250,000
Additional Overhead costs		-50,000	-100,000	-100,000
IT system improvements	IT	-62,350	-62,350	-62,350

* **Shaded light blue areas indicate variation from option A**

Overall, this option did reach the affordability criteria which had been set, if transformation cost are disregarded. It should be noted that in the original criteria it was requested the transformation cost were included. The table below sets out the affordability for Street Scene services

	2017/18	2018/19	2019/20
Affordability Criteria	£12,139,994	£11,089,994	£9,889,994
Option B (TBG)	£12,012,726	£11,047,668	9,200,059
Variation	£127,268	£42,326	£689,935

As stated above a key area which were not included within the option, and would need further funding, included the cost of transformations. If all transformation costs requested were funded, this would require an additional £4 million between 2017/18 and 2021/22. There is likely to be a need to transform services in order to meet MTFs savings targets for 2017/18. The cost of transformation would need to be fully scoped as part of the Full Business Case, should this option be selected.

It should be noted that crucial areas of the TBG proposal are based on the use of TBG flex. This would mean that new staff being employed by TBG after a TUPE transfer who be on different terms and condition to those who have transferred from LBB.

3.3.4 Evaluation Outcomes

Following the evaluation process, the project team have reached the following conclusions:

- Assessment of the proposal and presentation put forward by the Street Scene Delivery Unit and The Barnet Group resulted in a final score of 2.53 out of 5 for Lots 1-3 and 1.69 out of 5 for Lot 4 in the panel exercise. The benchmark for a "Satisfactory" offer was set at 3 (see below).

Score	Category	Definition
0	Unacceptable	An unacceptable response or a response that is missing.

1	Poor	Response falls <u>significantly</u> short of the required standards of the council (as per the Authority's Requirements).
2	Unsatisfactory	Response falls short of the required standards of the council (as per the Authority's Requirements).
3	Satisfactory	Response meets the Authority's Requirements and would meet the goals of the relevant council targets, strategies, and customer satisfactions rates.
4	Good	Response exceeds the Authority's Requirements and would meet the goals of the relevant council targets, strategies, and customer satisfactions rates. It would also demonstrate improvement on the current approach and standards.
5	Excellent	A very good response which significantly exceeds the Authority's Requirements and would surpass the goals of the relevant council targets, strategies, and customer satisfactions rates. It would also demonstrate significant improvement on the current approach and standards.

Lots 1-3

- From the initial assessment it was felt that the submission had come close to achieving a "3" in many areas. Due to a lack of detail around the customer experience, managing demand, and a clear vision for achieving change, the assessors felt elements just fell short.
- To ensure that these areas could be assessed fully and openly (given the close nature of the scoring) the SSDU and TBG were asked to submit an addendum, highlighting their approach to; the customer experience, managing demand, visions and the route to achieve the changes.
- With the inclusion of the addendum material, the lot 1-3 submission overall can be categorised as 'satisfactory'.

Lot 4

- The score was deemed as being 'unsatisfactory' due to lack of separation between lot 3 (operational green spaces maintenance) and lot 4 (green spaces governance) as requested. There was a lack of separation activities, costs and proposals. There was an unacceptably long lead in times for change, and a lack of clear vision linking to the council's Parks and Open Spaces Strategy. As this lot would not deliver the

outcomes of the strategy, a new delivery method was proposed by the evaluation panel.

- The financial basis for four had a lack of robustness and deliverable. Although these figures have been used to place the financial assessment (see 3.2.3) in a more positive bottom line position. The deliverability risk in this area is high.
- Due to its strategic and commissioning nature, the assessor believed that this lot should be transferred to the commissioning group in order to ensure the outcomes of the strategy are achieved.

Lots 1-4

- It is anticipated that, overall, this option could deliver additional savings of between £42,327 and £689,935 above the affordability criteria budget specified in the Authority's Requirements. It does not include however, the transformation costs.
- A significant amount of the savings relies on the unspecified addition £400,000 offered by TBG, it is unclear however where these would be made from. As such there would be significant risk attached to them.
- There would be a risk to the 2017/18 MTFs savings targets if a contract could not be agreed that would enable the transfer of staff by 01 October 2017. Any contract would require a period of full staff consultation prior to implementation.
- Significant transformation is recommended in order to mitigate against financial risk.
- The evaluation panel raised concerns as to the robustness of the proposal for achieving the MTFs. Confirmation is still outstanding as to whether this option could operate at the target budget specified in the Authority's Requirements.
- All ownership of risk would ultimately fall to the council, however, the ability to influence change would be reduced with this option.
- The evaluation panel raised concerns as to whether TBG has the capacity to deliver positive cultural change within such a large area of service, and whether there could be a negative impact on the high levels of performance elsewhere in the group.
- There are HR implications in regards to the TBG proposal to put new starters on to The Barnet Group terms and conditions (e.g. 'TBG Flex'). Under the Transfer of Undertakings Protection of Employment Regulations 2006 (TUPE), the contracts

of employment of staff currently working in the Street Scene Delivery Unit and employed by the council would transfer to The Barnet Group should this option be pursued. According to TUPE any changes to the terms of these contracts of employment would be void if they are made because of the transfer; not for an economic organisational and technical reason related to the workforce. TBG is not proposing to change TUPE staff terms and conditions. The use of TBG Flex for new employees means that any new employees would have different terms and conditions. There may be concern that transferred staff could be on more favourable terms and conditions than those new staff employed directly employed by TBG on TBG Flex terms and conditions.

- Under the Equality Act 2010 anyone employed under a contract personally to do work is entitled to contractual terms that are as favourable as those of a comparator in the “same employment” of the other gender, if they are employed on equal work (this is; like work, work rated as equivalent, or work of equal value). The 2010 Act implies a sex equality clause into every employee’s contract of employment guaranteeing that the terms of their contract will be as favourable as those of the other gender but in the “same employment”. The sex equality clause does not operate if the employer shows that the difference in contractual terms is due to a material factor which is neither directly nor indirectly sex discriminatory. A factor that is ostensibly gender-neutral but which, in practice, has a disproportionate adverse effect on women will need to be objectively justified by the council. There is therefore a risk that employees could bring equal pay claims as a result of the two-tier workforce arising from the transfer but the council would be able to defend against such claims by relying on a gender neutral reason for the difference in pay,

- The Government has published “Principles of Good Employment Practice” which provides that “*where a supplier employs new entrants alongside former public sector workers, new entrants should have fair and reasonable pay, terms and conditions. Suppliers should consult with their recognised trade unions on the terms and conditions offered to new entrants*”. The Best Value Authorities Staff Transfers (Pensions) Direction 2007 requires local authorities to ensure that staff transferring from the local authority are able to acquire pension benefits that are the same as, if not broadly comparable to, the LGPS pension scheme. TBG would therefore have to permit the transferring employees to remain in the LGPS by becoming an admitted body to that scheme and paying the requisite contributions; or offer membership to an equivalent scheme certified by the Government Actuary's Department as being broadly similar to the LGPS scheme.

3.3.5 Key Risks and Benefits

Risks	Benefits
Potential delay in achieving 2017-18	Integration with other TBG services

Risks	Benefits
MTFS savings targets	(e.g. grounds maintenance)
The Barnet Group are not Street Scene specialists	Good understanding of residents and locality
Potential lack of appetite of TBG Board	Risks owned by TBG
Impact on staff (TUPE)	
Council would retain costs associated with managing the vehicle fleet	

3.4 Option C: Outsourced

3.4.1 Description

A commercial provider would be procured via a competitive process to run the Street Scene services in scope. The council would take no role in the ownership of the service model and would therefore not be involved in service governance beyond the scope of what is outlined in the contract; strategic objectives would therefore be specified in the contract. For this option, the council can choose which areas it would like to share the risk, or reward, of delivery (and any potential growth) and set the contract accordingly.

This option would involve the transfer of all services and the TUPE transfer of Street Scene Delivery Unit staff to the outsourced provider(s). The TUPE transfer of staff from the Council would give rise to similar issues for the outsourced provider as for TBG as set out at 3.3.4 above.

3.4.2 Evaluation Process

At the time of writing OBC1, some initial market testing was carried out to ascertain market appetite for outsourcing local authority environmental services. The results of this initial testing confirmed an active tendering landscape across London and a market that was attractive to many of the conventional service providers; including (but not limited to) Amey, Biffa, and Veolia.

This suggested that there would be a commercial appetite for this option, should the decision be made to outsource services to an external provider(s).

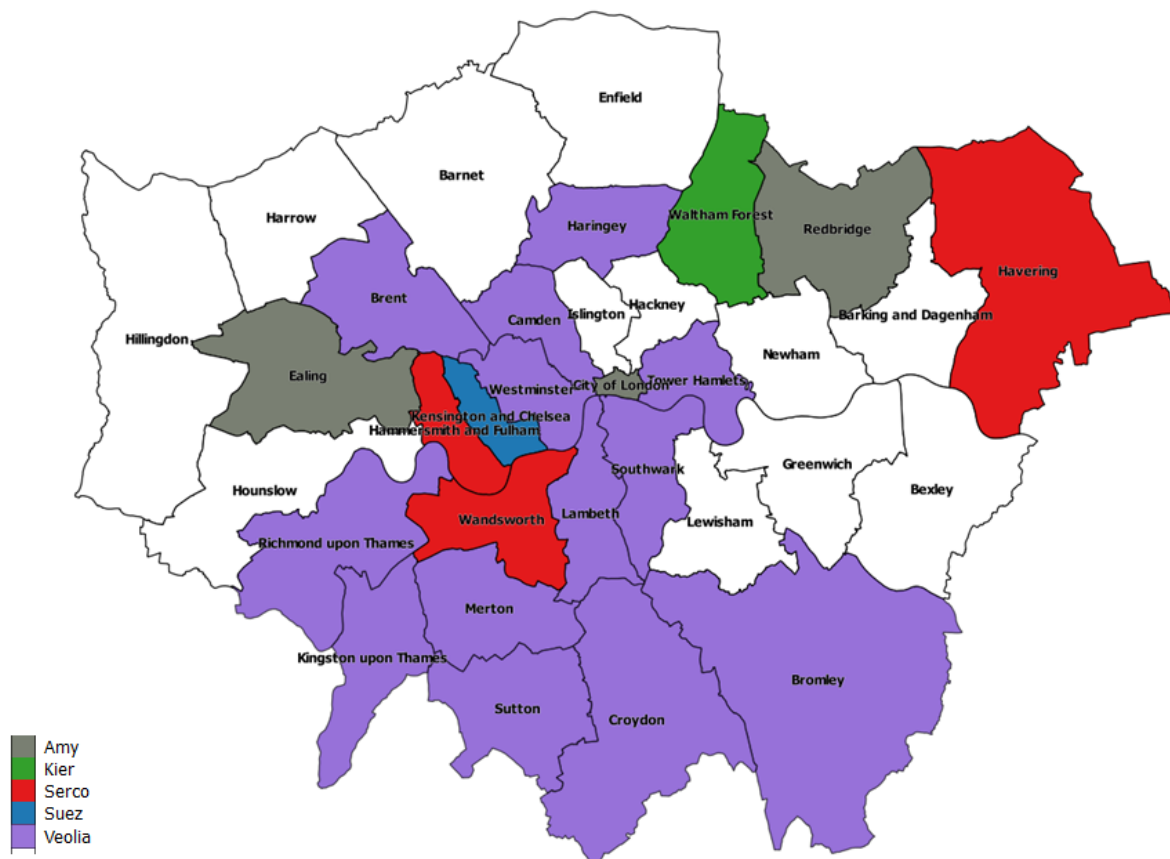
As the project progressed towards OBC2, some more rigorous market testing has been undertaken in order to gain a greater understanding of what other contracts are being tendered at the present time. Should the decision be taken to pursue an outsourced option, the knowledge gained from the results of market testing would help ensure that the most competitive offer could be obtained.

The research team has identified the key providers in the London market. These are:

- Amey
- Biffa
- Kier
- Serco
- Suez
- Veolia

These six providers currently hold more than 170 Local Authority contracts between them. The London market is dominated by Veolia; who currently hold contracts with 13 London Boroughs.

The map below depicts the London market (current as of December 2016):



In total, 21 out of 33 London Boroughs have chosen to outsource Street Scene services to a private sector provider (areas in white denote boroughs with in-house services).

3.4.3 Financial Impact

The results of the soft-market testing indicate that the council, by outsourcing services, can reasonably expect to achieve savings of between 9% and 19%. This is based on an operating budget of £16,305,211 (before income).

The results of the soft-market testing also indicate that the stand-alone cost of procurement would be in the region of £450,000, comprised of; £200,000 for procurement costs, £100,000 for legal costs, and £150,000 for the cost of developing the tender documents.

In addition, there would be a recurring annual cost of £250,000 for managing the contract.

There is also likely to be a need to transform services, prior to completing the procurement process, in order to meet MTFs savings targets for 2017/18. The cost of transformation would need to be fully scoped as part of the Full Business Case, should this option be selected.

	Cost	Potential Savings
2016/17 Level	13,636,969	
Low range savings (9%)	12,409,642	1,227,327
Medium range savings (14%)	11,727,793	1,909,176
High range savings (19%)	11,045,945	2,591,024

In addition to these savings, based on management and alignment, changes to policy-driven services based on the MTFs could also be achieved.

3.4.4 Evaluation Outcomes

Following the evaluation process, the project team have reached the following conclusions:

- It is likely the outscored option would deliver savings in excess of the current MTFs target required for the ADM project.
- It is anticipated that the time needed to plan would be about two years; including planning, procurement and mobilisation. This would mean that the earlier MTFs savings would be at risk. However, the savings targets for 2019/20 and 2020/21 would be significant exceeded.
- An outsourced sector specialist would deliver economies of scale for procurement of any new fleet. The cost of the fleet could be spread as either a revenue payment or capital payment.
- The contract would need to be set at a minimum seven-year period, in line with the standard lifecycle of a recycling and waste vehicle.

- Economies of scale would be possible for back office functions, although some of this saving would be transferred to the creation of a client team to manage the contract.

3.4.5 Key Risks and Benefits

Risks	Benefits
MTFS 2017/18 savings at risk	Increased potential to achieve long-term savings and generate income
Impact on staff (TUPE)	Service efficiencies and innovation
Cost of procurement process and contract management	
Political appetite	

3.5 Definition of Assessment Criteria

The following assessment criteria were identified in OBC1 and approved by Full Council on 01 November 2016. The successful option will evidence, to the highest standard, how each of the following assessment criteria will be met.

3.5.1 Cost versus Savings

- Understands unit costs and how these impact on service budgets
- Produces service budgets which are both thematic and place-based
- Sustains a long-term financial vision underpinned by sound financial planning
- Deliver Medium-Term Finance Strategy (MTFS) savings on time and in full

3.5.2 Place-Based Service

- Understands local diversity (residents and businesses) and how this impacts on service needs
- Is aware of the importance of developing the local economy
- Is aware of how local issues can influence place-based improvements, including across other council services
- Engages effectively with stakeholders and strategic partners
- Provides evidence of solution-focused partnership working

3.5.3 Technology and Innovation

- Demonstrates a working culture that supports innovation and challenges staff to engage with new technologies
- Has the ability to innovate
- Draws synergy between customer contact and improving service efficiency
- Reduces hand-offs in the customer journey
- Ensures feedback from customers that can inform future solutions

3.5.4 Income Generation

- Understands the council's entrepreneurial aspirations for the borough
- Understands service income streams and demonstrates the ability to develop plans to grow key business areas
- Has a track record of gaining investment
- Provides evidence of successful bids
- Demonstrates a full understanding of; asset-based control by service, maximising financial return, and adding social value

3.5.5 Continual Service Improvement

- Maintains and delivers high quality services with targets based on both quality and perception
- Demonstrates effective stakeholder engagement across a spectrum of internal and external partners
- Adapts services to meet changing needs
- Engages with diverse workforce and representatives from trade unions

3.5.6 Track Record

- Is known to deliver high quality, effective services
- Track record proven by:
 - Current (or previous) working relationship with the council and / or partners
 - Professional (market) reputation
 - Examples of best practice at other local authorities

3.6 Conclusions

Based on the detailed evaluation of the four possible options outlined in the section above, which includes the results of the soft market testing and shared service research undertaken as a benchmarking exercise, project board has reached the following conclusions:

- The Parks and Open Spaces service can be divided into two distinct lots; Green Space Maintenance and Green Space Governance. This division is more likely to achieve greater savings and service efficiencies whilst maintaining high levels of customer satisfaction, than the current service model.
- The shared service option (**Option D**) is unlikely to meet the project objectives.
- Three options are most likely to meet the project objectives:
 - **Option A:** In-house (with management support from The Barnet Group)
 - **Option B:** Local Authority Trading Company (The Barnet Group)
 - **Option C:** Outsourced.

Each of these three options contain benefits, risk and challenges in different areas, as highlighted in the table below:

Option	Cost vs. Savings	Place-based Service	Technology and Innovation	Income Generation	Service Improvement	Track Record
In-house	A	G	R	A	A	A
LATC	A	G	A	G	A	R
Outsourced	G	R	G	A	A	G

4. Project Approach

This section of the paper describes the project approach, including:

- Approach to the initial and revised Outline Business Cases (OBC1 and OBC2)
- Key project activity
- Project resources

4.2 Approach to the Initial and Revised Outline Business Cases

Typically, the assessment phase would involve the production of an Outline Business Case (OBC) and a Full Business Case (FBC). However, in the case of the Street Scene ADM, two OBCs have been produced in order to better ensure a robust approach to the options analysis process.

4.2.1 Initial Outline Business Case (OBC1)

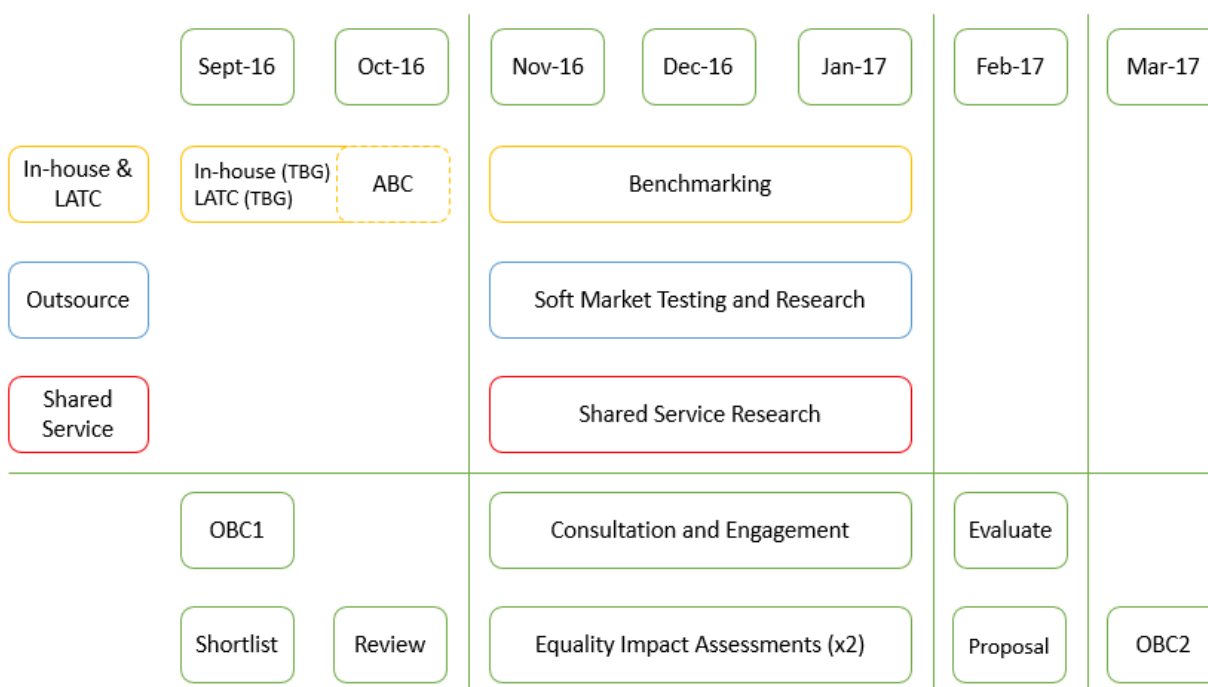
- Defined service lots that offer the best opportunities for financial efficiencies and service innovation.
- Defined a robust set of options appraisal criteria to be used to evaluate the options for alternative delivery.
- Defined and assessed a longlist of options for alternative delivery; including the in-house options (pre-December 2015) and (with management support from The Barnet Group), and the Local Authority Trading Company option (The Barnet Group).
- Proposed a shortlist of options for alternative delivery recommended for full evaluation in OBC2.
- Prepared the Authority Requirements (ARs) and service specifications for which the in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group) were priced against.
- Initiated staff and trade union engagement on the ADM process, including project progress to date, as per the change management strategy plan.

- Prepared and agreed the approach to public consultation on the shortlist of options for alternative delivery.
- Completed initial Equality Impact Assessments (EIAs) for both staff and service users, to identify whether any protected groups could be affected by the possible changes to service delivery.

4.2.2 Revised Outline Business Case (OBC2)

- Confirms options shortlist, as recommended in the initial Outline Business Case (OBC1); the in-house option (with management support from The Barnet Group), the Local Authority Trading Company option (The Barnet Group), the shared service option, and the outsourced option*.
- Delivers public consultation and staff engagement activity on the options shortlist (dependent on OBC1) and pays due regard to results.
- Completes revised Equality Impact Assessments (EIAs) for both staff and service users to identify whether any protected groups could be affected, should any of the shortlisted options be implemented.
- Refreshes market research and soft market testing for benchmarking against the shortlisted in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group).
- Refreshes shared service research and confirm the viability of a shared service option.
- Fully evaluates the options shortlist and identifies conclusions for review by Members.

The diagram below depicts the approach to OBC2 as described above:



4.2.3 Key Milestones

The table below identifies target dates for the assessment phase of the project, for both OBC1 and OBC2.

Key Milestone	Deliverable	Date Due	RAG
Initial Outline Business Case (OBC1)	Development of OBC1	March to July 2016	Complete
	Agree service lots	March 2016	Complete
	Change Management Strategy to SPB	April 2016	Complete
	Develop ARs	April to June 2016	Complete
	Staff engagement on in-house option (TBG) and LATC option (TBG)	May to October 2016	Complete
	Update to SCB	May 2016	Complete
	Initial scoring of options longlist	June 2016	Complete
	Identify options shortlist	June 2016	Complete
	In-house options response time opens	June 2016	Complete
	Initial EIAs complete (staff and service users)	July 2016	Complete
	Consultation and engagement plan complete	July 2016	Complete
	Draft OBC1 to project board	August 2016	Complete
	Final OBC1 to SCB	August 2016	Complete
	Final OBC1 to Committee	September 2016	Complete

Key Milestone	Deliverable	Date Due	RAG
Revised Outline Business Case (OBC2)	Development of OBC2	October 2016 to February 2017	Complete
	Options shortlist confirmed (dependent on outcome of OBC1)	October 2016	Complete
	Refresh ABC Financial Model (2016-17)	October 2016	Complete
	In-house option and LATC option response time closes	October 2016	Complete
	Public and staff consultation period	November 2016 to January 2017	Complete
	Evaluate In-house option and LATC option	November 2016	Complete
	Refresh soft market testing	November 2016 to January 2017	Complete
	Refresh shared service research	November 2016 to January 2017	Complete
	Report on public and staff consultation findings	January 2017	Complete
	Complete refreshed EIAs (staff and service users)	January 2017	Complete
	Draft OBC2 to SCB	January 2017	Complete
	Final OBC2 to project board	February 2017	Complete
	Final OBC2 to Committee	March 2017	Green
	Final OBC2 to Full Council (tbc)	April 2017	Green

4.2.4 Next Steps

The two tables below illustrate the difference in timescales between pursuing the shortlisted in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group), versus following a procurement process:

Route 1: Option A – In-house (with management support from The Barnet Group) and Option B – Local Authority Trading Company (The Barnet Group)

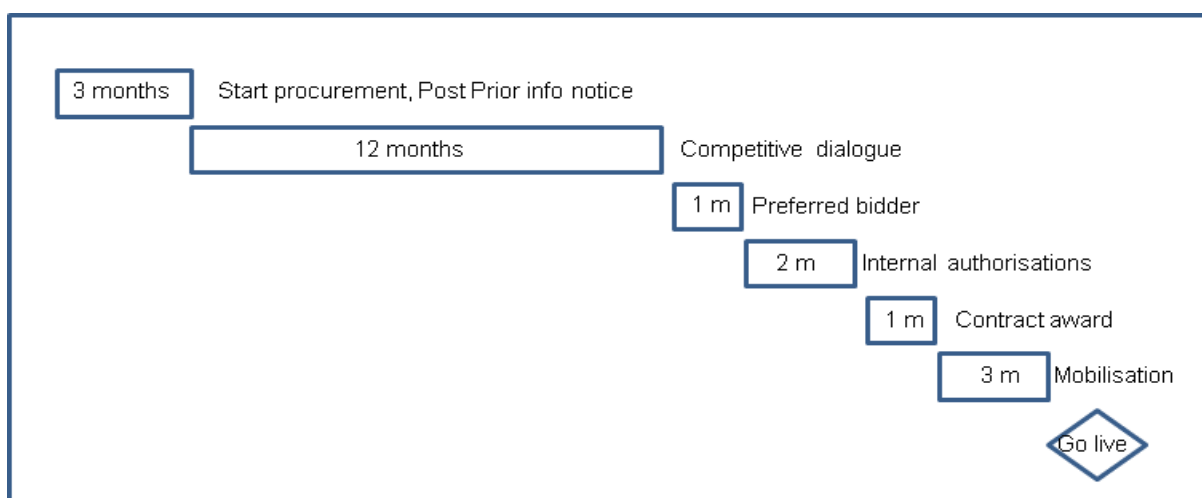
OBC1 to SCB	OBC1 to Committee	OBC2 to SCB	OBC2 to Committee	FBC	Mobilisation	Go Live
Aug-16	Sep-16	Feb-17	Mar-17	May-17	Jun-17	Oct-17

Route 2: Option C – Outsource (Procurement Process)

OBC1 to SCB	OBC1 to Ctte.	OBC2 to SCB	OBC2 to Ctte.	Procurement	FBC	Mobilisation	Go Live
Aug-16	Sep-16	Jan-17	Mar-17	May-17	Jun-18	Oct-18	Jan-19

Route 2 allows for a procurement process with built-in contingency around decision making. It assumes a three-month period prior to mobilisation in Oct-18 and a further three-month mobilisation period prior to 'Go Live' in Jan-19.

The graph below illustrates what a twelve-month procurement process would be expected to involve:



Any delay to implementing the chosen alternative delivery model carries the risk of not fully achieving the MTFs targets for 2017/18 and 2018/19. This is a greater risk for those models which will involve a procurement process. There are also the costs of change to be factored in, which may negate a portion of the short-term savings to be achieved.

4.3 Key Project Activity

The table below outlines the approach taken to key assessment phase project activities, as per the Barnet Project Management Toolkit.

These activities are in addition to the work being done towards the submission of the shortlisted in-house option (with management support from The Barnet Group) and the Local Authority Trading Company option (The Barnet Group).

Activity	OBC1	OBC2	Owner	Description
Consultation and Engagement	N	Y	Project Manager	Confirm need for consultation and engagement, identify external stakeholders and agree public consultation activity. Identify opportunities to link with

Activity	OBC1	OBC2	Owner	Description
				existing consultation activity in the wider Street Scene programme.
Change Management (staff engagement)	Y	Y	The Barnet Group (<i>previously Change Management Lead</i>)	Confirm need for change management, identify internal stakeholders, define key messages and agree staff engagement activity.
Initial Equalities Impact Assessment (staff and public)	Y	Y	Project Manager	Conduct predictive internal (employee) and external (service user / resident) equality impact assessments to identify whether the project will have any impact on groups with protected characteristics.
Market Engagement	N	Y	Procurement Lead	Requirements for market engagement: <ul style="list-style-type: none"> ▪ Formalities / 'due process' ▪ Timescales ▪ Appetite This will also include shared service research and soft market testing.

4.3.1 Consultation and Engagement

As a matter of public law, the duty to consult on proposals which may vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework.
- Where there is a requirement to consult in order to comply with the Best Value Duty to secure continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness in accordance with the Local Government Act 1999.
- Where the practice has been to consult or where a policy document states the council will consult then the council must comply with its own practice or policy.
- Where the matter is so important that there is a legitimate expectation of consultation.
- Where consultation is required to complete an equalities impact assessment.

There are currently no proposals to change service delivery, however the council should consider consulting the public regarding the aspects of service delivery that they consider to be important. In addition to senior council officers and members, the following key stakeholders may be consulted and engaged with as the project moves towards the revised Outline Business Case (OBC2):

- Key stakeholder groups, such as residents, local businesses, trusts, or 'friends of' organisations, to understand the opportunities and appetite for different levels of involvement from the community; this would be especially relevant for any potential separate Parks and Open Spaces Alternative Delivery Model.
- Employees and Trades Unions, to share challenges and issues and to inform them of the potential options and project approach.

Please also refer to the 'Approach to Consultation' section of this report for further detail.

A full report on the consultation findings is available in Appendix B.

4.3.2 Change Management

A robust approach to change management is currently in place, following the approval of the change management strategy for Street Scene by Strategic Partnership Board on 20 April 2016.

The strategy is currently being implemented by The Barnet Group. Engagement with staff, trade unions, and other senior stakeholders is ongoing. Staff engagement activities include (but are not limited to):

- Survey
- Briefings
- Newsletter
- Change champions network
- Suggestion boxes

The strategy applies to all areas of Street Scene where change management is required; not just the ADM project (e.g. Unified Reward, Mill Hill Depot relocation). Staff are also being engaged with on service transformation and the implications of the MTFS savings targets.

Staff are actively being encouraged by The Barnet Group and the Street Scene Delivery Unit senior management team to contribute suggestions for the in-house option (with management support from The Barnet Group).

4.3.3 Market Engagement

A market research and soft testing approach has been developed by the Procurement Lead as the project moved towards OBC2. The results of the soft market testing have been used to review the viability of the outsourced option, and to provide benchmarks

against which the in-house option (with management support from The Barnet Group), and the Local Authority Trading Company (The Barnet Group) option can be compared.

Please refer to section 3.4 of this report for further detail.

4.3.4 Equalities Impact Assessment

Initial equalities impact assessments (EIAs) for staff and service users have been completed for both OBC1 and OBC2, in accordance with Barnet project management good practice.

At this stage of the project, only the groups *likely* to be affected have been identified; for both the staff and service user EIAs. It is not yet known if these groups will definitely be affected and, if so, to what extent.

The results of the public and staff EIAs are available in Appendices C and D, respectively.

4.4 Project Resources

4.4.1 Project Governance

Full terms of reference for project board membership have been revised and updated in accordance with the changing needs of the project.

Project board membership is currently as follows (updated on 10/01/17):

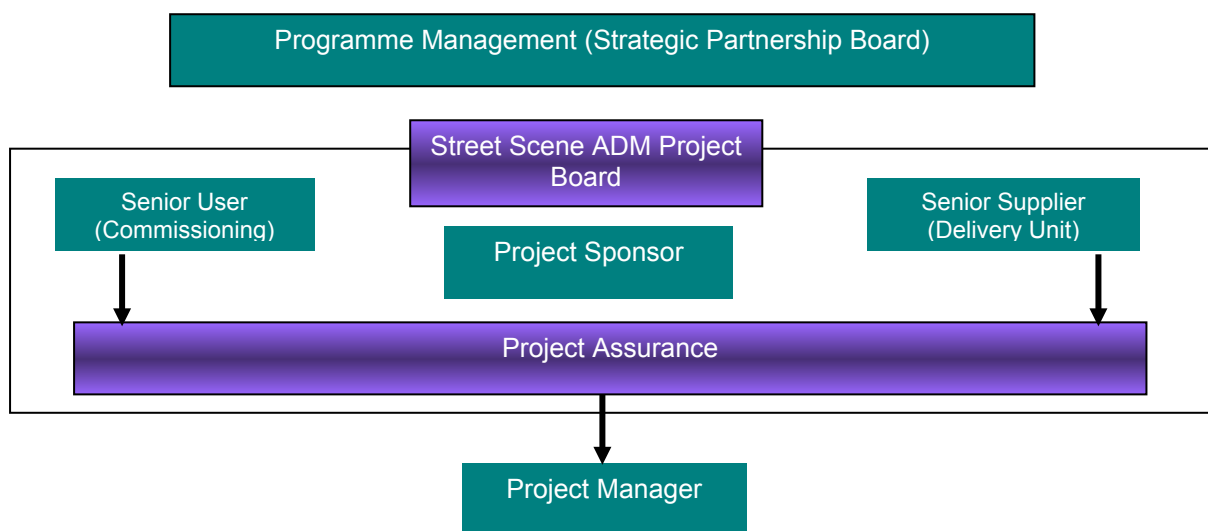
Name	Title	Project Role
Jamie Blake	Commissioning Director for Environment	Project Sponsor & Senior User
Helen Bailey	Partnership Relationship Manager	Commercial Advisor
Amy Blong	Project Manager, CSG	Project Manager
Chris Dawson	Procurement Transformation Lead, CSG	Procurement Lead
Kitran Eastman	Strategic Lead, Clean and Green	Senior User
Cara Elkins	Programmes and Resources Advisor	Project Assurance and Resources Advisor
Philip Hamberger	Partnership Relationship Manager	Commercial Advisor
Dennis Holmes	Interim Lead Commissioner, Parks and Green Spaces	Senior User
Patricia Phillipson	Interim Finance Director	Finance Advisor

Name	Title	Project Role
Andrew Stirland	Procurement Manager, CSG	Procurement Lead
James Wills-Fleming	Director of Corporate Programmes, CSG	Strategic Advisor

Subject matter experts from elsewhere in the council (and partners) attend project board as needed.

The role of the project board is to provide strategic direction for the project and to fulfil an assurance role in regards to products, timescales and costs.

The chart below depicts the role of project board in relation to senior stakeholders and the project manager:



The Programme Management function in the diagram above refers to the wider Environment Portfolio, which is managed through the Strategic Partnership Board (SPB). The ADM Project Board has a dotted line reporting function up to the Programme Level.

4.4.2 Project Team

The role and function of the project team differs from that of the project board. Project team members are responsible for the operational delivery of the project; including relevant products and deliverables as approved by the board.

As the project moved into the Assessment Phase, the project team has been delivering specified activities and products. Strategic input from subject matter experts from elsewhere in the business has been made available to the Commissioning Group, The Barnet Group and the wider Street Scene Delivery Unit. Operational support has continued to be provided by the Project Manager.

4.4.3 Project Budget

Project costs for the Street Scene ADM are being funded from the Street Scene Transformation budget, which is controlled by the project sponsor.

5. Expected Benefits

The table below summarises the anticipated financial and non-financial benefits to be realised by 2020. These benefits are in line with;

- MTFS targets
- Environmental commissioning intentions for the borough
- Increased customer satisfaction
- Transformation of services (to deliver strategy action plans)

Type	Description	Recipient	Value (£)	Deadline
Financial	MTFS targets	Council	£900k	2017/18 (£250k) 2018/19 (£550k) 2019/20 (£100k)
Non-financial	50% recycling rates across the borough	Council & Public	-	2020
Non-financial	Positive service user behaviour change	Council & Public	-	2020
Non-financial	High quality physical environment	Public	-	2020
Financial	Investment in public spaces	Council & Public	(tbc)	2020
Non-financial	Stronger local communities	Public	-	2020
Non-financial	Reduction in anti-social behaviour	Council & Public	-	2020
Non-financial	Improved customer satisfaction	Public	-	2020

These benefits are consistent with the assessment criteria outlined in the options appraisal in section 3.6 in this report.

6. Risks

All risks are being recorded and monitored in accordance with Barnet project management methodology.

The table below summarises the highest scoring project risks:

Description	Score	RAG	Mitigation
If the ADM project does not achieve the projected £900k savings by the timescales specified in the Commissioning Group plan, then there will be increased pressure on Street Scene to make savings elsewhere.	12	A	There will be a detailed analysis of the timescales and value of savings to be realised through the ADM. A financial model has been produced using the results from an Activity-based Costing (ABC) exercise. Opportunities for improvement will be identified as the project progresses.
If there is insufficient Member support for the project, then there is a risk of significant delay as a result of needing to re-evaluate alternative delivery options. There would also be a potential risk of project closure, if revised options are not approved.	12	A	The project sponsor will ensure regular and comprehensive Member engagement via updates to the Leader and portfolio holder for Environment.
If the proposed increased annual leave entitlement is enforced as part of the Unified Reward contractual changes, then there is a risk that staffing levels will need to increase in order to ensure consistency of service. Levels would increase either by using agency staff or by recruiting permanent staff. This will be at additional cost to the Delivery Unit and may have implications for annual savings targets.	12	A	Project board to be kept informed of any updates to the implementation of Unified Reward (UR), via standard internal council communications channels. Alternative Delivery Model (ADM) option leads to ensure that the options submitted for evaluation incorporate the Unified Reward contractual changes. Monitoring should continue until the contractual changes have been formally implemented across the council.

7. Project Assurance

The approach to project assurance is being managed in accordance with Barnet project management methodology.

To date, assurance has largely been provided by project board; through the strategic direction of project activity and quality control of key products. Key products have been approved as per Barnet corporate governance procedures.

The table below summarises assurance activity thus far:

Deliverable	Author	Review	Approval
Project Initiation Document	Programmes and Resources Advisor	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board 	Strategic Commissioning Board

Deliverable	Author	Review	Approval
ABC Financial Model (2015-16)	CSG Finance	<ul style="list-style-type: none"> ▪ Street Scene Delivery Unit ▪ Commissioning Group ▪ Project Sponsor ▪ Project Board 	Project Board
Strategic Outline Case	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board 	Strategic Commissioning Board
Initial Options Analysis (longlist)	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board 	Project Board
Change Management Strategy (staff)	Change Management Lead	<ul style="list-style-type: none"> ▪ Street Scene Delivery Unit ▪ The Barnet Group ▪ Project Sponsor 	Strategic Partnership Board
Consultation and Engagement Plan	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board ▪ Consultation and Engagement Lead (LBB) 	Consultation and Engagement Lead (LBB)
Initial Equalities Impact Assessments x2 (staff and service user)	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board ▪ Equalities Lead (LBB) 	Equalities Lead (LBB)
Initial Outline Business Case (OBC1)	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board ▪ Strategic Commissioning Board 	Environment Committee
Revised Outline Business Case (OBC2)	Project Manager	<ul style="list-style-type: none"> ▪ Project Sponsor ▪ Project Board ▪ Strategic Commissioning Board 	Environment Committee

8. Dependencies

All dependencies are being recorded and monitored in accordance with Barnet project management methodology.

The table below summarises the project dependencies as follows:

Description	Monitoring Required
<p>Street Scene Strategies The Alternative Delivery Model (ADM) will be the delivery vehicle for the following strategies:</p> <ul style="list-style-type: none"> - Waste and Recycling - Parks and Open Spaces - Street Cleansing Framework - Playing Pitch - Enforcement <p>The strategies will therefore shape the service requirements of the ADM. Any delay, or amendment, to implementing the strategies will have a subsequent impact on the delivery timescales, or content, of the ADM.</p>	<p>This will be monitored as needed by the project manager and Commissioning Group (author of the Street Scene strategies) until such a time as the final versions of each strategy have been formally signed off by Environment Committee.</p>
<p>Depot Relocation Project The implementation of the Alternative Delivery Model (ADM) is operationally dependent on the relocation of the depot facilities. Any delay, or unforeseen amendment, to the depot relocation will not only have a subsequent impact on day-to-day service delivery operations ('business as usual') but could also impact the delivery of the ADM (e.g. additional fuel costs, route rationalisation etc.)</p>	<p>ADM Project Manager to liaise with the Depot Relocation Project Manager (and / or the Project Sponsor) to monitor depot relocation progress. Escalate any changes project delivery to project board members as appropriate, including ADM option leads, up to the submission of the ADM options for evaluation.</p>
<p>Medium-Term Finance Strategy (MTFS) The savings target assigned to the ADM is dependent on the MTFS targets allocated to the wider Street Scene programme. To date, the ADM has been assigned a total of £900k to be achieved by 2019/20 (£250k in 2017/18, £550k in 2018/19, and £100k in 2019/20). If there were any further changes to the MTFS allocation for the ADM, then this could have an impact on service requirements (e.g. a higher savings target could alter how services would need to be delivered).</p>	<p>Project Manager to monitor MTFS savings allocation within the wider Street Scene Programme and escalate any changes in allocation (anticipated or actual) to project board members as appropriate.</p>
<p>The Way We Work (Smarter Working) There are two ways in which the ADM could be dependent on The Way We Work. The first is if the principle of locality-based working is adopted; whereby staff would be based in 'hubs' throughout the borough, rather than in a</p>	<p>Project board to be kept informed of any updates to the implementation of The Way We Work, via standard internal council communications channels. ADM leads to ensure that the option(s) implemented is in line with known strategic drivers.</p>

Description	Monitoring Required
<p>central office. The second is through the use of smarter technology (e.g. smartphones); whereby staff could be encouraged to adopt a more innovative to service delivery (e.g. communicating with customers and / or colleagues via an app). Any proposed ADM would need to incorporate these potential changes.</p>	
<p>Customer Access Strategy The ADM would need to be able to incorporate any changes to customer service proposed by the strategy. The strategy will therefore shape the customer service requirements of the ADM. Any delay, or amendment, to implementing the strategy would require the ADM to adapt service plans as necessary.</p>	<p>Project board to be kept informed of any updates to the implementation of the Customer Access Strategy, via standard internal council communications channels. ADM leads to ensure that the option(s) implemented is in line with known strategic drivers.</p>
<p>Information Technology The ADM would need to incorporate any changes to use of information technology (IT) as part of wider service delivery across the council. This is also in line with one of the assessment criteria for the ADM, which requires evidence of innovation within service delivery; making best use of existing and new technologies as available. The ADM would therefore need to be consistent with, if not better than, council IT policy and best practice.</p>	<p>Project board to be kept informed of any updates to the council-wide use of IT, via standard internal council communications channels. ADM leads to ensure that the option(s) implemented incorporate IT best practice and, where possible, examples of technological innovation.</p>

9. Approach to Consultation

9.1 Legal Requirements

In most cases consultation will be necessary and will be a relevant consideration in decision-making. It is anticipated that public consultation will need to continue take place as the project progresses.

There are a variety of legal requirements to consult; firstly, a statutory duty, secondly, a common law duty of fairness and, thirdly, a legitimate expectation based on custom and practice or promise of consultation.

Findings from consultation will form a central part of the decision-makers' consideration of project proposals and any subsequent policies. In considering the findings decision-makers will consider the alternatives and all the countervailing

circumstances; including, where appropriate, any budgetary requirements when making their decision.

The project team must recognise the best value duty to consult, the best value principles, plus any other statutory consultations linked to the project. In particular, the project team will need to ensure that the consultation findings will allow decision-makers to pay due regard to any protected characteristics which could be impacted by any proposed changes.

9.2 Project Approach

9.2.1 Initial Outline Business Case (OBC1)

A full Consultation and Engagement Plan, available as an appendix to OBC1, has been used to demonstrate how the council intended to consult with citizens at various stages of the project life cycle. A library of evidence has been kept by the project team to promote transparency.

9.2.2 Revised Outlined Business Case (OBC2)

To date, both the staff and public have been consulted on the options shortlist identified in OBC1. The consultation period opened on 09 November and closed on 15 January.

A full report on the consultation findings is available in Appendix B.

10. Appendices

This document is an appendix to the Revised Outline Business Case (OBC2) Cover Report submitted to Environment Committee for approval on 15 March 2017.

The following additional appendices are also available:

- Appendix B: Consultation and Engagement Report
- Appendix C: Revised Initial Service User EIA
- Appendix D: Revised Initial Staff EIA

Document History

Date	Version	Reason for Change
10/01/17	DRAFT	-
17/01/17	1.0	Input from Strategic Lead
26/01/17	2.0	Input from Strategic Lead
26/01/17	3.0	Input from Strategic Lead
13/02/17	4.0	Input from Project Board
28/02/17	5.0	Input from HB Law

01/03/17	6.0	Input from Clearance
02/03/17	7.0	Input from Strategic Lead
03/03/17	8.0	Input from Project Sponsor
06/03/17	9.0	Input from the Lead Member for the Portfolio

Distribution List

Name	Role	Version	Date
Kitran Eastman	Strategic Lead	DRAFT	16/01/17
Jamie Blake	Project Sponsor	3.0	27/01/17
Strategic Commissioning Board	Project Governance	3.0	31/01/17
Project Board	Project Governance	3.0	07/02/17
HB Public Law	Legal Advice	4.0	13/02/17
Clearance List	Clearance Process	4.0	13/02/17
Governance Lead	Corporate Governance	4.0	13/02/17
Trade Unions	Trade Unions	4.0	15/02/17
Trade Unions	Trade Unions	5.0	28/02/17
Kitran Eastman	Strategic Lead	6.0	01/03/17
Jamie Blake	Project Sponsor	6.0	01/03/17
Councillor Cohen	Lead Member for Portfolio	8.0	03/03/17
Paul Frost	Governance Champion	9.0 (FINAL)	06/03/17

¹ Extract taken from the Street Scene Delivery Unit Management Changes report, submitted to Policy and Resources Committee on 22 March 2016.

What's the Future for Recycling, Waste, Parks and Cleansing across Barnet?

Final Consultation Report

November 2016 to January 2017

1. Consultation Methodology and Respondent Profile

As is usual practice, the options appraisal for the Street Scene ADM project has been subject to a formal public consultation. This report sets out the full findings of this consultation, which will be considered by Environment Committee on 15 March 2017, where the decision will be taken on which alternative delivery model option to progress.

1.1 Methodology

The process for delivering the consultation was as follows:

- The consultation was open for ten weeks; from the week commencing 07 November 2016 to the week ending 15 January 2017.
- The consultation questionnaire was published on Engage Barnet <http://engage.barnet.gov.uk> together with the consultation document, which provided detailed background information on the Street Scene ADM project and reasons for consultation.
- Respondents' views were gathered via an online survey. Paper copies and an easy read version of the consultation were also made available on request.
- The consultation was promoted via the following channels;
 - Council website
 - Local press
 - Social media (Twitter, Facebook etc)
- A separate questionnaire was made available to Street Scene Delivery Unit staff.

1.2 Questionnaire Design

The questionnaire was developed to ascertain resident (and other stakeholder) views on the shortlist of options put forward in the revised outline business case (OBC2) for the alternative delivery of Street Scene services.

In particular the consultation invited views on:

- Street Scene services
- The aims of future service delivery
- The assessment criteria used to evaluate alternative delivery model options for future service delivery
- The options which were shortlisted
- The options which were discounted

In order to enable further understanding and in-depth analysis, the questionnaire included some open ended questions, where respondents were invited to elaborate on their views and express any concerns.

The questionnaire also recorded key demographic information in order to help officers understand the views of different demographic groups.

Throughout the questionnaire, and where applicable, hyperlinks were provided to the relevant sections of the consultation document.

1.3 Consultation Response Rates

A total of 531 questionnaires have been submitted; 506 by the general public (and interested groups) and 25 by Street Scene Delivery Unit staff.

The results of the staff engagement can be found in Section 3 of this report.

1.4 Respondent Profile

Of the 506 public questionnaires responses received, all were via the online questionnaire. No paper questionnaires were returned.

The council is required by law, Equality Act 2010, to pay due regard to equalities in eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations between people from different groups.

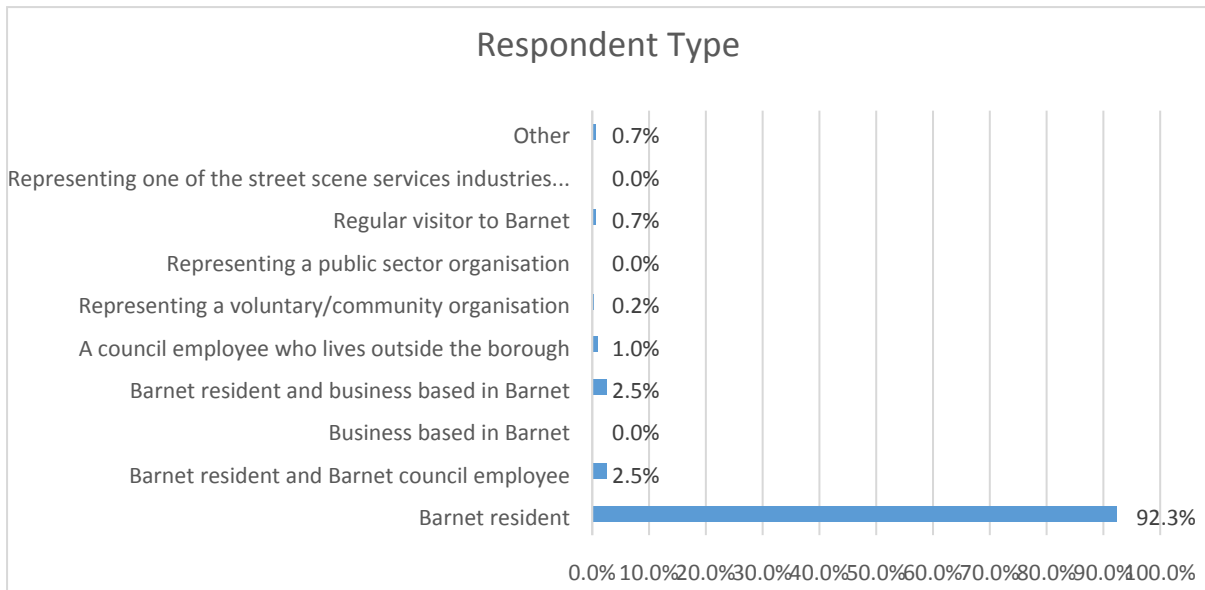
The protected characteristics identified in the Equality Act 2010 are age, disability, ethnicity, gender, gender reassignment, marriage and civil partnership, pregnancy, maternity, religion or belief and sexual orientation.

To assist us in complying with the duty under the Equality Act 2010 we asked the general public consultation respondents to provide equalities monitoring data and explained that collecting this information will help us understand the needs of our different communities. All personal information provided will be treated in the strictest confidence and will be stored securely in accordance with our responsibilities under the Data Protection Act 1998.

The graphs below summarise the demographic profiles of those who responded.

1.4.1 Respondent Type

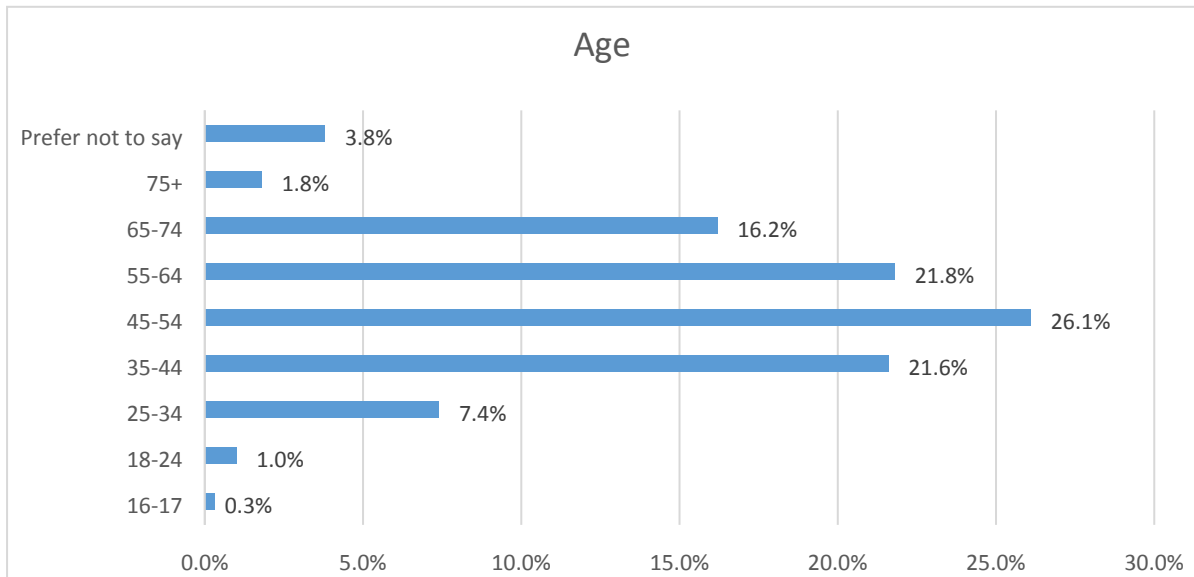
Graph A



The majority of respondents, 92.3%, were Barnet residents, compared with 2.5% of respondents who were Barnet residents and council employees, and 2.5% of respondents who were Barnet residents and local business owners.

1.4.2 Age

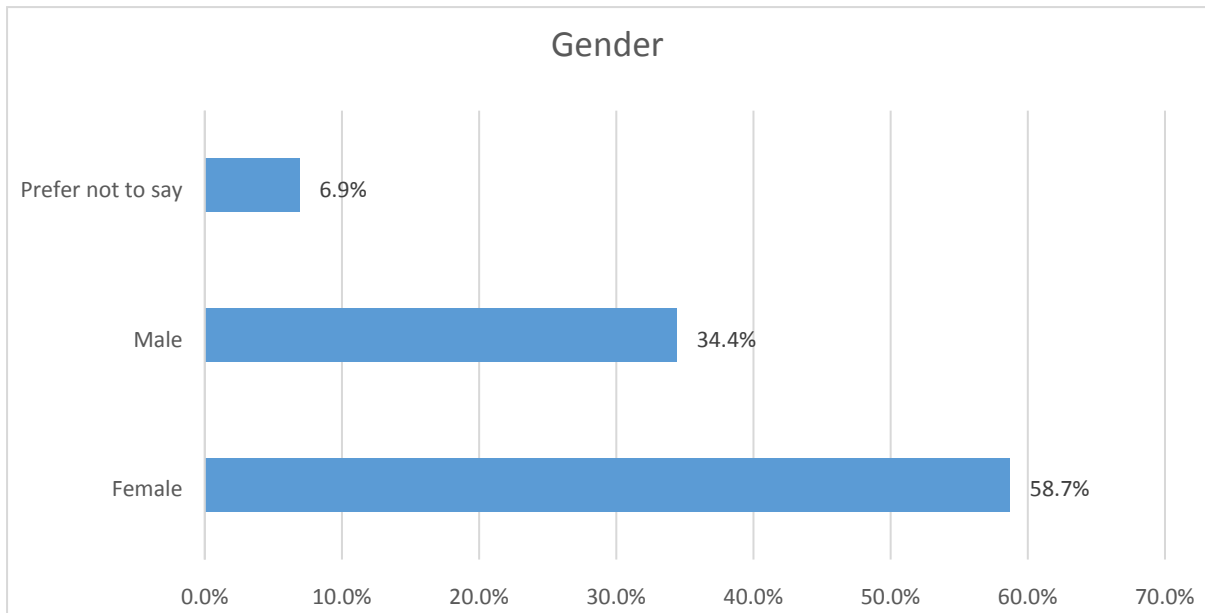
Graph B



69.5% of all respondents were aged between 35 and 64. The highest response rate was from respondents aged between 45 and 54, at 26.1%, followed by respondents aged 55 to 64, at 21.8%, and respondents aged 35 to 44, at 21.6%.

1.4.3 Gender

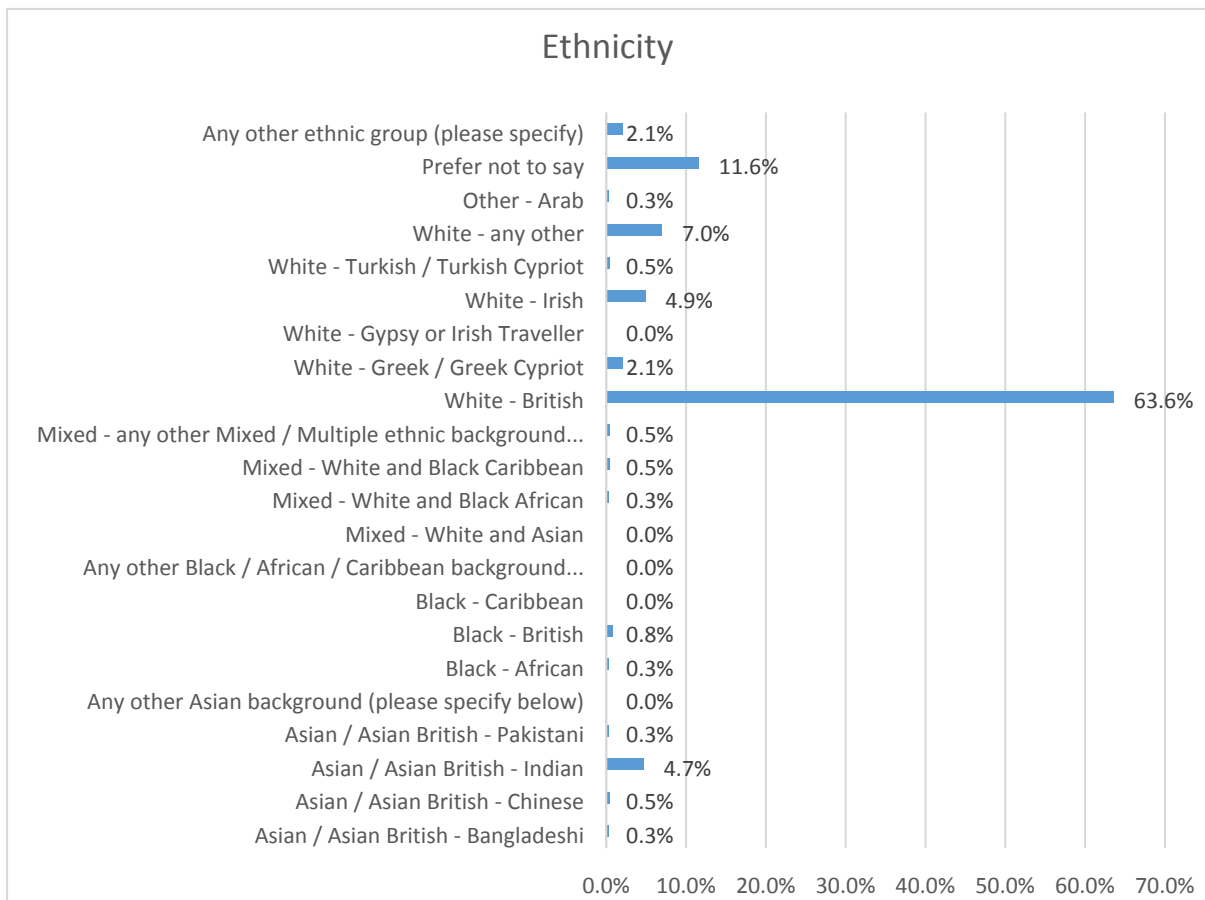
Graph C



The majority of respondents were female, at 58.7%.

1.4.4 Ethnicity

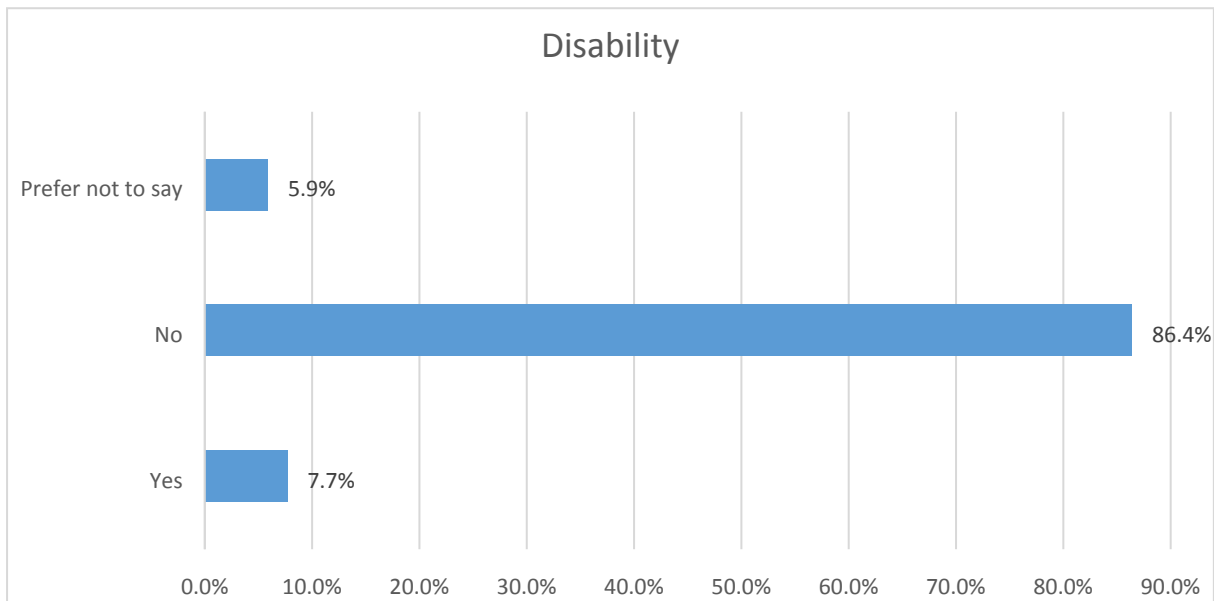
Graph D



The majority of respondents described themselves as being of White British origin, at 63.6%. The next largest group of respondents, at 11/6%, preferred not to state their ethnicity.

1.4.5 Disability

Graph E

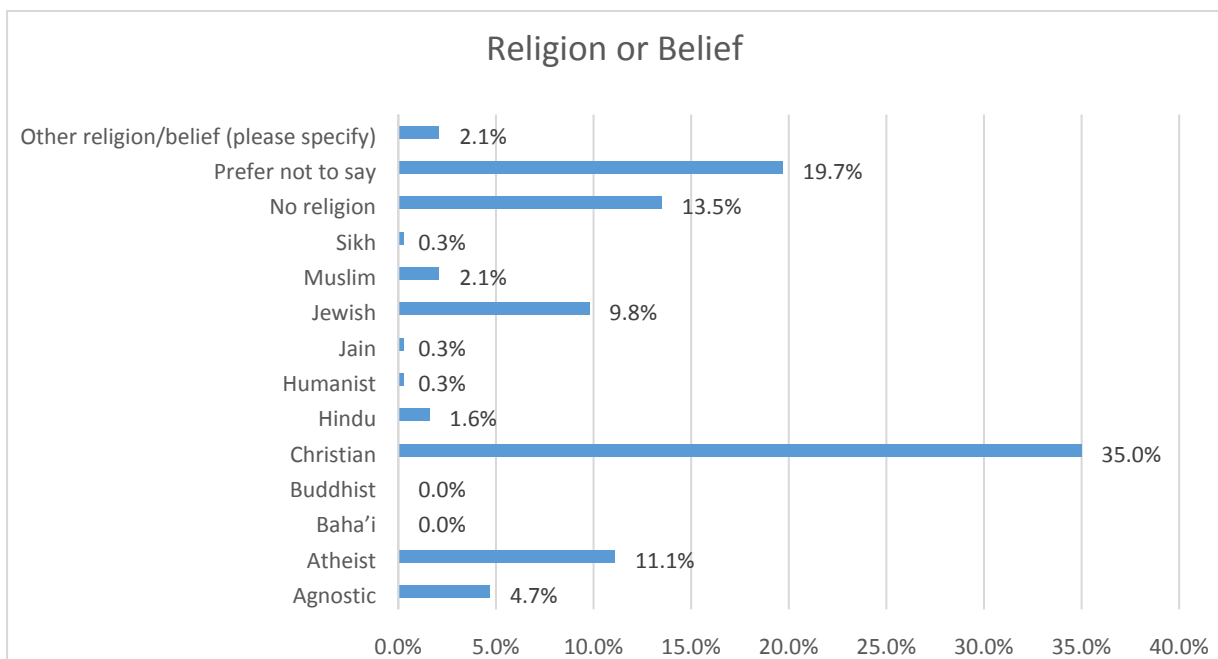


86.4% of respondents identified as not having a disability, compared with 7.7% of respondents who did identify as having a disability, and 5.9% of respondents who preferred not to say.

Of the 7.7% of respondents who identified as having a disability, 40.6% of these identified as having a disability in relation to mobility (e.g. use of a wheelchair) and 21.9% identified as having reduced physical capacity (e.g. inability to lift).

1.4.6 Religion or Belief

Graph F



The largest group of respondents identified themselves as Christian, at 35%. The next largest group of respondents preferred not to say, at 19.7%, followed by respondents who did not identify themselves as having any religious belief, at 13.5%.

2. Consultation Results

2.1 Preface to the Results

Regarding the results of the questionnaire, it is important to note the following:

- The respondent profile for the Street Scene ADM public consultation is not wholly representative of the overall population of Barnet.
- The results provide information about the opinion of those residents who have chosen to engage with this particular consultation.
- The results should be not treated as a definitive guide to the overall public opinion of the borough.
- Where percentages do not add up to 100, this may be due to rounding, or the question may be multi-coded.
- All open-ended responses to the public consultation have been summarised and categorised by the themes arising from individual comments, so that the results can be analysed in a meaningful way.
- The results for each question are based on “valid responses” (i.e. all those providing an answer).
- The base size may vary from question to question (i.e. not all respondents answered every question).

2.2 Consultation Questions

The consultation set out the importance of the local environment as a place to live and work and explained the council’s commitment to maintaining high levels of resident satisfaction, by preserving the green and clean nature of Barnet as a borough. It also set out the council’s commitment to developing attractive suburban parks within local communities in order to promote health and wellbeing, conserve the natural character of the area, and encourage economic growth.

The consultation explained that there are challenges to maintaining Street Scene services, which is why the council is looking at ways in which it can do things differently.

The consultation asked residents and businesses of Barnet about who they think should run some of the key Street Scene services in the future, such as; recycling and waste collection, street cleaning, emptying litter bins, and maintaining green spaces.

The consultation contained questions on the following key areas:

- Street Scene services
- The aims of the Street Scene Alternative Delivery Model (ADM) project
- The assessment criteria used to evaluate all possible ADM options
- The short-listed ADM options
- The discounted ADM options

2.2.1 Street Scene Services

The consultation identified the Street Scene services in scope of the Street Scene ADM project. Respondents were asked to indicate the order of priority of these services for them.

The results are summarised in the table and graph below:

Table 1

Street Scene Services	High Priority	Medium Priority	Low Priority	Response Totals
Black bin collections	348	117	29	494
Blue bin collections	302	163	26	491
Green bin collections	111	213	150	474
Food waste collections	214	107	141	462
Litter bins	230	179	56	465
Sweeping my street	204	183	91	478
Cutting grass verges near my home	61	143	241	445
Clean and sparkling high streets	207	182	76	465
Clearing of fly tipping	285	133	62	480
Maintenance of parks	227	192	48	467
Play equipment	149	139	148	436
Sports pitches	69	151	184	404
Wildlife and nature	159	151	132	442

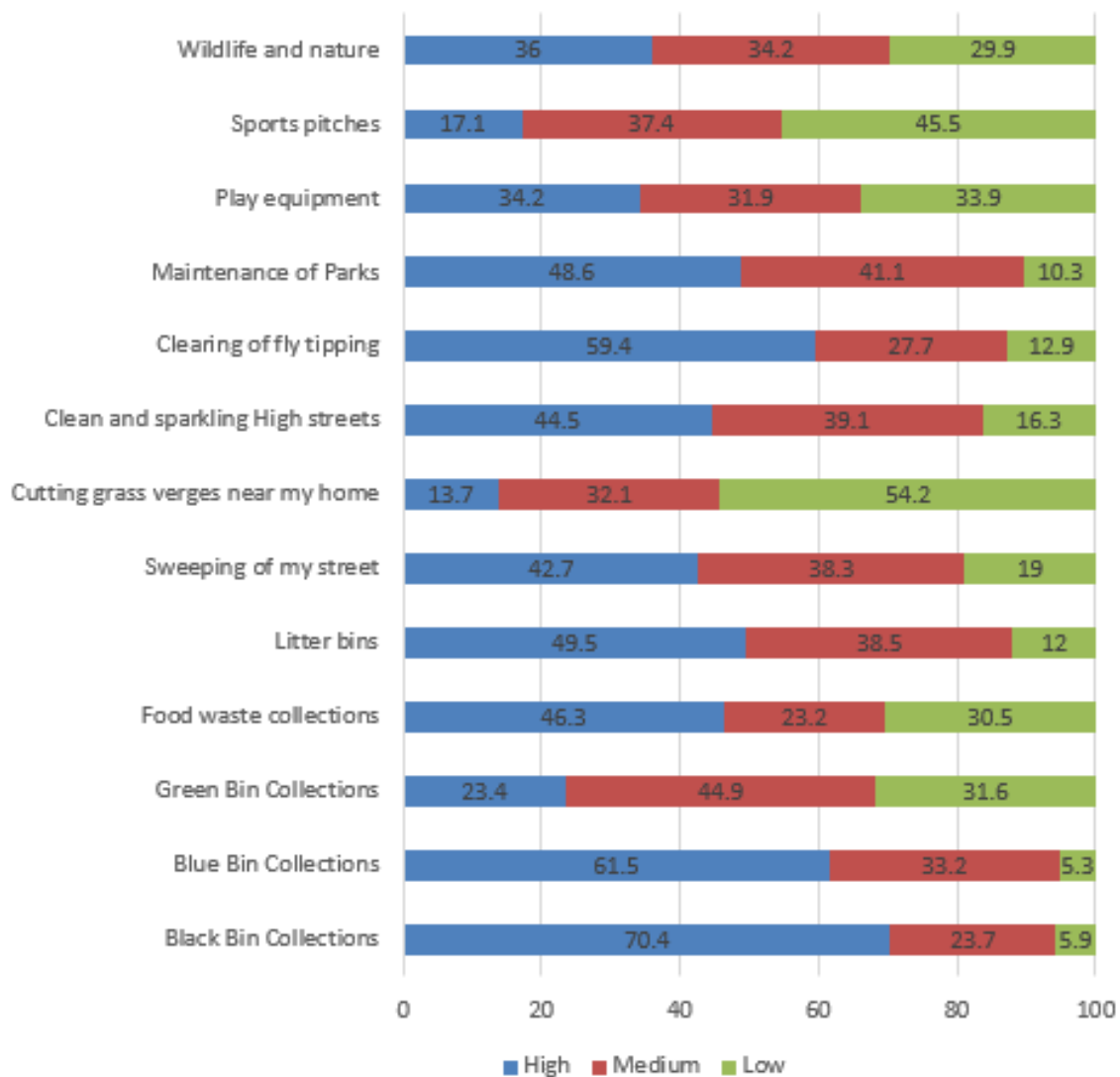
The table above records the total number of responses, as well as the number of responses for the categorisation of each service area. Respondents were asked to apply each value no more than four times (i.e. maximum of four 'high priority services') to allow the project team to ascertain the order of importance in which respondents placed Street Scene services. This has meant that not all services received the same number of response.

For example; 494 respondents expressed their opinion on the level of priority that should be given to black bin collection, whereas only 404 respondents did the same for the maintenance of sports pitches.

The graph below represents the percentage value of the responses provided in the table above.

Graph G

Question 1: Indicate the order of priority of services for you



The graph shows that the highest priority service for residents and businesses is the collection of black bins; with a high priority rating of 70.4% versus a low priority rating of 5.9%. The lowest priority service is cutting grass verges; with a low priority rating of 54.2% versus a high priority rating of 13.7%.

2.2.2 Project Aims

The consultation described the aims for the future delivery of services. These are to:

- Increase customer satisfaction
- Achieve council savings targets
- Identify opportunities to improve services

Respondents were asked to record to what extent they agree or disagree with these aims, with options ranging from “strongly agree” to “strongly disagree”.

The table below captures these responses.

Table 2

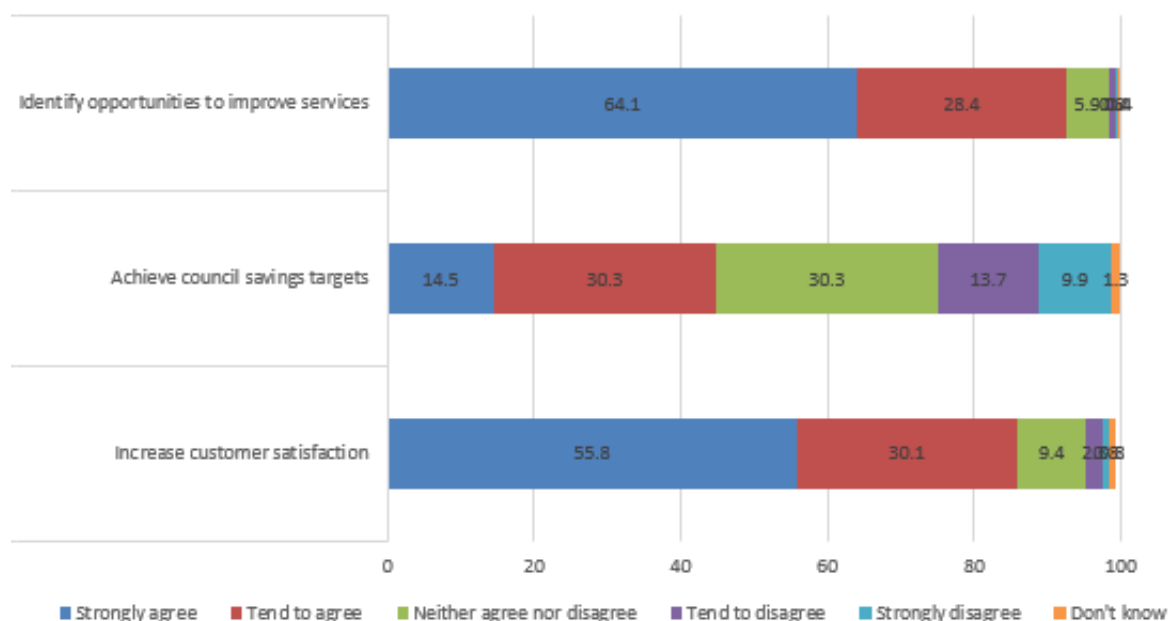
Aims	Strongly agree	Tend to agree	Neither agree / disagree	Tend to disagree	Strongly disagree	Don't know	Response Totals
Increase customer satisfaction	266	147	45	11	4	4	477
Achieve council savings targets	69	144	144	65	47	6	475
Identify opportunities to improve services	305	135	28	4	2	2	476

Respondents were asked to engage with each of the aims listed and the results show that this has largely been the case. The total number of responses has been consistent, with a difference of 2 between each of the response totals.

The graph below represents the percentage value of the responses provided in the table above.

Graph H

Question 2: To what extent do you agree / disagree with our aims?



The results show that the aim respondents agreed with the most is to identify opportunities to improve services; with 64.1% saying that they strongly agree versus 0.8% saying that they strongly disagree. The aim respondents agreed with least is to achieve council savings targets; with only 14.5% saying that they strongly agree and 9.9% saying that they strongly disagree.

The results show that, overall, respondents either strongly agreed or tended to agreed with each of the aims for future service delivery. In the case of the aim to achieve council savings, there were an equal number of respondents that neither agreed nor disagreed with the aim as there were who tended to agree.

The consultation asked respondents to state if they disagreed with any of the above aims, and why. This was posed as an open-ended question, therefore, the results have been summarised and categorised by theme in the table below.

Table 3

Response Theme	Response Totals	Response %
Oppose customer satisfaction	10	7.9
Oppose savings targets	32	25.4
Oppose improve services	1	0.8
Support customer satisfaction	1	0.8
Support savings targets	4	3.2
Support improve services	17	13.5
(Other) Increase council tax	18	14.3

Response Theme	Response Totals	Response %
(Other) Concern about the increase in borough population	11	8.7
Operational feedback	32	25.4

A total of 126 responses have been recorded, from 112 respondents. The number of responses is higher than the number of respondents because some responses contained more than one comment, or could be applicable to more than one of the aims. There were 32 responses that focused on operational feedback, at a rate of 25.4% of the total number of responses. These responses were deemed did not engage directly with the question, nor could they be applied to the wider consultation.

The aim respondents opposed the most was to achieve council saving targets, with a response rate of 25.4%. The majority of respondents expressed concern about the impact on service quality if costs were to be reduced. An emergent theme was that 14.3% of respondents would prefer for council tax to be increased rather than service budgets be reduced. An additional emergent theme was that 8.7% of respondents expressed concern about the growing size of the borough population and the potential impact this could have on demand for services.

The aim that was opposed the least was to improve services, with a rate of only 0.8%. 7.9% of respondents opposed the aim to increase customer satisfaction; this was largely due to concern as to how rates of customer satisfaction could be measured.

Some respondents chose to use the free text response to express their support of the aims; of which the aim to improve services was the most highly supported at 13.5%.

Respondents were then asked to rank each of the aims in order of priority. The results feature in the table below.

Table 4

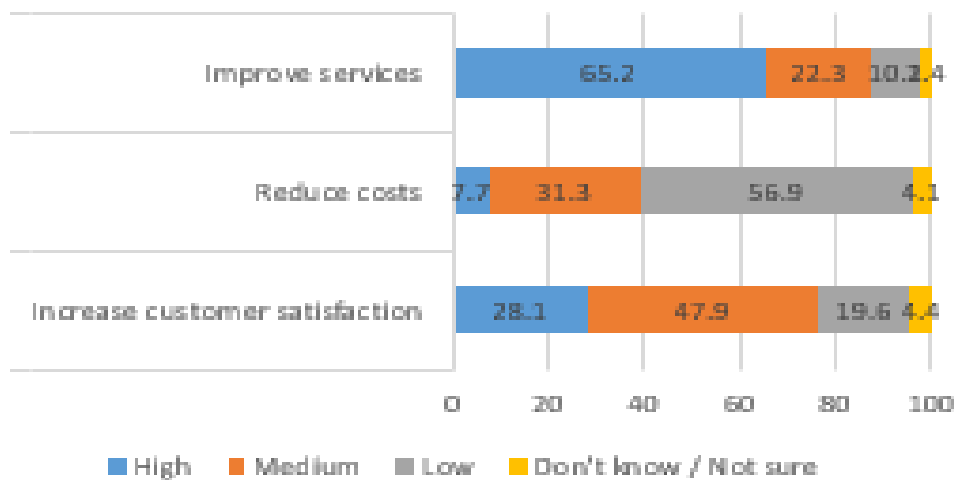
Aims	High	Medium	Low	Don't know / Not sure	Response Totals
Increase customer satisfaction	109	186	76	17	388
Achieve council savings targets	34	138	251	18	441
Improve services	298	102	46	11	457

There is some variation between the total number of responses for each aim; respondents appear to have engaged with the aim to increase customer satisfaction the least.

The graph below represents the percentage value of the responses provided in the table above.

Graph I

Question 4: Please rank the aims in order of priority



The results show that improving services was the considered to be the highest priority aim by respondents overall, with a 65.2% high priority response rate and a 22.3% medium priority response rate. This aim was also the one most agreed with by respondents, as the results show in the table above. This shows a positive correlation between the extent of which respondents agree with each of the aims and how important they consider them to be.

The results also show that achieving council savings targets (reduce costs) was considered to be the lowest priority aim, with a 7.7% high priority response rate versus a 56.9% low priority response rate. This aim was also agreed with the least by respondents, as per the table above.

2.2.3 Assessment Criteria

The consultation outlined the assessment criteria used to assess each of the possible options for the alternative delivery of Street Scene services.

These criteria are:

- **Value for money** - The ability to deliver services to a high standard whilst reducing costs
- **Place-based service** - The ability to design and deliver services which respond to local priorities. This includes communicating with local residents and businesses and working well with other council departments and agencies.
- **Technology and innovation** - The ability to apply modern working practices; including the use of technology. This is will improve communication with customers, design and tailoring of services to meet specific needs (no one size fits all approach), and reducing costs whilst delivering high quality services.

- **Income generation** - A proven ability to increase income for services through gaining investment, bidding to funders and growing the business to achieve financial and social benefits.
- **Continual service improvement** - The ability to design and deliver services tailored to the requirements of customers and stakeholders, but which are flexible enough to respond to changes in demand and have the support of staff.
- **Successful track record** - Demonstration of a successful track record for the delivery of high quality and cost effective Street Scene services. We will be looking for testimonials from other employers, examples of best practice and evidence of necessary skills and expertise (e.g. accreditations).

Respondents were asked to indicate how important they believe each of the criteria to be, with options ranging from “very important” to “not at all important”. The table below summarises these results.

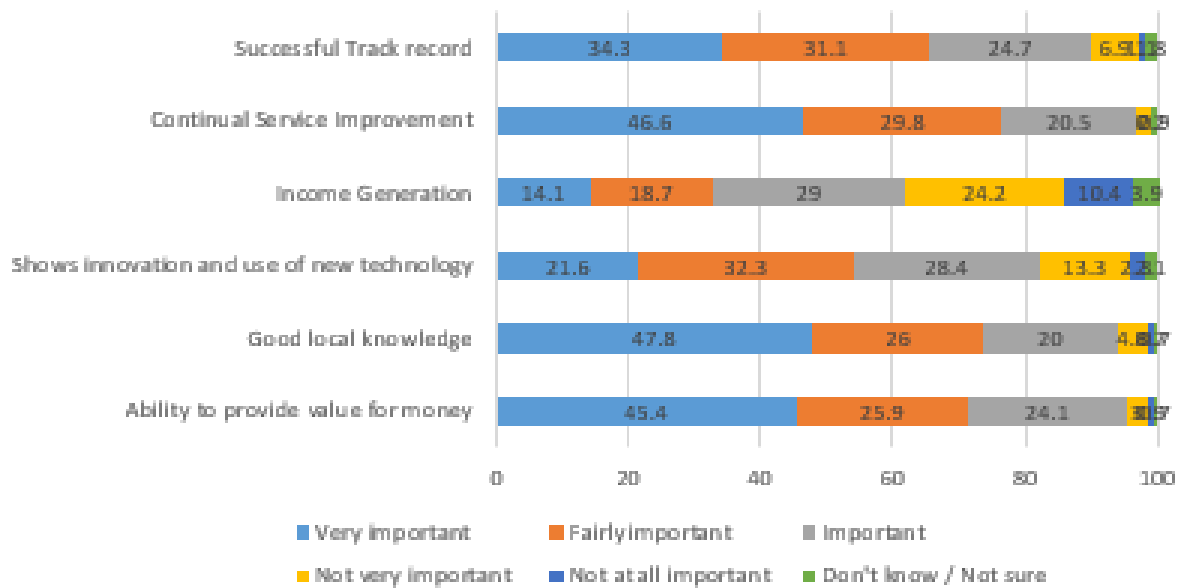
Assessment Criteria	Very important	Fairly important	Important	Not very important	Not at all important	Not sure	Response Totals
Ability to provide value for money	200	114	106	13	4	3	440
Good local knowledge	210	114	88	21	3	3	439
Shows innovation and use of tech	94	141	124	58	10	9	436
Income Generation	61	81	125	105	45	17	434
Continual Service Improvement	205	131	90	9	1	4	440
Successful Track record	150	136	108	30	5	8	437

Table 5

The graph below represents the percentage value of the responses provided in the table above.

Graph J

Question 5: Please indicate how important you believe each of the assessment criteria are



The results show that good local knowledge is very important to respondents; this criterion scored a ‘very important’ rating of 47.8%. This was closely followed by continual service improvement (46.6%) and the ability to provide value for money (45.4%). Of these three criteria, continual service improvement is arguably the highest scoring; with a combined rating of 76.4% of respondents who believe that this is either very important or fairly important. Good local knowledge had a combined very important and fairly important rating of 73.8%.

By contrast, the ability to generate income scored the lowest importance rating; 14.1% of respondents believed this to be very important and 18.7% of respondents believed this to be fairly important.

Respondents were then asked which of the criterion they believed to be the most important. The table below summarises the responses.

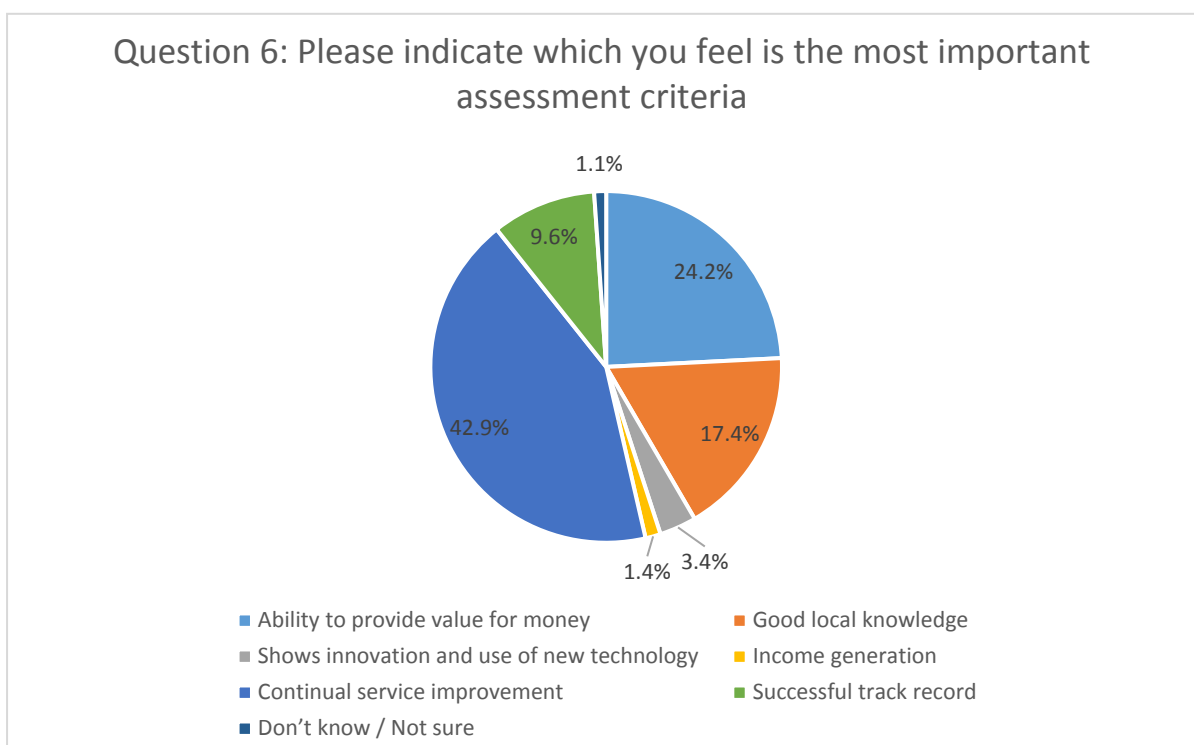
Table 6

Assessment Criteria	Response Totals	Response %
Continual Service Improvement	188	42.9%
Ability to Provide Value for Money	106	24.2%
Good Local Knowledge	76	17.4%
Successful Track Record	42	9.6%
Shows Innovation and Use of New Technology	15	3.4%
Income Generation	6	1.4%

Assessment Criteria	Response Totals	Response %
Don't Know / Not Sure	5	1.1%

The graph below represents the percentage value of the responses provided in the table above.

Graph K



The results show that the most important assessment criteria for respondents was continual service improvement(42.9%), followed by the ability to provide value for money (24.2%), and good local knowledge (17%). These were also the three highest scoring criteria in terms of what respondents believed to be very important and fairly important, as per the table above. Interestingly, although good local knowledge had the highest 'very important' rating in Question 5 (Graph J) it was not believed to be the most important rating by respondents in Question 6. Instead, respondents believed that continual service improvement was the most important assessment criteria.

Respondents were asked to explain their choice of most important criteria in an open-ended question. The results have been summarised by theme in the table below.

Table 7

Response Theme	Response Totals	Response %
Local knowledge	52	17.1
Value for money	37	12.2

Response Theme	Response Totals	Response %
Innovation and technology	8	2.6
Continual service improvement	74	24.3
Income generation	4	1.3
Track record	13	4.3
Other	1	0.3
Operational feedback	115	37.8

A total of 304 respondents chose to comment on this question. Of these, 115 responses (37.8%) focused on operational feedback on either Street Scene or wider council services and were not directly applicable to the consultation at large.

24.3% of respondents chose to explain why continual service improvement was the most important assessment criteria for them. The majority of respondents thought it was a self-evident assessment criteria, however, some respondents drew a link between the council's responsibility to provide high quality services and customer satisfaction.

17.1% of respondents chose to explain why local knowledge was the most important assessment criteria for them. The majority believed that local knowledge would support effective demand management and promote social responsibility in local communities. There was strong support for the council employing local people in Street Scene services.

12.2% of respondents chose to explain why value for money was important to them. This was largely connected to transparency about service costs, accountability of the council, and maintaining high levels of service quality.

A combined total of 8.2% of respondents chose to explain why the remaining assessment criteria were important to them. Innovation and technology was considered to help save time, reduce costs and promote 'greener' services. Income generation was considered important to ensure the sustainability of services, and track record was considered to be important should the decision be taken to outsource services to an external provider.

Respondents were then asked whether they thought there were any other assessment criteria that should be considered by the council. The results have been summarised by theme in the table below.

A total of 176 respondents chose to answer this question; of which 89 (50.1%) provided operational feedback on Street Scene services or the wider council. Of the remaining 87 responses (49.4%), the following suggestions were made for additional assessment criteria:

Table 8

Suggested Criteria	Response Totals	Response %
Community focus (incl. local jobs and community safety)	31	17.6
Robust performance monitoring	17	9.7
Employment conditions (incl. training)	12	6.8
Environmental health / Conservation	12	6.8
Adaptability	2	1.1
Don't know / Not sure	4	2.3

A small number of respondents indicated their support for existing aims and / or assessment criteria, as follows:

- Customer satisfaction: 5 (2.8%)
- Value for money: 2 (1.1%)
- Income generation: 2 (1.1%)

2.2.4 Shortlisted Options

The consultation described each of the four shortlisted options for the future delivery of services which are being explored further by the project team. These options are:

- **Option A: In-house (with management support from The Barnet Group)** – the Barnet Group (a company owned by the council) running services and the council employing all staff.
- **Option B: Local Authority Trading Company (The Barnet Group)** – the Barnet Group running services and employing all staff, on behalf of the council.
- **Option C: Outsourced** – a private company running services and employing all staff, on behalf of the council.
- **Option D: Shared service** – the council sharing services with another council in order to run them together.

Respondents were then asked to indicate the extent to which they support each of these options. The results are summarised in the table below.

Table 9

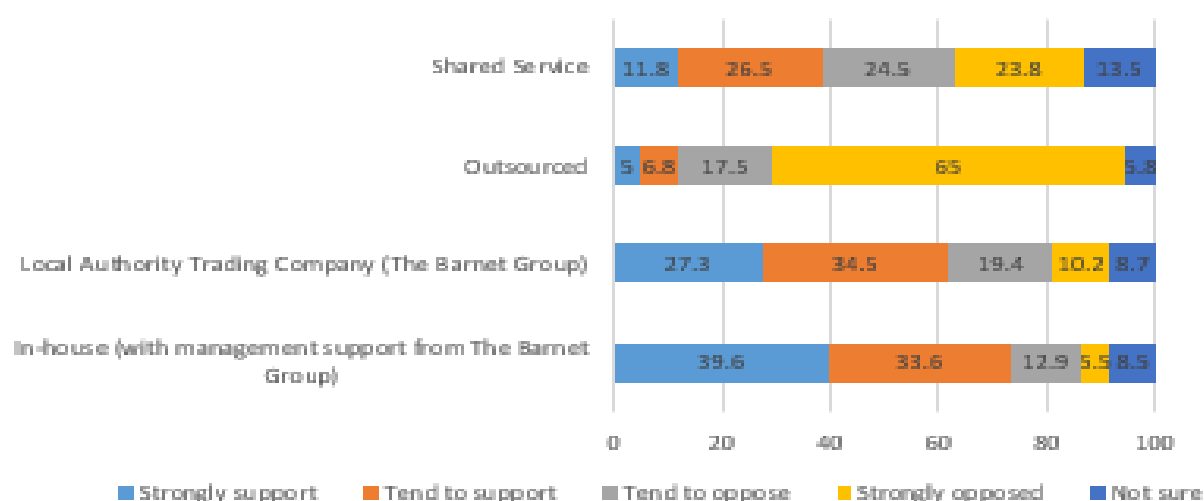
Shortlisted Options	Strongly support	Tend to support	Tend to oppose	Strongly opposed	Not sure	Response Totals
In-house (with management support)	159	135	52	22	34	402

Shortlisted Options	Strongly support	Tend to support	Tend to oppose	Strongly opposed	Not sure	Response Totals
from The Barnet Group)						
Local Authority Trading Company (The Barnet Group)	110	139	78	41	35	403
Outsourced	20	27	70	260	23	400
Shared Service	47	106	98	95	54	400

The graph below represents the percentage value of the responses provided in the table above.

Graph L

Question 9: Please indicate to what extent you support the shortlisted options



The in-house option (with management support from The Barnet Group) was the most supported option, with 39.6% of respondents indicating that they strongly would support it and 33.6% of respondents indicating that they would tend to support it. The outsourced option was the most opposed option, with 65% of respondents indicating that they would be strongly opposed to it, compared with 5% of respondents who would strongly support it and 6.8% of respondents who would tend to support it.

Respondents were also asked to choose the option that they believed would deliver the best services for them. The results are summarised in the table below.

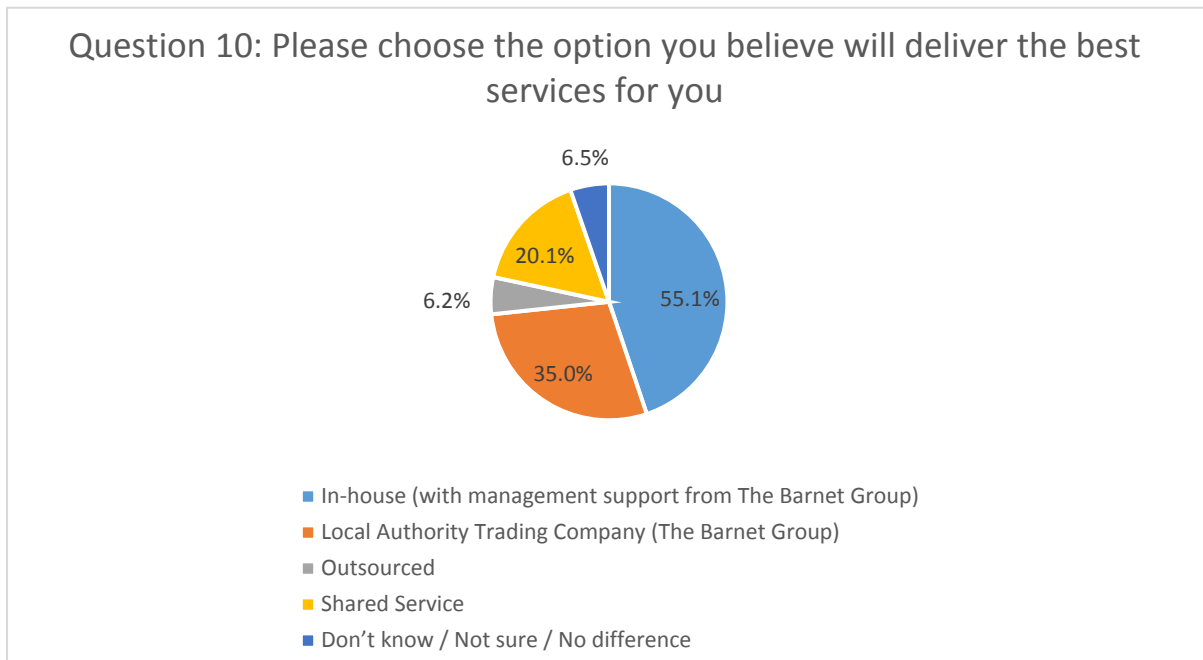
Table 10

Shortlisted Options	Response Totals	Response %
In-house (with management support from The Barnet	222	55.1%

Shortlisted Options	Response Totals	Response %
Group)		
Local Authority Trading Company (The Barnet Group)	141	35.0%
Outsourced	25	6.2%
Shared Service	81	20.1%
Don't know / Not sure / No difference	26	6.5%

The graph below represents the percentage value of the responses provided in the table above.

Graph M



55.1% of respondents believed that the in-house option (with management support from The Barnet Group) would deliver the best services for them, compared with 6.5% of respondents who believed that the outsourced option would deliver the best services for them.

These results positively correlate to the responses to Question 9, as set out in the table above.

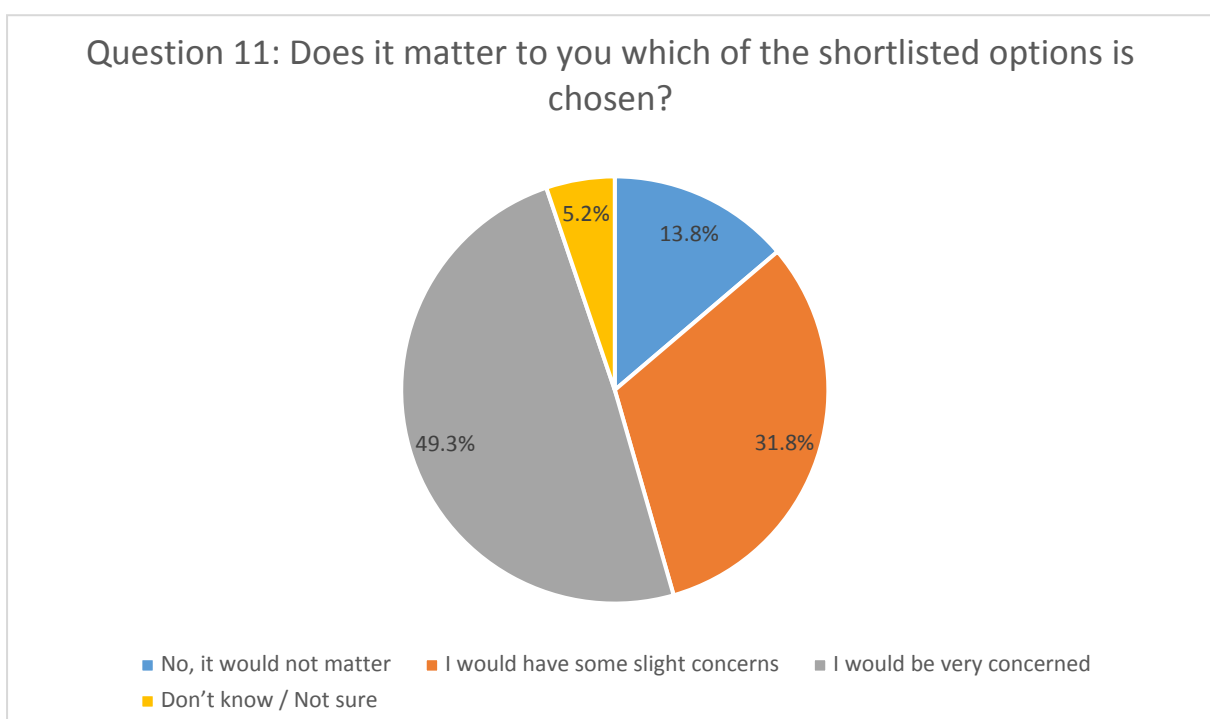
Respondents were then asked whether it would matter to them which of the shortlisted options was chosen, as long as services continued to be delivered to a high standard of customer satisfaction and if the council remained as the point of contact. The results are summarised in the table below.

Table 11

Answers	Response Totals	Response %
No, it would not matter	56	13.8%
I would have some slight concerns	129	31.8%
I would be very concerned	200	49.3%
Don't know / Not sure	21	5.2%

The graph below represents the percentage value of the responses provided in the table above.

Graph N



The results show that 49.3% of respondents have indicated that they would be very concerned, from which we can infer that it does matter to the majority of respondents which of the options would be chosen to deliver future services. 31.8% of respondents would have some slight concerns and 13.8% of respondents have indicated that it would not matter to them.

Respondents were asked to provide an explanation for their answer to Question 11; that is, to elaborate as to whether they would have any concerns (or not) about who would deliver Street Scene services.

A total of 290 respondents took the opportunity to express their views on this question. There was a mixed response; the majority chose to explain why they would be concerned but some also chose to explain why they were in support of a particular option(s). The results have been summarised by theme in the table below.

Table 12

Response Themes	Response Totals	Response %
In support of a shared service option	1	0.3
Opposed to a shared service option	8	2.8
In support of an outsourced option	2	0.7
Opposed to an outsourced option	144	49.7
In support of an in-house option	51	17.6
Opposed to an in-house option	1	0.3
No concerns	15	5.2
Concerned (not specified)	3	1
Don't know / Not sure	1	0.3
Operational feedback	64	22.1

49.7% of respondents indicated that they would be concerned if Street Scene services were to be outsourced to an external provider. Recurring themes included concern about accountability, cost, customer service and the level of council control.

22.1% of respondents provided operational feedback about the delivery of Street Scene services, or the wider council more generally. These responses do not directly engage with the questions asked in the consultation.

2.2.5 Discounted Options

The consultation document described the options which have been discounted by members. These are:

- **In-house (pre-December 2015)** – the council running services and employing all staff.
- **Employee Mutual / Social Enterprise / Trust** – Street Scene staff creating their own not-for-profit organisation in order to run services, on behalf of the council.
- **Joint Venture / Partnership** - the council creating a joint venture with an external partner(s) to run services together.

Respondents were given the opportunity to comment on each of these discounted options. These comments have been summarised and grouped by theme in the table below.

Table 13

Response Theme	Response Totals	Response %
In support of the in-house option (pre-December 2015)	37	33.3
In support of the employee mutual / social enterprise / trust option	11	9.9
In support of the joint venture / partnership option	2	1.8
Agree with the decision to discount these options	10	9
Opposed to the outsourcing	6	5.4
Operational feedback	40	36
Other	5	4.5

There was a total of 111 free text responses to this question; of which 40 included operational feedback, customer-specific complaints (e.g. collection frequency of green waste) or comments about the wider council which could not be applied to the questions asked within this consultation.

The remaining 71 responses have been categorised by theme, in accordance with the extent to which they answer the question posed, or, engage with the consultation more generally. Of the options which have been discounted, 33.3% of respondents were in favour of an in-house option (pre-December 2015), 9.9% of respondents were in favour of an employee mutual / social enterprise / trust option, and 1.8% of respondents were in favour of a joint venture / partnership option. 9% of respondents supported the decision to discount these options.

5.4% of respondents expressed their opposition to an outsourced option. The 'other' responses included support for the outsourced option, support for the shared service option, and statements to the effect that respondents would not be concerned about who would be providing services as long as service standards were maintained. In total, these 'other' responses amounted to 4.5%.

3. Staff Engagement

3.1 Methodology

Staff Engagement ran in parallel to the public consultation; from the week commencing 07 November to the week ending 15 January.

All Street Scene Delivery Unit staff were provided with paper copies of a shortened version of the on-line questionnaire to fill in, as well as being encouraged to look at the full public questionnaire online.

Staff were invited to provide their views on:

- The aims of future service delivery

- The assessment criteria used to evaluate alternative delivery model options for future service delivery
- The options which were shortlisted

Staff were also given the opportunity to leave any further comment through the use of a free text response.

A total of 25 paper questionnaires were returned.

3.2 Results

3.2.1 Project Aims

Staff were asked to what extent they agreed or disagreed with the aims of future service delivery. The table below summarises the results.

Table 14

Aims	Strongly agree	Tend to agree	Neither agree / disagree	Tend to disagree	Strongly disagree	Don't know	Response Totals
Increase customer satisfaction	15	5	3	1	1	0	25
Achieve council savings targets	7	5	9	3	1	0	25
Identify opportunities to improve services	14	6	2	2	1	0	25

The results show that, on balance, the majority of staff who have responded to the questionnaire either strongly agreed or tended to agree with the project aims; with 80% in favour of increasing customer satisfaction and 80% in favour of identifying opportunities to improve services. Opinion was more divided over the aim to achieve council savings targets; 48% of staff either strongly agreed or tended to agree with this aim compared with 36% who neither agreed or disagreed, and 16% who either tended to disagree, or strongly disagreed.

These results are broadly in line with the public response.

Staff were asked to rank the aims in order of priority. The table below summarises the results:

Table 15

Aims	High	Medium	Low	Don't know / Not sure	Not answered	Response Totals
Increase customer	6	9	2	0	8	25

Aims	High	Medium	Low	Don't know / Not sure	Not answered	Response Totals
satisfaction						
Achieve council savings targets	2	4	11	0	8	25
Improve services	9	4	4	0	8	25

The results show that the highest priority aim for staff is to improve services, with a rating of 36%. The next highest priority aim for staff is to increase customer satisfaction, with a rating of 24%. The values of the ratings are generally lower for this question than for the previous question, this is owing to a lower response rate, with 32% of staff choosing not to answer the question.

3.2.2 Assessment Criteria

Staff were asked to indicate how important they believed each of the assessment to be, with values ranging from “very important” to “not at all important”. The table below summarises the results.

Assessment Criteria	Very important	Fairly important	Important	Not very important	Not at all important	Not sure	Not answered	Response Totals
Ability to provide value for money	17	5	2	0	1	0	0	25
Good local knowledge	14	5	5	0	1	0	0	25
Shows innovation and use of tech	11	6	3	4	1	0	0	25
Income Generation	13	6	3	1	1	1	0	25
Continual Service Improvement	15	3	4	2	1	0	0	25
Successful Track record	16	3	4	1	1	0	0	25

Table 16

The results show that staff believed the ability to provide value for money to be the most important assessment criteria; with 68% rating it as very important and 20% rating it as fairly important. This is in contrast to the public results, where good local knowledge had the highest “very important” rating at 47.8%.

Staff were then asked to choose which of the assessment criteria they believe to be the most important. The table below summarises the results.

Table 17

Assessment Criteria	Response Totals	Response %
Continual Service Improvement	6	24
Ability to Provide Value for Money	9	36
Good Local Knowledge	4	16
Successful Track Record	2	8
Shows Innovation and Use of New Technology	0	0
Income Generation	2	8
Don't Know / Not Sure	0	0
Not Answered	2	8

The results show that staff consider the ability to provide good value for money to be the most important assessment criteria, with a rating of 36%. The joint least important assessment criteria were successful track record and income generation; both with a rating of 8%. There is some contrast to these results with those from the previous question, where 76% of staff had rated a successful track record as being either “very important” or “fairly important”.

3.2.3 Shortlisted Options

Staff were asked to indicate to what extent they supported or opposed each of the shortlisted options. The table below summarises the results.

Table 18

Shortlisted Options	Strongly support	Tend to support	Tend to oppose	Strongly oppose	Not sure	Not answered	Response Totals
In-house (with management support from The Barnet Group)	15	4	2	0	3	1	25
Local Authority Trading	14	5	2	1	1	2	25

Shortlisted Options	Strongly support	Tend to support	Tend to oppose	Strongly oppose	Not sure	Not answered	Response Totals
Company (The Barnet Group)							
Outsourced	3	1	2	16	0	3	25
Shared Service	3	4	6	7	2	3	24

The in-house option (with management support from The Barnet Group) received the highest rate of strong support from staff, with 60%, followed by the Local Authority Trading Company option (The Barnet Group) with 56%. The outsourced option was the most strongly opposed by staff, with a rating of 64%.

These results positively correlate with public opinion.

Staff were asked to choose the option that they believe would deliver the best services. The table below summarises the results.

Table 19

Shortlisted Options	Response Totals	Response %
In-house (with management support from The Barnet Group)	16	64
Local Authority Trading Company (The Barnet Group)	13	52
Outsourced	2	8
Shared Service	3	12
Don't know / Not sure / No difference	1	4

The results show that the in-house option (with management support from The Barnet Group) was considered to be the best option by 64% of staff, compared with 52% of staff who believed that the Local Authority Trading Company option (The Barnet Group) would be best. Staff were asked to select all options that apply, which is why the total number of results is more than 25 (i.e. respondents had the opportunity to select more than one best option).

These results positively correlate with the results of the previous question, in Table 18 above.

3.2.4 Additional Information

Staff were given the opportunity to provide any additional information and / or further comment using a free text response. These have been summarised by theme in the table below.

Table 20

Response Themes	Response Totals	Response %
Opposed to sub-contracting / consultancy working	3	12
Would like more information about The Barnet Group	1	4
Operational feedback	2	8
Not answered	19	76

The majority of staff chose not to comment further, with a 76% non-response rate. Of the remaining 24%; 12% indicated that they were opposed to working with sub-contractors and / or consultants in the future, 4% would like more information about The Barnet Group option, and 8% provided operational feedback about service delivery which is not directly translatable into the consultation findings.

3.2.5 Respondent Profile

Staff were asked to provide details of which service area they work in and how long they have worked for the council. This information has been summarised in the tables below.

Table 21

Service Area	Response Totals	Response %
Parks and Open Spaces (incl. grounds maintenance)	15	60
Recycling and Waste	1	4
Transport	6	24
Not Answered	3	12

The majority of staff who responded to the questionnaire were from the Parks and Open Spaces service, including grounds maintenance, at 60%. No staff identified as working for the Street Cleansing service, however, 12% of respondents chose not to answer the question.

Table 22

Length of Service	Response Totals	Response %
Less than 1 year	1	4
1 to 2 years	4	16
2 to 5 years	3	12
5 to 10 years	2	8
More than 10 years	12	48

Length of Service	Response Totals	Response %
Not Answered	3	12

Almost half of staff respondents have served more than 10 years with the council, with a response rate of 48%. The lowest response rate came from staff who have served less than a year, with a rate of 4%.

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Initial Equality Analysis (EIA) Resident/Service User

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Street Scene ADM Project	
Is it a new or revised function, policy, procedure or service? Potential delivery of new / alternative service models	
Department and Section: Commissioning Group for Environment (project owners) and Street Scene Delivery Unit (services in scope)	
Date assessment completed: 10/02/17	
2. Names and roles of people completing this assessment:	
Lead officer	Kitran Eastman, Strategic Lead for Clean and Green Amy Blong, Project Manager, CSG
Other groups	N/A
3. Employee Profile of the Project	Will the proposal affect employees? YES If no please explain why. If yes, please seek assistance from HR to complete the employee EIA.

4. How are the following equality strands affected? Please detail the effect on each equality strand, and any mitigating action you have taken / required. Please include any relevant data. If you do not have relevant data please explain why / plans to capture data			
Equality Strand	Affected?	Explain how affected	Indicate what action has been taken / or is planned to mitigate impact?
1. Age	Yes	May impact older service users.	Impact to be assessed.
2. Disability	Yes	May impact service users with a physical and / or sensory disability.	Impact to be assessed.
3. Gender reassignment	No	N/A	N/A
4. Pregnancy and maternity	Yes	May impact pregnant women and / or mothers with babies and young children.	Impact to be assessed.
5. Race / Ethnicity	Yes	May impact service users who do not speak English as a first language.	Impact to be assessed.

6. Religion or belief	Yes	May impact on some religious practices / customs.	Impact to be assessed.
7. Gender / sex	No	N/A	N/A
8. Sexual orientation	No	N/A	N/A
9. Marital Status	No	N/A	N/A
10. Other key groups?	No	N/A	N/A
Carers	No	N/A	N/A
People with mental health issues	No	N/A	N/A
Some families and lone parents	No	N/A	N/A
People with a low income	No	N/A	N/A
Unemployed people	No	N/A	N/A
Young people not in employment education or training	No	N/A	N/A

5. Please outline what data sources, measures and methods could be designed to monitor the impact of the new policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact?

Include how frequently monitoring could be conducted and who will be made aware of the analysis and outcomes

The project is currently at the revised Outline Business Case (OBC2) stage and the impact of the alternative service delivery model(s) on service users is not yet known. This is because the detail of how this model(s) could be delivered in practice is not yet known.

Once a decision has been taken by Members as to which delivery option to proceed with, the detail of the chosen option will be developed. This will enable the project team to monitor the impact of the model(s) on service users, as the detail of how services could change becomes

available.

Prior to the submission of the initial outline business case (OBC1) to Environment Committee on 29 September 2016, the proposed method of monitoring the impact of the project was to engage with service users via consultation. A consultation on the recycling and waste strategy was open for eight weeks from 18 January 2016 via the 'Engage Barnet' website (<http://engagebarnet.gov.uk>). This consultation included initial engagement on potential alternative delivery models for waste and recycling services.

As the Street Scene ADM project has progressed towards OBC2, more project-specific consultation has taken place. An online public consultation ran for ten weeks, from the week commencing 07 November to the week ending 15 January. The detailed respondent profile can be found in the Consultation and Engagement report in Appendix (tbc). A high proportion of the respondents identified with the following protected characteristics:

- Female
- Aged 35 to 64
- White British
- Christian

Whilst this information provides useful insight into the respondent profile within the scope of consultation, it doesn't confirm or deny the estimated impact on the protected groups listed in section 4 above.

The estimated impact on the protected characteristics listed above therefore remains unchanged until such time as it can be evaluated against the chosen alternative delivery model option.

6. Initial Assessment of Overall Impact		
Positive Impact	Negative Impact or Impact Not Known¹ √ (Impact not yet known)	No Impact
7. Scale of Impact		
Positive impact	Negative Impact or Impact Not Known √ (Scale of impact not yet known)	
8. Outcome		

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

No change to decision	Adjustment needed to decision	Continue with decision <i>(despite adverse impact / missed opportunity)</i>	If significant negative impact - Stop / rethink
√			

9. Please give a full explanation for how the initial assessment and outcome was decided. .

As referred to in section 5 above, the actual impact on service users is still not yet known because the detail of how Street Scene services could change is still not yet known. Nor has the recent consultation provided respondent information that could either confirm or deny the estimated impact on service user groups with the protected characteristics potentially in scope.

There are five service user groups with protected characteristics that have been identified as having the potential to be impacted by the alternative service delivery model(s), as noted in section 4 above.

These groups are:

- Older people
- People with disabilities
- Pregnant women and / or mothers with babies and young children
- People who do not speak English as a first language (or at all)

There is also the potential for there to be an impact on some religious practices or customs.

These groups have been noted because they are currently impacted by business as usual service delivery, so it is not unreasonable to assume that they would be in scope of any potential changes which may be implemented by the alternative service delivery model(s).

This assumption is founded on evidence from previous engagement with service users as part of; strategy consultation, ongoing performance monitoring through resident satisfaction surveys, complaints monitoring, and requests for supported services (e.g. assisted bin collection).

However, it is still not yet known if these groups will definitely be affected and, if so, to what extent. As the Street Scene ADM project progresses towards a full business case (FBC) once the chosen option has been identified, a further EIA will be conducted in line with project consultation requirements and in accordance with Barnet project management methodology.

Borough Data

The link below is to demographic data held by the council, by borough and by ward, which can be used to identify who the protected groups might be and where they might be located.

This data is not only useful for conducting an EIA but can also be used as a tool for effective demand management; whereby services can be targeted to those who need them most:

<https://employeeportal.lbbarnet.local/home/departments-and-services/central-services/Barnet-Facts-and-Figures.html>

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Employee Equality Impact Analysis (EIA)

1. Delivery Unit/Function and/or Service: Street Scene Delivery Unit	
Date assessment completed: 06/02/17	
Title of project / proposal/policy change / Alternative Delivery model / organisation change being assessed: Street Scene ADM Project	
2.This EIA is being undertaken because it is: Part of a project proposal or Barnet Transformation programme 2016 – 2020	
3.Names and roles of officers completing this assessment:	
Lead officer	Kitran Eastman, Strategic Lead for Clean and Green Amy Blong, Project Manager, CSG
Stakeholder groups	Street Scene Delivery Unit (all staff)
Representative from internal stakeholders (please specify)	n/a
Representative from external stakeholders (please specify)	n/a
Delivery Unit Equalities Network rep	n/a
Commissioning Equalities rep (where appropriate)	n/a
HR rep (for employment related issues)	Sharni Kent, HR Business Partner

4. Employee Profile for the Proposal

HR will help you to complete the table below and analyse the equality impacts of the proposal. Please record HR contact above. Please indicate the source of employee data and use the most relevant data (for example Delivery Unit / Service level or team level. The council will also meet its responsibilities under the Data Protection Act and avoid encroaching on individual privacy. No sensitive personal data should be published that will allow identification of individuals. Please use this information in sections 4 – 8 of this EIA.

X = Ten or less.

Protected Characteristic	Team / Workforce Group	Delivery Unit (01/07/16)	Delivery Unit (06/02/17)	Council (01/07/16)
Total Number of Staff	Not Recorded	477	482	1633
Gender				
Female	Not Recorded	102	103	980
Male	Not Recorded	375	379	642
Age / Date of Birth				
1986 - 1997	Not Recorded	43	42	217

Protected Characteristic	Team / Workforce Group	Delivery Unit (01/07/16)	Delivery Unit (06/02/17)	Council (01/07/16)
Total Number of Staff	Not Recorded	477	482	1633
1976-1986	Not Recorded	85	94	347
1966-1975	Not Recorded	110	106	383
1965-1951	Not Recorded	216	212	625
1950-1941	Not Recorded	22	27	53
1940 and Earlier	Not Recorded	X	X	X
Ethnicity				
White British Irish Other White	Not Recorded	323	317	948
Mixed White and Black Caribbean White and Black African White and Asian Other Mixed	Not Recorded	X	11	50
Asian and Asian British Indian Pakistani Bangladeshi Other Asian	Not Recorded	32	33	152
Black or Black British Caribbean African Other Black	Not Recorded	67	69	242
Chinese or Other Ethnic Group Chinese Other Ethnic Group	Not Recorded	X	Not Recorded	14
Disability				
Physical co-ordination (such as manual dexterity, muscular control, cerebral palsy)	Not Recorded	Unknown	Unknown	Unknown
Hearing (such as: deaf, partially deaf or hard of hearing)	Not Recorded	X	X	X
Vision (such as blind or fractional/partial sight. Do not include people who	Not Recorded	X	Not Recorded	X

Protected Characteristic	Team / Workforce Group	Delivery Unit (01/07/16)	Delivery Unit (06/02/17)	Council (01/07/16)
Total Number of Staff	Not Recorded	477	482	1633
wear glasses/contact lenses)				
Speech (such as impairments that can cause communication problems)	Not Recorded	X	Not Recorded	X
Reduced physical capacity (such as inability to lift, carry or otherwise move everyday objects, debilitating pain and lack of strength, breath, energy or stamina, asthma, angina or diabetes)	Not Recorded	X	X	X
Severe disfigurement	Not Recorded	Unknown	Not Recorded	Unknown
Learning difficulties (such as dyslexia)	Not Recorded	X	X	20
Mental illness (substantial and lasting more than a year)	Not Recorded	X	Not Recorded	X
Mobility (such as wheelchair user, artificial lower limb(s), walking aids, rheumatism or arthritis)	Not Recorded	X	Not Recorded	X
Gender Identity				
Transsexual / Trans-gender (people whose gender identity is different from the gender they were assigned at birth)	Not Recorded	X	Not Recorded	X
Pregnancy and Maternity				
Pregnant	Not Recorded	X	Not Recorded	X
Maternity Leave (current)	Not Recorded	X	Not Recorded	32
Maternity Leave (in last 12 months)	Not Recorded	X	Not Recorded	63

Protected Characteristic	Team / Workforce Group	Delivery Unit (01/07/16)	Delivery Unit (06/02/17)	Council (01/07/16)
Total Number of Staff	Not Recorded	477	482	1633
Religion or Belief				
Christian	Not Recorded	203	208	687
Buddhist	Not Recorded	X	X	X
Hindu	Not Recorded	23	22	84
Jewish	Not Recorded	X	X	39
Muslim	Not Recorded	22	23	75
Sikh	Not Recorded	X	X	X
Other religions	Not Recorded	23	25	52
No religion	Not Recorded	97	13	226
Not stated	Not Recorded	15	Not Recorded	37
Sexual Orientation				
Heterosexual	Not Recorded	328	329	1089
Bisexual	Not Recorded	X	X	X
Lesbian or Gay	Not Recorded	X	X	32
Marriage and Civil Partnership				
Married	Not Recorded	136	138	556
Single	Not Recorded	169	173	534
Widowed	Not Recorded	X	X	X
Divorced	Not Recorded	25	25	70
In Civil partnership	Not Recorded	X	X	14

5. How are the equality strands affected? Please detail the positive / negative or neutral effect on each equality strand, and any mitigating action you have taken / required. Please include any relevant data and source. If you do not have relevant data please explain why and when you will capture the data.

Equality Strand	Affected?	Explain how affected	Indicate any action planned or taken to mitigate negative impact?
1. Age	Yes	The type of impact is not yet known.	To be assessed.
2. Disability	No	Neutral	n/a
3. Gender reassignment	No	Neutral	n/a
4. Pregnancy and maternity	No	Neutral	n/a
5. Race / Ethnicity	Yes	The type of impact is not yet known.	To be assessed.
6. Religion or belief	Yes	The type of impact is not yet known.	To be assessed.

Staff Equality Impact Assessment - Form

7. Gender / sex	Yes	The type of impact is not yet known.	To be assessed.
8. Sexual orientation	Yes	The type of impact is not yet known.	To be assessed.
9. Marital Status	No	Neutral	n/a
10. Other key groups? Carers	No Unknown	Neutral Unknown	n/a

6. Overall impact and Scale		
Positive impact	Negative Impact	Impact Not Known
Minimal Significant	Minimal Significant	X

7. Outcome			
No change to decision	Adjustment needed to decision	Continue with decision <i>(despite adverse impact / missed opportunity)</i>	If significant negative impact - Stop / rethink
X			

8. Please give full explanation for how the overall assessment and outcome was decided
<p><u>Updated Assessment (06/02/17)</u></p> <p>This updated initial EIA assessment has been carried out in the context of not yet being able to determine the type of impact (positive, negative, neutral) which the Street Scene ADM project will have on Delivery Unit Staff with certain protected characteristics. This is due to not yet knowing which of the proposed alternative delivery options will be implemented.</p> <p>The first initial assessment was carried out on 01 July 2016 before the initial outline business case (OBC1) was submitted to Environment Committee on 29 September 2016. The conclusions drawn from these initial results are still applicable as the chosen option for delivery is not yet known and, therefore, the impact on staff cannot be quantified.</p> <p>The staff population has not changed significantly since July; there has been an increase of less than ten new members of staff. Where a characteristic is shared by 10 or less people, the exact number is not recorded in order to protect the anonymity of the individuals involved. The results of the updated initial EIA, and changes to employee profile, are recorded in section 4 above.</p> <p><u>Initial Assessment (01/07/16)</u></p> <p>It has been possible to estimate the likely scale of impact which the Street Scene ADM project will have on Delivery Unit staff with certain protected characteristics. The scale has been measured in two ways; first, by comparing the statistic for any given characteristic against the total number of Delivery Unit staff and, second, by comparing this with the council-wide equivalent.</p>

For example; the Delivery Unit has a predominantly male workforce (375 out of 477) when compared to the wider council (642 out of 1633). It is therefore reasonable to assume that any changes resulting from the ADM project will have a significant impact on male Delivery Unit staff.

The overall result of the assessment shows that the following protected characteristics are likely to be impacted by the ADM project, owing to the relatively high proportion of Delivery Unit staff to which these characteristics are attributed when compared to (both) the total number of Delivery Unit staff and / or the council-wide equivalent. However, it is not yet known if these groups will definitely be affected and, if so, to what extent:

- Male
- Aged 41-65
- White
- Christian
- Heterosexual

As the project progresses, a further EIA will be conducted in line with project consultation requirements and in accordance with Barnet project management methodology. It is expected that the revised EIA will show both the scale and type of impact on Delivery Unit staff once the chosen option for alternative delivery has been identified and its impact explored in more detail.

Equality Improvement Plan

This is to be assessed as part of the revised Equality Impact Analysis. There is currently insufficient data about the type of impact on identified protected characteristics to identify possible mitigation.

Equality Mitigation	Action	Officer responsible	By when	

	<p>Environment Committee</p> <p>15th March 2017</p>
<p>Title</p>	<p>Enforcement and Waste Regulations</p>
<p>Report of</p>	<p>Commissioning Director for Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix A – Enforcement Trial Report Appendix B – Enforcement EIA Appendix C – Draft Barnet Waste Regulations 2017</p>
<p>Officer Contact Details</p>	<p>Jamie Blake - Commissioning Director for Environment Jamie.Blake@barnet.gov.uk Kitran Eastman - Strategic Lead, Clean and Green Kitran.Eastman@barnet.gov.uk</p>

Summary

This report looks to update the Environment Committee on the Street Scene Enforcement Trial, and the Keep Barnet Clean campaign. It summarises the success of the trial, and its costs, impact and feedback. It details what Fixed Penalty Notices have been issued and paid. It also sets out the potential next steps for Streetscene enforcement in Barnet.

The report also asks for approval to consult on the draft “Barnet Waste Regulations 2017”. These regulations set out how recycling and waste collections and provision of container shall be carried out within Barnet. Adoption of these regulations, following public consultation, would restricted business and resident from putting out recycling waste for collection on the public highway and footpaths in our town centres (and other key locations) outside of specific time slots.

Recommendations

- 1. That Environment Committee notes the street scene enforcement update and its recommendations in Appendix A**
- 2. That Environment Committee approve the procurement of a street scene enforcement contract**
- 3. That Environment Committee note the ongoing discussion with other local authorities about the possible joint procurement of a new street scene enforcement contract**
- 4. That Environment Committee request the Commissioning Director for Environment to 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. That Environment Committee notes the draft Barnet Waste Regulations 2017 set out in Appendix C, and approves the six week public consultation**

1. WHY THIS REPORT IS NEEDED

Streetscene Enforcement Trial

- 1.1 The Council is taking steps to address the demands of a developing Borough and the impacts on its built and natural environments through adopting a number of strategies, frameworks and policies. These include a policy for enforcement to ensure that we are well placed to respond to current challenges, and are prepared to be able to manage these issues in the future.
- 1.2 In March 2016 Environment Committee approved a trial to increase street scene based enforcement through a third party supplier. This increased enforcement against street scene crime was aimed at tackling those causing the issues and reduce the burden and impact on law abiding residents and businesses in the borough.
- 1.3 This trial commenced in July 2016. A full report on the trial including the communication campaign which has been carried out can be found in Appendix A. The update highlights:
 - The successful launch of the Keep Barnet Clean Campaign
 - Areas where direct enforcement has been carried out
 - Breakdown of information on Fixed Penalty Notices (FPNs) including, type issued, hotspot locations
 - Breakdown of FPNs issued by age, sex and ethnicity
 - Payment level and methods
 - Feedback
- 1.4 As outlined in Appendix A section 6 the trial has been successful. The aim of the trial was to gain a range of information to inform a decision on how

street scene enforcement can be delivered in the future” This included but was not limited to:

- The cost and benefits of Street Scene enforcement –
 - **Was this aim achieved? Yes.**
- The number and type of FPNs issued during the trial period
 - **Was this aim achieved? Yes.**
- The areas FPNs are issued during the trial period
 - **Was this aim achieved? Yes.**
- The impact on street cleansing in the Borough
 - **Was this aim achieved? Partially**
- Public opinion on the use of increased Street Scene enforcement’
 - **Was this aim achieved? Yes.**

1.5 In addition to meeting the initial aims of the trial, the trial also had other benefits. These included increased collaborative working with internal and external stakeholders, a highly recognised communications campaign, community participation in litter picks etc.

Next Steps

- 1.6 As outlined in section 7 of Appendix A there are a number of potential options open to the Council in regard to Streetscene enforcement.
- Option A - Ending all street scene enforcement on 31st March 2017
 - Option B - Extend current contract until the 31st July 2017 and then end all street scene enforcement
 - Option C - Procure with other local authorities
 - Option D - Procure a standalone contract
 - Option E - Procure a combined contract with parking
- 1.7 Based on the information gathered through the trial it is recommended that street scene enforcement continues within Barnet. The preferred options – would be either Option C or Option D.
- 1.8 The current contract in place with NSL Ltd as part of the trial can be extended until August 2017. A new contract would need to be in place by this time to enable continuity of enforcement. If the procurement of a new contract commenced in April 2017 then a new contract could be in place for August 2017
- 1.9 Between September and December 2016 the Council consulted on an Enforcement Policy Review and draft Enforcement Policy to set clear standards, levels of service and performance that the public can expect to receive from the Council. For local residents this will mean that Barnet Council and its partners will enforce consistently against environmental crime and anti-social behaviour. It will ensure that there is a consistent approach to

enforcement and prosecution across the Council and any other organisation delivering regulatory or enforcement services on behalf of the Council. This will ensure that the Council works towards improving the quality of life for local residents by responding with enforcement in areas where there are persistent problems. Adoption of this new Enforcement Policy is recommended for Policy and Resources Committee in March.

- 1.10 All the recommendations within this report are in alignment with the proposed Enforcement Policy.

Contract Approach

- 1.11 If the Committee are so minded to procure a new street scene enforcement contract then there are a number of contract models which could be used.
- 1.12 **Option A** – The trial delivery model, where a third party supplier operate the enforcement provision at their own cost but also derived all the income from paid FPNs

Option A (Trial Delivery Model)	
Advantages	Disadvantages
The majority of the back office functions are undertaken by the third party supplier, and thus do not incur addition cost	The Council may not achieve the attributed MTFS target, when client costs are also considered
The Council is able to exert some control over what is being enforced with the limitations of the contract	The third party supplier maybe perceived to be generating income at the expense of the Council.
There is low reputational risk to the Council as seen by the current trial results	The Council would have less flexibility to target resources to emerging area where problems that have occurred, or where the officer time v income achieved in lower
This model has currently been successful in the trial. Onus is on the third party supplier to ensure the scheme is financially sustainable	The council does not benefit from any increased income financially to cover the cost of communications, client cost or support street cleansing
Places the emphasis on the third party supplier to be proactive in their approach.	

- 1.13 **Option B** – Concession contract model. The Council sets out the financial income it wishes to receive on a yearly basis that the third party supplier must agree to as a minimum. The third party supplier undertakes enforcement operations, maintaining all income derived from FPNs.

Option B (Concession Contract)	
Advantages	Disadvantages
The Council could achieve the contributions to the MTFS target, when client costs are also considered	More limited control for the Council control how environmental crimes are being enforced

Places the majority of the risk onto the third party supplier, to ensure that scheme is financially sustainable including the payment to the council	The third party supplier may adopt a draconian approach to enforcement to ensure income covers all costs.
The majority of the back office functions are undertaken by the third party supplier, and thus do not incur addition cost	Potential negative publicity for the Council from the actions and approach of the third party supplier.
The Council is able to exert some control over what is being enforced with the limitations of the contract	Less tested root for an enforcement contract
Places the emphasis on the third party supplier to be proactive in their approach.	The council does not benefit from any increased income financially to cover the cost of communications, client cost or support street cleansing

- 1.14 **Option C – Income share model.** The Council agrees to pay the third party supplier a fixed contract amount. The supplier would also keep a percentage of the FPN income. The Council would also keep a percentage of the FPN income to offset the contract costs, client cost and communication costs.

Option C (Income Share)	
Advantages	Disadvantages
The Council could achieve the contributions to the MTF target, when client costs are also considered	The fixed annual amount paid to the third party supplier needs to be at a level that is attractive to them
Places the emphasis on the third party supplier to be proactive in their approach.	It will require an element of contract monitoring to ensure correct income is passed to the Council.
The Council will be perceived as ensuring they receive their element of the income derived from paid FPNs.	The Council will need to ensure that the third party supplier do not adopt a draconian approach to FPN issuing.
The majority of the back office functions are undertaken by the third party supplier.	
This approach would foster greater partnership working relationship between the Council and the third party supplier, as they both benefit from the income derived, and will need it to cover their cost	
Will enable the council more flexibility to task resources	

- 1.15 **Option D – Full tasking model** (The Council set out a required amount of enforcement hours per annum. The third party supplier offer these

enforcement hours at an agreed rate. All income derived from paid FPNs would be retained by the Council)

Option D (Full Tasking)	
Advantages	Disadvantages
Back office payment functions would be undertaken by the third party supplier, and thus do not incur addition cost	No incentive for the third party supplier to be proactive in their approach to issuing FPNs.
The council benefit from any increased income financially to cover the cost of communications, client cost or support street cleansing	The Council may could achieve the contributions to the MTFs target, but the client costs would be considerably higher and all the risk would be with the Council
Greater flexibility and use of resources	The some of the back office functions would have to be provided by the Council.
	The Council would have to stringently monitor the third party supplier; to ensure they are providing the agreed enforcement hours.

- 1.16 All of the options above have merits. At this time however option C would be most likely to achieve the Council's objectives, as it balances the ability to fund the enforcement through FPN income with flexible staffing which enables emerging issues to be tackled.
- 1.17 Further investigatory work and financial modelling will be undertaken to develop the final approach to how this model will work. This will include but not be limited to:
- The length of the contractual agreement
 - The payment levels and payment approach
 - The performance review mechanisms
- 1.18 The procurement of a new contract would be on a cost neutral basis to the Council, but will enable enforcement of a wider area of issues (such as the Barnet Waste Regulations 2017) and allow enforcement to also be focused outside of the main town areas.

Levels of FPNs and PCNs

- 1.19 During the review of the trial, discussions were held with other local authorities to ascertain the payment rates which they achieve for similar Fixed Penalty Notices (FPN). One of the key findings was that although Barnet's payment rates were comparable to other authorities, many other authorities did not have an early payment discount rate.

- 1.20 It would be prudent before the start of any new contract to carry out further research to see where FPNs and Penalty Charge Notice (PCN) levels could and should be adjusted.

Barnet Waste Regulations 2017

- 1.21 In March 2016 Environment Committee approved the investigation and drafting of Local Waste Regulations to enable time banded waste collection and to ensure waste and recycling was not left out on the street.
- 1.22 Appendix C sets out the draft regulations for both Household Waste and Commercial/Trade waste. These includes the kinds and numbers of receptacle for waste, the placing of receptacle to facilitate emptying, what may or may not be place in receptacle, and steps to be taken to ensure the collection of waste.
- 1.23 It is proposed that a six week public consultation is held on the draft regulations between week commencing 20 March 2017 and week commencing 1 May 2017. Following amendments from the consultation the draft regulations will be presented to Full Council for discussion and recommendation formal adoption.
- 1.24 Enforcement of the regulations, once adopted, would be in line with the Council's wider enforcement policy and it's Environment Enforcement Policy. If the Committee is so minded to approve the procurement of new environment enforcement contract, then within this contract could be provision to enforce Barnet's Waste Regulations 2017.

2. REASONS FOR RECOMMENDATIONS

Recommendation 1 - It is recommended that Environment Committee notes the Streetscene enforcement update in Appendix A.

Recommendation 2 - It is recommended that Environment Committee approve the procurement of a Streetscene Enforcement Contract. This would enable continuing street scene enforcement after 31 July 2017, and enable any adopted Barnet Waste Regulation to be enforced.

Recommendation 3 – It is recommended that Environment Committee note the ongoing discussion with other local authorities about the possible joint procurement of a new street scene enforcement contract. This would enable a joint procurement to proceed if upon further investigation it achieved the best outcome for the Council both considering finance and quality.

Recommendation 4 – It is recommended that Environment Committee request the Commissioning Director for Environment to carry out a review of the current Streetscene 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 . Using the data gathered in the trail this would enable the criteria for the new enforcement contract to be cost neutral.

Recommendation 5 - It is recommended that Environment Committee notes the draft Barnet Waste Regulations 2017 set out In Appendix C, and approves the six week public consultation. This will enable the public, local businesses and waste companies to comment on the regulations, and enable amends before proposed adoption.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Consideration was given to not continuing with Streetscene Enforcement; however, given the success of the trial and the positive feedback from residents this option is not recommended. Streetscene enforcement is a key part of managing demand in street cleansing and ensuring the Borough is as clean as it can be.
- 3.2 Consideration was given to not adopting Barnet Waste Regulations 2017; however, this would mean that no enforcement action could be taken against business who leave waste containers out on our high streets.

4. POST DECISION IMPLEMENTATION

- 4.1 If members are so minded to agree to recommendation 2 and 3 then a procurement process will be followed in line with council policy.
- 4.2 If members are so minded to agree to recommendation 4 then review of all Barnet's Streetscene enforcement FPN and PCN levels will be carried out. Recommendations will be reported to a later meeting of the Environment Committee.
- 4.3 If members are so minded to agree to recommendation 5 then the draft regulation will be put out for a six week public consultation between week commencing 20 March 2017 and week commencing 1 May 2017.
- 4.4 Following amendments from the consultation the draft regulations would be presented to Full Council for discussion and recommendation formal adoption.

5. IMPLICATIONS OF DECISION

Corporate Priorities and Performance

- 5.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:
- Of opportunity, where people can further their quality of life
 - Where people are helped to help themselves, recognising that prevention is better than cure
 - Where responsibility is shared, fairly
 - Where services are delivered efficiently to get value for money for the taxpayer
- 5.2 The Corporate Plan 2015-2020 includes the following aims:
- We will be a Leader in London for recycling
 - Over 50% of waste collected will be reused, recycled or composted in 2020

- 5.3 At this stage in the development of environment enforcement service, there are no implications relating to the Health and Wellbeing Strategy and its stated priorities, or the future health and wellbeing needs of the local population as identified in Barnet's Joint Strategic Needs Assessment.

Health and Wellbeing

- 5.4 There are no health and wellbeing implications at this time

Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.5 The street scene enforcement trial has been mainly self-funding, with the specialist supplier meeting all enforcement costs, retaining all income, and undertaking all back office functions. It is anticipated that any future contract will also be a zero cost to the council, although it is anticipated that the payment mechanisms may be different.
- 5.6 Any future contract must ensure the delivery of the Medium Term Financial Strategy (MTFS) savings associated with demand management through street scene enforcement of £0.025m in 2017/18 and £0.025m in 2018/19.
- 5.7 There are no property implications at this stage
- 5.8 It is likely that any new street scene enforcement will be above the OJEU expenditure threshold, and the procurement of the service for the long term will most likely need to be OJEU compliant.
- 5.9 There are no staffing implications at this stage
- 5.10 There are no IT implications at this stage
- 5.11 The vision for the street scene enforcement service includes those which are clearly linked to sustainability, including encourage recycling, aiming to achieve a 50% recycling rate.

Social Value

- 5.12 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This will be done as part of any contract procurement

Legal and Constitutional References

- 5.13 Local authorities have a number of different statutory powers in relation Streetscene enforcement, these are set out in the Streetscene Delivery Unit Enforcement Policy (link available in Section 6)
- 5.14 Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 has created a new section 33ZA in the Environmental Protection Act 1990 which states:

- (1) Where an authorised officer of an English waste collection authority has reason to believe that a person

has committed a waste deposit offence in the area of the authority, the officer may give the person a notice under this section in respect of the offence.

(3) A notice under this section is a notice offering the opportunity of discharging any liability to conviction for the offence to which it relates by payment of a fixed penalty.

(9) The fixed penalty payable in pursuance of a notice under this section—

(a) is an amount not less than £150 and not more than £400, as specified by the English waste collection authority whose authorised officer gave the notice, or

(b) if no amount is specified by that authority, is £200.

(10) An English waste collection authority to whom a fixed penalty is payable pursuant to a notice under this section may make provision for treating the fixed penalty as having been paid if a lesser amount of not less than £120 is paid before the end of the period of 10 days following the date of the notice

5.15 The Council's Constitution (Clause 15A, Responsibility for Functions, Annex A) sets out the terms of reference of the Environment Committee. This includes

- Commissioning refuse and recycling, waste minimisation and street cleaning,
- Approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources Committee.
- Approve fees and charges for those areas under the remit of the Committee

5.16 This matter is not reserved to Full Council or to the Policy and Resources Committee as the Constitution specifically allocates matters of this type to the Environment Committee.

5.17 Adoption of the Barnet Waste Regulations 2017, following consultation, will need to be approved by Full Council.

Risk Management

5.18 All project risks are managed using the risk management procedure, as set out by the Corporate Risk Management Framework. The current key risk areas are regarding:

Equalities and Diversity

5.19 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people from different groups.
- Foster good relations between people from different groups.

5.20 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies, and the delivery of services. The nine protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Gender
- Sexual orientation
- Marriage or civil partnership

5.21 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.

5.22 An EQIA for the trial and potential on going Streetscene enforcement can be seen in Appendix B.

Consultation and Engagement

5.23 A public consultation on the Barnet Waste Regulation 2017 will take place between week commencing 20th March 2017 and week commencing 1st May 2017.

5.24 The consultation will be available on Open Barnet and promoted to residents of Barnet and Local Businesses and waste companies.

6. BACKGROUND PAPERS

6.1 The Environment strategies and frameworks set out the strategic vision and future demand management for Recycling and Waste, Parks and Open Spaces, Street Cleansing and Enforcement.

6.2 [Environment Committee March 2016 Papers](#) – including Commercial Waste Transformation and Street scene enforcement

- 6.3 [Environment Committee May 2016 Papers](#) – including Municipal Recycling and Waste Management Strategy
- 6.4 [Environment Committee July 2016 Papers](#) – including Street Cleansing Framework

**London Borough Barnet
Street Scene Enforcement
Trial Summary**

March 2017

Authors:

**Kitran Eastman – Strategic Lead Clean and Green
William McNabb – Project Officer**

Street Scene Enforcement Trial Summary

Content

1.	Introduction and Background	4
2	Keep Barnet Clean Communications and Engagement	6
2.1	Communications Strategy	6
2.2	Creative concept and theme	6
2.3	Campaign Launch	6
2.4	Outputs	6
2.5	Media Releases	9
2.6	Keep Barnet Clean webpages	9
2.7	Social Media - Twitter	10
2.8	Social Media - Facebook	10
2.9	Barnet First.....	11
2.10	Community Engagement and Fostering Civic Pride	11
2.11	Residents Perception Survey.....	12
2.12	Internal Communications.....	12
2.13	Internal Communications - First Team and Chief Executive Weekly Message	12
2.14	Internal Communications - Intranet Article	12
3	Direct Enforcement	13
3.1	What did we enforce	13
3.2	Who is enforcing?	14
3.3	Body Worn Cameras	16
4	Monitoring and Evaluation	17
4.1	Fixed Penalty Notices issued per month	17
4.2	Number of FPNs issued for different offences.....	18
4.3	Borough 'hotspots' for FPNs being issued	18
4.4	Breakdown of FPNs issued per age group.....	19
4.5	Breakdown of FPNs issued per gender group	20
4.6	Breakdown of FPNs issued per ethnic group	20
4.7	Payments Levels of FPNs.....	21
4.8	Percentage rate of payments v FPNs issued	21
4.9	Preferred payment method	21
4.10	Breakdown of discounted rate v. full rate	22
4.11	Income from FPNs.....	22
4.12	Legal Process	22
4.13	Collaborative working with stakeholders	25
4.14	Feedback from residents and businesses within the Borough	26
4.15	Feedback from the suppliers of the trial (NSL)	26
5	Finance	28
5.1	Direct enforcement costs.....	28
5.2	LBB costs	28
6	Conclusions	29
6.1	The costs and benefits of Street Scene enforcement	29
6.2	The number and type of FPNs issued during the trial period	30

Street Scene Enforcement Trial Summary

6.3	The areas FPNs are issued during the trial period	30
6.4	The impact on street cleansing in the Borough	30
6.5	Public opinion on the use of increased Street Scene enforcement	31
6.6	Further achievements as a result of the trial	31
7	Recommendations and Next Steps	32
7.1	Option A - Ending all street scene enforcement	32
7.2	Option B - Extend current contract until the 31st July 2017 and then end all street scene enforcement	32
7.3	Option C - Procure with other local authorities	33
7.4	Option D - Procure a standalone contract	33
7.5	Option E - Procure a combined contract with parking.....	34
7.6	Recommendation.....	34
8	Appendix A – Lessons Learnt/issues to review	35
8.1	Removal of discount rates on FPNs	35
8.2	Increase FPN levels	35
8.3	Increase the scope of FPNs that are issued	35
9	Appendix B – Communications Summary	36

Figure 1:	Key milestones for the Street Scene Enforcement trial	5
Figure 2:	Keep Barnet Clean campaign posters	7
Figure 3:	Keep Barnet Clean campaign posters	8
Figure 4:	Page view data regarding the Keep Barnet Clean Webpage.....	10
Figure 5:	Popular tweets in relation to the Keep Barnet Clean campaign	10
Figure 6:	Image from a Community Litter Pick.....	11
Figure 7:	Environmental Enforcement Officer uniforms	15
Figure 8:	FPNs issued per month	17
Figure 9:	FPNs issued per different offence	18
Figure 10:	Borough Map of FPN 'hotspots'	18
Figure 11:	Percentage of FPNs issued per age group.....	19
Figure 12:	Breakdown of FPNs issued per age group.....	20
Figure 13:	Breakdown of FPNs issued per ethnic group	20
Figure 14:	Preferred Payment Method	21
Figure 15:	Payment of FPNs - Discounted v. Full Rate	22
Figure 16:	Monthly number of files forwarded to HB Public Law	23
Figure 17:	Positive and Negative resident feedback regarding the trial	26
Figure 18:	NSL Income and Expenditure	28
Figure 19:	Council Income and Expenditure (excluding legal costs)	28
Figure 20:	Council Income and Expenditure (Legal).....	28
Figure 21:	Option A Advantages and Disadvantages	32
Figure 22:	Option B Advantages and Disadvantages.....	33
Figure 23:	Option C Advantages and Disadvantages.....	33
Figure 24:	Option D Advantages and Disadvantages	34
Figure 25:	Option E Advantages and Disadvantages.....	34

Street Scene Enforcement Trial Summary

1. Introduction and Background

1.1 Background

On the 8th of March 2016, Environment Committee resolved to test a new approach to Street Scene enforcement through a trial with a third party specialist supplier. The third party specialist would undertake the provision of Street Scene enforcement across the Barnet for least six months. Through the trial, there would be an increase in proactive enforcement action against individuals and businesses who commit enviro-crimes within Barnet such as littering, fly tipping and duty of care violations. The rationale for this enforcement of enviro-crimes was because they have a detrimental effect on our environment; especially on our streets, parks and back alley ways.

1.2 Aim of the trial

The aim of the trial was to gain a range of information to inform the Committee Decision on how Street Scene enforcement can be delivered in the future. This included but was not limited to:

- The costs and benefits of street scene enforcement
- The number and type of FPNs issued during the trial period
- The areas FPNs are issued in during the trial period
- The impact on street cleansing in the Barnet
- Public opinion on the use of increased street scene enforcement

1.3 Scope of the trial

The Street Scene Enforcement Trial had three key stages:

- Communications
- Direct Enforcement
- Monitoring and Evaluation.

The key elements and their timing can be seen below in figure 1:

Street Scene Enforcement Trial Summary

July 2016	Aug 2016	Sept 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017
--------------	-------------	--------------	-------------	-------------	-------------	-------------	-------------	-------------

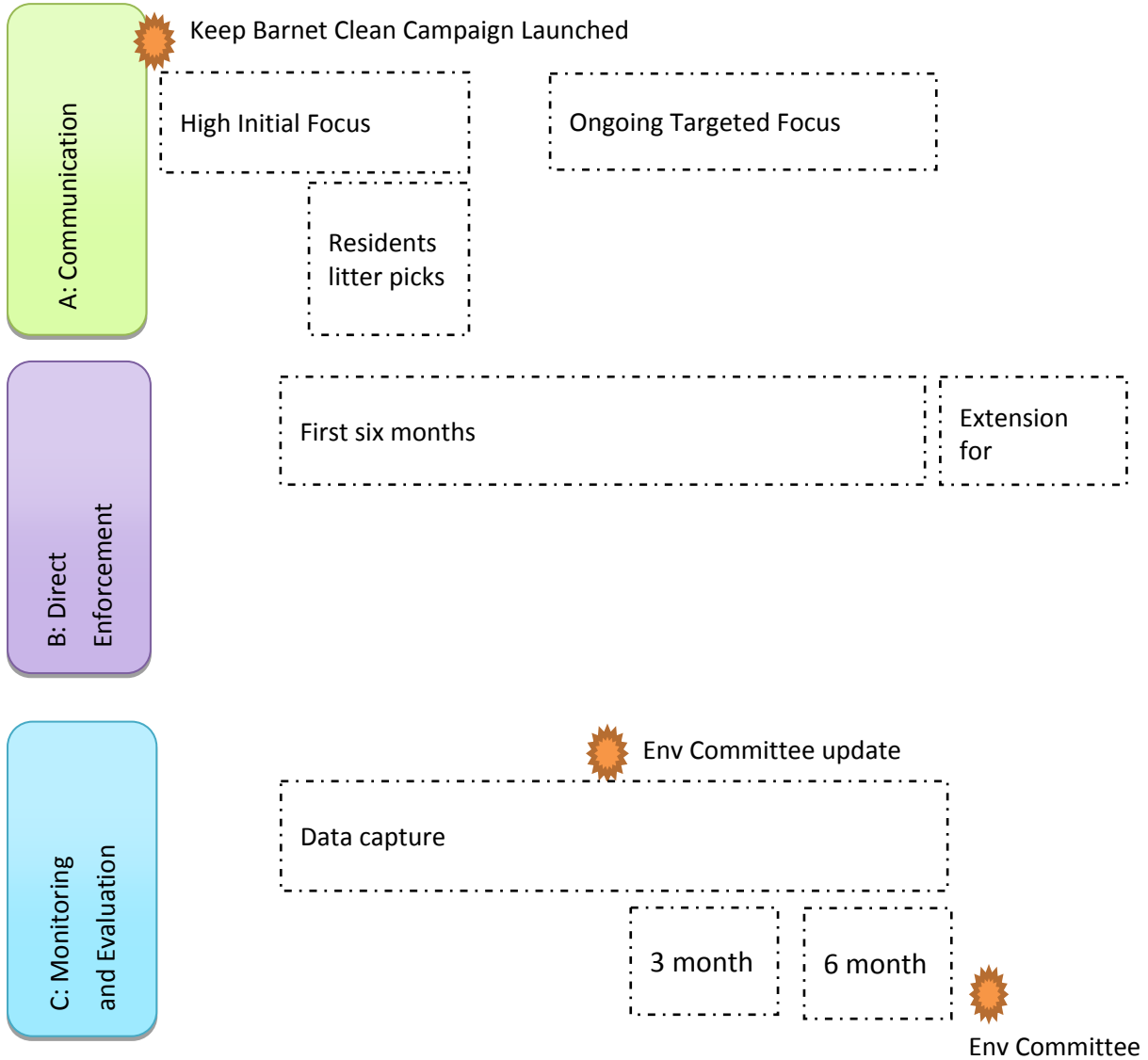


Figure 1: Key milestones for the Street Scene Enforcement trial

Street Scene Enforcement Trial Summary

2 Keep Barnet Clean Communications and Engagement

2.1 Communications Strategy

The communications strategy that underpinned this campaign aimed to demonstrate that littering is unacceptable in Barnet and that you will be fined for littering. Reinforcing this was a desire to develop a sense of civic pride within the residents. To reach our audience, we used geo-targeting to identify litter hotspots across the Barnet, including high streets, bus shelters and outside tube/rail stations. The strategy was delivered in three phases over the course of the trial:

1. **Education:** Barnet has a no-nonsense approach to littering. **Report it!**
2. **Community engagement:** working with local community groups to help clean up the streets. **Report it!**
3. **Enforcement:** If you litter in Barnet, you could be fined £80. **Report it!**

2.2 Creative concept and theme

The purpose of this campaign was to educate, inform and engage. As such, the creative for the campaign needed to encapsulate these messages. Options considered for the creative included shaming, enforcement and civic pride.

Barnet residents are proud of where they live. Many of them feel that the appearance of their local area is important. The council does its part to keep the borough clean and we wanted to encourage taxpayers of and visitors to the borough to not litter by challenging those that they might see committing enviro-crime. We also utilised the information that a large proportion of littering takes place within close proximity of a bin.

The concept created was the 'Excuse Me' campaign. The campaign used statements demonstrating that litter is rubbish and should be in a bin. It reinforced the message that you will be fined if you drop litter. The work was versatile, covered a range of litter issues and was suitable for different channels (including bus shelters, leaflets etc). The artwork demonstrated a clear rationale and consistency, linking the concept together. We concluded each poster asking for residents to Report It if they see a problem.

2.3 Campaign Launch

To launch the event, two-days' worth of fly tipped materials was stored from across the borough and then "dumped" in a public place, to show the sheer volume. The enforcement team, the Street Scene team and Cllr Cohen attended the photoshoot. This event generated positive coverage and provided an excellent platform to kick off the campaign.

2.4 Outputs

- Outdoor Advertising – Bus panel poster and Six Sheet high street posters

Street Scene Enforcement Trial Summary

From the campaign launch on 5 July 2016 to the 27 September 2016, five different campaign posters were held in bus shelters and high streets across the borough. The posters made use of consistent messaging using the campaign creative, but each poster focused on a different material frequently littered by Barnet residents. Over the course of the campaign, the Keep Barnet Clean artwork was viewed over 27 million 'opportunities to see'. Images of these posters can be seen below and on the following pages.

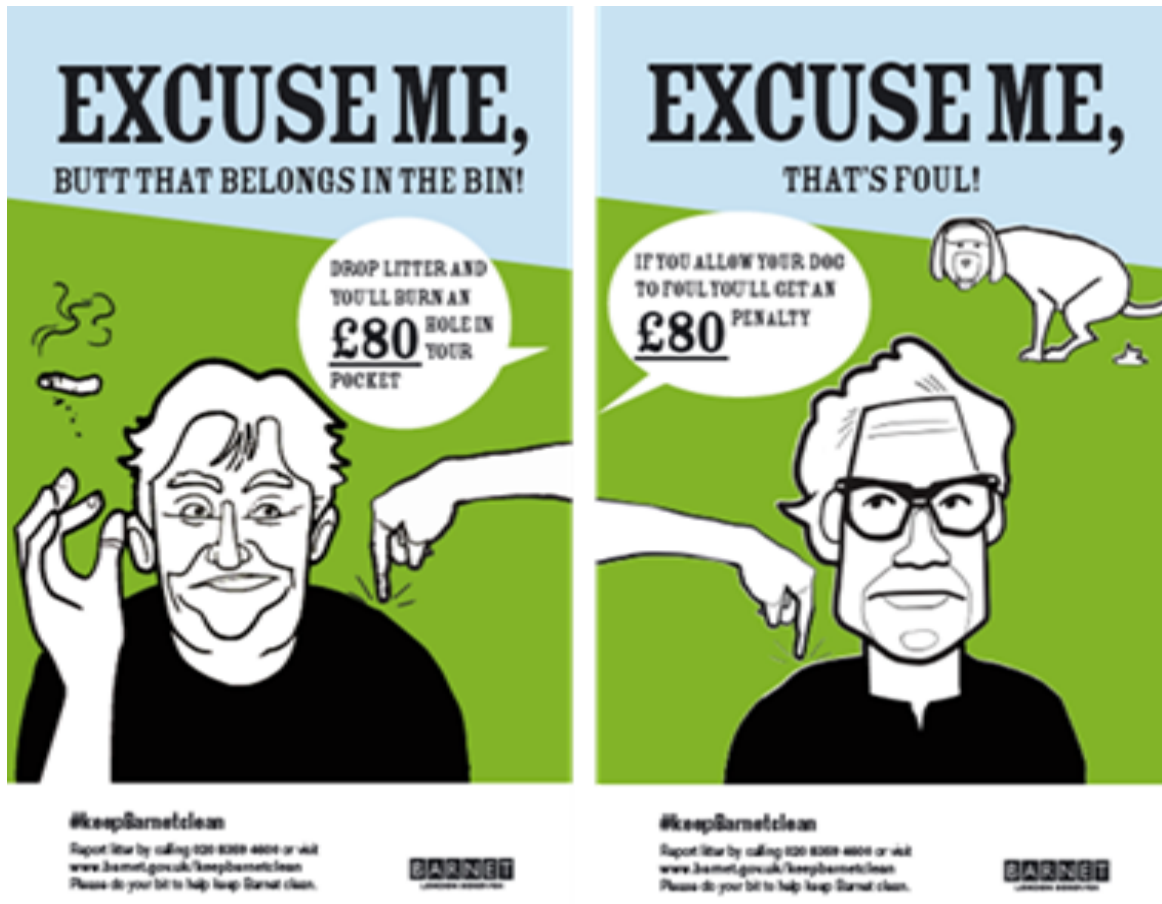


Figure 2: Keep Barnet Clean campaign posters

Street Scene Enforcement – Summary of the trial



#keepBarnetclean

Report litter by calling 020 8369 4600 or visit
www.barnet.gov.uk/keepbarnetclean
Please do your bit to help keep Barnet clean.



#keepBarnetclean

Report litter by calling 020 8369 4600 or visit
www.barnet.gov.uk/keepbarnetclean
Please do your bit to help keep Barnet clean.



#keepBarnetclean

Report fly tipping by calling 020 8369 4600 or visit
www.barnet.gov.uk/keepbarnetclean
Please do your bit to help keep Barnet clean.



Figure 3: Keep Barnet Clean campaign posters

Street Scene Enforcement – Summary of the trial

Bus backs, passenger panels and a large 16 sheet poster at Finchley Central Station. As part of the campaign, a number of posters were designed to sit on the back of buses which travel across the Borough. Information obtained following the campaign highlighted that the bus backs and interior passenger panels had 126 million opportunities to see (OTS), with each resident seeing the campaign material an average of 4.76 times.

2.5 Media Releases

Throughout the course of the campaign five separate media releases were issued. These were picked up by the local newspapers (Barnet Times and the Barnet Press). The media releases were also posted on our social media channels and held on the homepage of the Barnet Council website. The Barnet Times experiences a readership of 137,066 residents, and the Barnet Press 69,374 residents (as of late 2016). Each press release picked up on a different theme of the Keep Barnet Clean campaign:

- [Why Council is Taking Tough Stance to Keep Barnet Clean](#)

This first release was issued to the local media at the beginning of the campaign, with aim of encouraging residents to get involved through social media channels using the campaign hashtag #KeepBarnetClean. The article received positive pick up from a number of local news outlets, including: [This is Local London](#), the [Barnet Press](#) and the [Cypriot Weekly Newspaper](#). The article in 'This is Local London' generated ten comments from residents which saw mixed responses – many of the responses commented on the fact that Barnet Council were planning a reduction in the street cleansing budget but one or two comments did acknowledge that the campaign was much needed in changing some residents' behaviours in terms of litter and fly-tipping.

- [Community Litter Picks to Keep Barnet Clean](#)

- [Barnet Gets Tough on Fly-tipping Over Winter to Keep Barnet Clean](#)

- [Barnet Enforcement Officers to Wear Body Cams](#)

The last press release issued as part of the Keep Barnet Clean Campaign advised residents that the NSL Enforcement Officers were wearing body cameras. The angle of the release was that the cameras were there to protect both the NSL Enforcement Officers and residents whilst providing transparency. Articles were issued in the [Barnet Times](#) and the [Ham and High](#) newspapers. Neither article generated comments from residents.

2.6 Keep Barnet Clean webpages

A webpage was created at www.barnet.gov.uk/keepbarnetclean as part of the trial. Google analytics report that the campaign page was viewed 1,872 times which peaked at the start of the campaign, experienced a slight drop in October 2016 but has since maintained a steady level. The average time spend on the page was 1 minute and 53 seconds:

Street Scene Enforcement – Summary of the trial

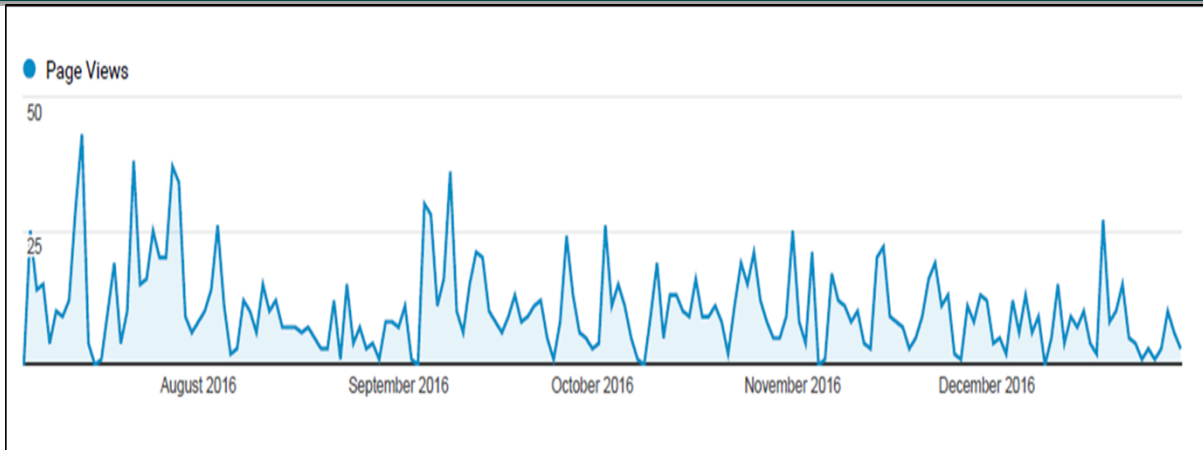


Figure 4: Page view data regarding the Keep Barnet Clean webpage

2.7 Social Media - Twitter

From the campaign launch date at the beginning of July, through to 31 December 2016, the residents were encouraged to take part in the campaign by using the #KeepBarnetClean hashtag. Over the course of the campaign, 212 tweets and replies were issued through Barnet Council’s Twitter account. 168 replies were generated from tweets originally sent out by the Council’s twitter account and also from residents who responded to tweets or entered into discussions with each other. Out of the 212 tweets, 144 were re-tweets and 109 followers liked the campaign tweets. The most popular tweets are displayed below:



Figure 5: Popular tweets in relation to the Keep Barnet Clean campaign

2.8 Social Media - Facebook

Twitter is the most common social media tool used by Barnet residents, and so much of the social media focus was on this channel. However, when the campaign was launched a series of posts were issued on the Council’s Facebook page. The campaign

Street Scene Enforcement – Summary of the trial

launch Facebook post reached 62 residents and received two likes; a follow-up post reached 33 residents and received four likes and one comment. The comment praised the work being done by the council to help keep the borough clean.

We were not the only people posting about the campaign. The Mill Hill Neighbourhood Forum also ran a Facebook post about the campaign and added the campaign imagery into their post, receiving three likes and three comments. Similarly, the Facebook group 'Barnet Updates' also ran a Facebook post encouraging their followers to get involved in litter picks and to use the campaign social media hashtag. This post received two likes.

2.9 Barnet First

A double page spread was included in the July 2016 issue of Barnet First – the residents' magazine which goes out to approximately 140,000 households across the borough. The article was styled using the campaign artwork and included an introduction to the campaign, some fun facts and figures as to how long it takes for items of frequently dropped litter to break down and also some 'did you know' facts about littering in Barnet. As a call to action, residents were encouraged to take part in a community clean up event by contacting the Parks team. In October a further article was used showcasing a series of images from community members who had taken part in a local litter pick.

2.10 Community Engagement and Fostering Civic Pride

As part of the campaign, residents were encouraged to take part in community clean ups across the borough and organised these in partnership with the Streetscene Delivery Unit. The aims of the litter picks were to evoke civic pride and encourage residents to get involved in looking after their local community. The clean ups were very popular, with **ten litter picks taking place across the borough, with 99 residents and one primary school taking part**. During the litter picks, 94 bags of litter were collected.



Figure 6: Image from a community litter pick

Street Scene Enforcement – Summary of the trial

2.11 Residents Perception Survey

The council undertakes a Residents Perception Survey twice each year to understand how residents feel about their local area and how they feel the council are performing in delivering local services. The autumn 2016 Residents Perception Survey highlighted that 48% of residents recognised the Keep Barnet Clean campaign. This can be viewed as being a highly successful surpassing the objective from the trial was that 35% of residents recognise the Keep Barnet Clean campaign.

2.12 Internal Communications

40% of council staff are also Barnet residents and as a result, they were encouraged to get involved and support the Keep Barnet Clean campaign. Staff also participated in a litter pick as part of the sports day.

2.13 Internal Communications - First Team and Chief Executive Weekly Message

An article regarding the trial was included in the First Team e-newsletter on both the 13th July 2016 and the 7th September 2016, the newsletter is sent out electronically to 3,000 Council colleagues. The 13th July 2016 article was read by 1,684 staff members, whilst the 7th September 2016 article was read by 1,564 staff members. Moreover, the campaign was also referenced in the Chief Executive's weekly message on two occasions, which also goes out via email, to 3,000 staff members. The weekly message on the 22nd July 2016, was read by 1,724 staff members, whilst the weekly message on the 9th September 2016 was read by 1,603 staff members.

2.14 Internal Communications - Intranet Article

In addition, articles about the Keep Barnet Clean campaign were also published on the council's intranet system. Analysis shows that the intranet article published on the 25th July 2016 was read by 74 staff members, whilst the intranet article published on the 19th September 2016 was read by 157 staff members.

A summarised version of the inputs, outputs, outtakes and the outcomes of the communications strategy is set out in the Appendix.

Street Scene Enforcement – Summary of the trial

3 Direct Enforcement

Direct enforcement began on the week commencing the 25th July 2016 and was undertaken on a borough wide basis, with specific attention being placed on the following key retail centres.

Brent Cross	Edgware	High Barnet
Burnt Oak	East Barnet	Mill Hill
Central Finchley	East Finchely	North Finchley
Childs Hill	Friern Barnet	Temple Fortune
Collindale	Golders Green	Totteridge and Whetstone
Cricklewood	Hendon	West Hendon

3.1 What did we enforce

Throughout the duration of the trial, NSL issued FPNs for the following environmental crimes:

- **Littering:** £80 FPN or £50 if paid within 10 days
Dropping litter anywhere is an offence. Litter is everything from food packaging, to cigarette butts, chewing gum, spitting and urination . Littering has been the environmental crime that the most FPNs have been issued for.
- **Dog fouling:** £80 FPN or £50 if paid within 10 days
If your dog fouls in a public place and you fail to pick it up, this is an offence.
- **Urinating:** £80 FPN or £50 if paid within 10 days
It is an offence to urinate on public surfaces, roads, pavements or streets.
- **Spitting:** £80 FPN or £50 if paid within 10 days
It is an offence to spit on public surfaces, roads, pavements or streets.
- **Flyposting:** £80 FPN or £50 if paid within 10 days
Displaying of advertising material on buildings and street furniture without the consent of the owner, this is an offence.
- **Graffiti:** £80 FPN or £50 if paid within 10 days
This is an illegal activity which creates a negative impression of an area and contributes to people's fear of crime.
- **Fly tipping:** £400 FPN or £300 if paid within 10 days
The illegal dumping of waste. It can vary in scale significantly, from a bin bag of rubbish to larger bulky waste items dumped, such as mattresses or white goods.
- **Commercial waste duty of care:** £300, £180 if paid within 10 days
Every business has a commercial waste duty of care to deal responsibly with any waste that it produces. This has been the case since the Environmental Protection Act 1990 became law, requiring establishments or businesses to take responsibility for ensuring that their waste is properly disposed of. Establishments and businesses who do not comply with the law, can be issued with a FPN.

Street Scene Enforcement – Summary of the trial

Enforcement of commercial waste duty of care was introduced into the trial in November 2016 and a process was created which enabled the council to authorise NSL to request duty of care documentation from establishments and businesses across the. Moreover, the process also authorised NSL to issue FPNs to establishments or businesses who did not provide any duty of care documentation directly to NSL within the designated time period.

As with the other areas of enforcement, our approach to commercial waste has not focused solely on direct enforcement. There has been a strong emphasis on educating establishments and businesses about their commercial waste duty of care requirements. As a result, the council has become an ambassador for the national campaign *'Right Waste Right Place?'* This campaign aims to help sole traders and small businesses understand their responsibilities around waste and recycling. As such, a link to this campaign has been placed on the Councils commercial waste web page to help publicise it.

Moreover, an easy to understand brochure *'A simple guide to duty of care for your waste'* has been created by the council to educate businesses about their commercial waste duty of care obligations. NSL have been distributing these brochures to establishments and businesses across the Borough.

- **Breach of Community Protection Notice (CPN):** £100 FPN or £70 if paid within 10 days
These are intended to deal with environmental anti-social behaviour that spoil the quality of life for a communities and have a detrimental effect on the quality of life for others. They can include the poor condition of premises, or noise emitting from machinery or vehicles. If they are breached, FPNs can be issued to individuals as well as organisations and businesses. During the trial period, no CPNs were issued.
- **Breach of Public Space Protection Order (PSPO):** £100 FPN or £80 if paid within 10 days
These are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure that the law-abiding majority can use and enjoy public spaces without experiencing anti-social behaviour. If these are breached, FPNs can be issued. During the trial period, no PSPOs were issued.

3.2 Who is enforcing?

The trial was undertaken by a third party specialist supplier NSL Ltd. NSL were commissioned to undertake the trial on behalf of the council for an initial six-month period, with the possibility of an extension of up to six months.

As part of this commission, a one off initial start-up fee of £9,950 was paid to NSL at the commencement of the trial. This enabled NSL to install the relevant infrastructure to carry out the trial. Moreover, all other financial overheads (up until any prosecutions) were paid for by NSL, these included staff costs, payment systems, administration, uniform and cameras, back office functions etc. All financial revenue

Street Scene Enforcement – Summary of the trial

generated through the payment of Fixed Penalty Notice (FPNs) was retained by NSL to cover all the operational costs of undertaking the trial.

To ensure that the trial was sufficiently resourced, NSL deployed six Environmental Enforcement Officers, who are undertook a variety of 8 hours shifts between the hours of 07:00 and 21:00 Monday to Saturday, as well as working Sundays and Bank Holidays. All Environmental Enforcement Officers received a full training package before they began their roles. Staff wore branded uniforms that can be seen below:



Figure 7: Environmental Enforcement Officer uniforms

To ensure that the trial was progressing in an appropriate manner, robust governance structures were set up. A monthly contract review meeting was held, which included individuals from NSL, Barnet Council Commissioning Unit and Barnet Council Delivery Unit. NSL provided a monthly update on the progress of the trial, which included intelligent data about the different types of enviro-crimes that were being enforced, where they were being committed and who were committing them.

The contract management meeting enables Barnet Council representatives to raise any issues in regards to the trial and to feedback any information regarding litter 'hotspots' to NSL, who can incorporate these into their forward work plans. Furthermore, it enabled Barnet Council and NSL to work collaboratively in setting out the future direction and aspirations of the trial

Street Scene Enforcement – Summary of the trial

3.3 Body Worn Cameras

In November 2016, the use of Body Worn Cameras by the Environmental Enforcement Officers was introduced into the trial. Body Worn Cameras have never been used by the council before, therefore the Street Scene Enforcement trial became the first use of such devices by Barnet Council. However, they have been introduced by a number of other public sector agencies such as the Police and Fire Service.

The main reasons why the Body Worn Cameras were introduced are listed below:

- Safety for Officers
- Evidence Gathering
- Increase the integrity of the trial
- Reduce complaints
- Increased likelihood of compliance

Practically, the Body Worn Cameras are portable recording devices worn on the clothing of an Environmental Enforcement Officer. They are operated manually by the Officer and record both audio and video. They have been used to record interactions with members of the public suspected of committing enviro-crimes.

A robust process has been developed between the council and NSL to ensure that the Body Worn Cameras are used in the correct manner; thus ensuring that the Body Worn Camera is only switched on after an offence has occurred, the member of the public is informed that they are being recorded as soon as possible and the recording is ceased once the interaction between the Environmental Enforcement Officer and the member of the public is complete.

Moreover, through collaborative working with the Information Management team, the council has been ensuring that NSL adhere to all Data Protection stipulations in relation to the recorded information, which are set out in the Data Protection Act 1998.

Since the introduction of the Body Worn Cameras into trial in November 2016, there have been no Subject Access Requests (SARs) received by the Council from members of the public in relation to viewing footage.

Section 7 of the Data Protection Act enables individuals to make a SAR to view a copy of the recorded information an organisation holds about them.

Street Scene Enforcement – Summary of the trial

4 Monitoring and Evaluation

4.1 Fixed Penalty Notices issued per month

The monitoring of Fixed Penalty Notices (FPNs) was a key part of the trial as the council was trying to reduce the number of businesses, residents and visitors who commit enviro-crimes in Barnet. All information enclosed in this sector cover the period from the start of the trial at the end of July 2016 until the end of January 2017.

Since the beginning of the trial up to the end of January 2017, 2,366 FPNs have been issued in total. The break down per month can be seen below:

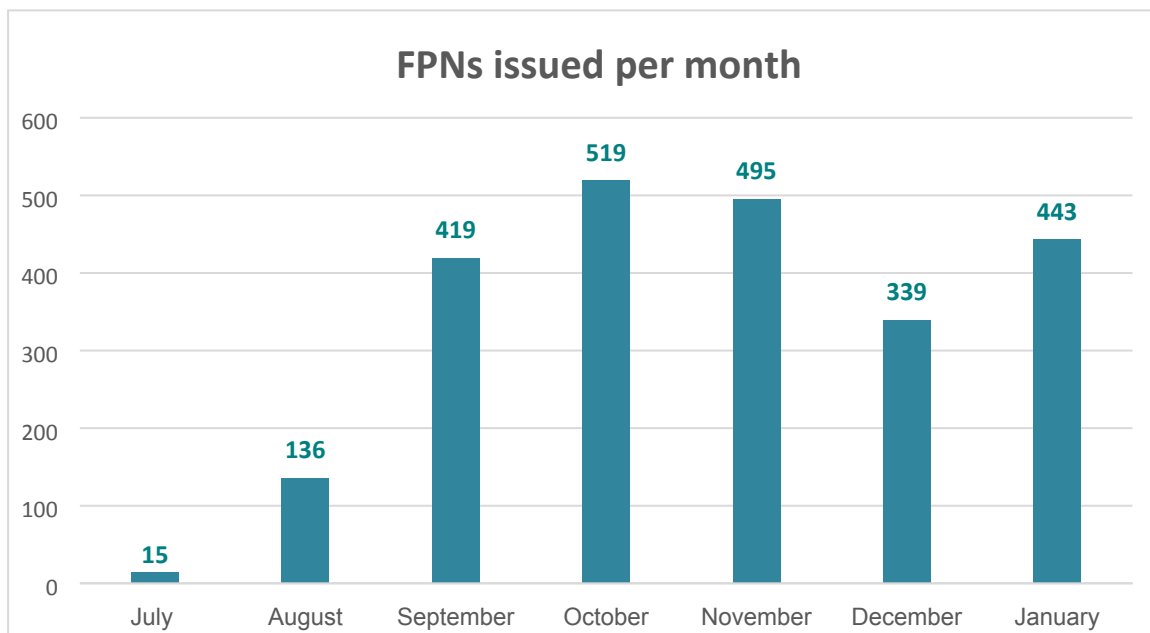


Figure 8: FPNs issued per month

Based on the data presented in the chart above, the average monthly number of FPNs issued during the trial was 392. This figures covers the period from August 2016 to January 2017, excluding July 2016 as enforcement actions were only undertook for a small number of days at the end of the month.

The FPN issue figure for August 2016 is considerably smaller than the following months of the trial. This can be attributed to the fact that NSL were still recruiting Environmental Enforcement Officers during this month, who were required to undertake the mandatory training and familiarise themselves with the borough. Therefore, a truer reflection of the average monthly number of FPNs issued during the trial would be 443, as this covers the period from September 2016 to January 2017.

NSL have stated that the slight drop in FPNs issued in December 2016, was a combination of increased levels of Environmental Enforcement Officer sickness, as well as a reduction of residents in the commercial centres.

Street Scene Enforcement – Summary of the trial

4.2 Number of FPNs issued for different offences

Furthermore, in regards to the 2,366 FPNs issued since the beginning of the trial, the table below demonstrates the breakdown of what offences FPNs have been issued for:

Offence	July	Aug	Sept	Oct	Nov	Dec	Jan	TOTAL
Littering	15	132	417	516	477	278	326	2,161
Fly tipping	-	2	2	3	2	2	7	18
Business Waste Compliance	-	-	-	-	16	59	110	185
Fly posting	-	2	-	-	-	-	-	2
TOTAL	15	136	419	519	495	339	443	2,366

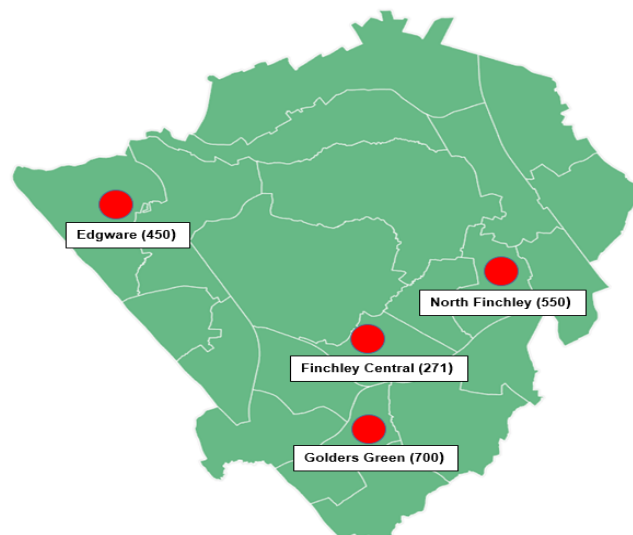
Figure 9: FPNs issued per different offence

Littering (2,161 FPNs issued) is clearly the offence that received the largest amount of FPNs throughout the duration of the trial. Since the introduction of commercial waste duty of care enforcement in November 2016, 185 FPNs have been issued to businesses that are in breach of their duty of care requirements.

4.3 Borough ‘hotspots’ for FPNs being issued

The map of Barnet below highlights the ‘hotspots’, where the largest numbers of FPNs have been issued since the trial began.

As the map displays, locations across the borough that have key transport infrastructures and commercial centres such as Golders Green, North Finchley, Edgware and Finchley Central are areas that receive a high number of FPNs due to the large influx of people to these locations through transport hubs. (Figure 10: Borough map of FPN ‘hotspots’)



Street Scene Enforcement – Summary of the trial

The trial, however, was not solely focused on these areas and the project team were keen to ensure that the whole of Barnet was covered. This resulted in FPNs being issued across the whole borough, from Burnt Oak (87 FPNs issued) to East Barnet (8 FPNs issued).

4.4 Breakdown of FPNs issued per age group

To assist the council in understanding who is committing environmental crimes, the age range of offenders has been collated. The information in the pie chart below depicts the percentage breakdown of FPNs issued per age range throughout the course of the trial:

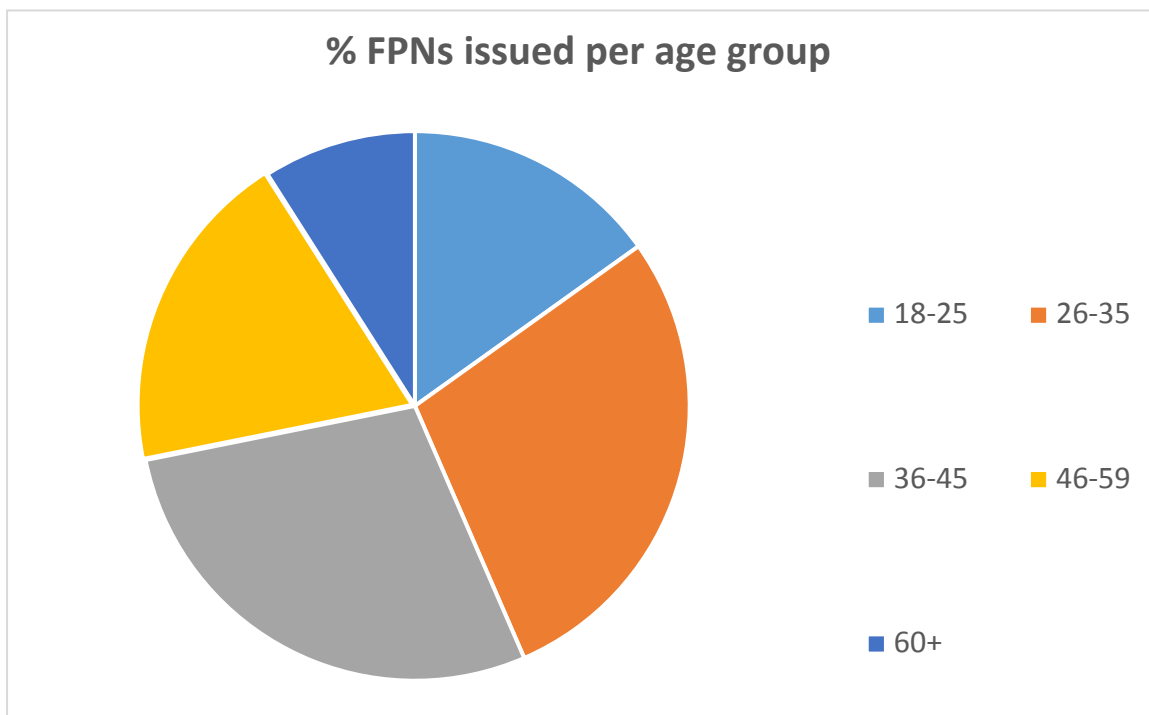


Figure 11: Percentage of FPNs issued per age group

- 18 – 25 age range (9.0% FPNs Issued)
- 26 – 35 age range (28.3% FPNs Issued)
- 36 – 45 age range (28.3% FPNs Issued)
- 46 – 59 age range (19.1% FPNs Issued)
- 60+ age range (15.1% FPNs Issued)

What is apparent from the data collected, is that individuals within both the 26-35 and 36-45 age ranges are the main offenders.

Moreover, what is interesting is that anecdotally within society often those under 25 are often touted as being the significant litterers. Within in trial the 18-25 age received fewer FPNs than the 26-35 age range, the 36-45 age range and the 46-59 age range.

Street Scene Enforcement – Summary of the trial

4.5 Breakdown of FPNs issued per gender group

In regards to the gender of the offenders, the table below depicts the percentage breakdown of FPNs issued per gender group:

Gender Group	% FPNs Issued
Male	65.9%
Female	27.3%
Unknown	0.1%
Company	6.6%

Figure 12: Breakdown of FPNs issued per age group

What is clear from the table above is that Males are the main offenders, with just under two thirds of all FPNs issued, being issued to Males.

4.6 Breakdown of FPNs issued per ethnic group

Supplementing the information developed in regards to the age range and gender group, the ethnicity of offenders has also been collated to gain a better understanding of those who receive FPNs. The table breaks down the percentage of individuals who received FPNs based on their ethnicity:

Ethnic Groups	% FPNs Issued
IC1 – White European	59.1%
IC2 – Mediterranean Europe	4.7%
IC3- Afro/Caribbean	6.6%
IC4 – Indian/Pakistani Asian	11.4%
IC5 – Oriental Asian	4.4%
IC6 – Arab/North African	6.6%
IC7/0 - Unknown	7.1%

Figure 13: Breakdown of FPNs issued per ethnic group

What is clearly apparent is that White Europeans are the main ethnic group being issued with FPNs, as they account for approximately 59% of all FPNs that have been issued.

Therefore, based on the information provided by NSL, the ‘typical’ individual who commits environmental crime within Barnet is currently a White European Male aged between 26-45 years of age.

Street Scene Enforcement – Summary of the trial

4.7 Payments Levels of FPNs

When individuals or businesses have been issued with a FPN, the various payment options available to them are displayed on the physical FPN for them to avail of. Presently there are two payment options:

- An online payment system hosted NSL (www.fpnpay.co.uk)
- A 24-hour automated payment telephone line (03300 081 659)

Full instructions on how to pay the FPN are provided when you access either option.

4.8 Percentage rate of payments v FPNs issued

The percentage rate of FPNs that have been paid, in relation to the overall amount of FPNs issued throughout the duration of the trial is **approximately 57%**. This, however, does not take into account that a number of FPNs that have been issued are still in the payment period and could still be paid. If we take this into account, the percentage rate is **approximately 74%**.

4.9 Preferred payment method

Following on from the percentage rate of FPNs being paid, it is important to understand what is the preferred method of paying for the FPN, ether online or via telephone. Since the commencement of the trial, the breakdown of how people have paid is displayed in the pie chart below:

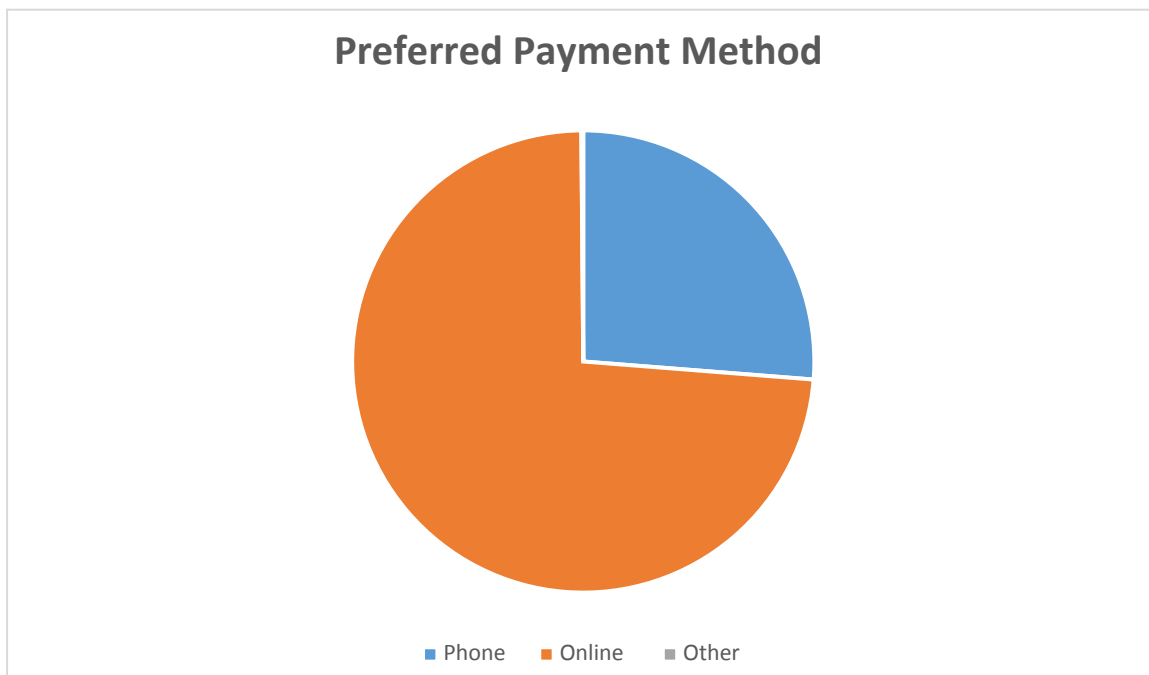


Figure 14: Preferred payment method

As the pie chart above depicts, 70% of FPNs are paid online. Two postal order payments have also been received and processed, even though this payment method has not been advertised and is not part of the scope of the trial. This payment method, however, is used within the parking enforcement service.

Street Scene Enforcement – Summary of the trial

4.10 Breakdown of discounted rate v. full rate

As previously stated, if individuals or businesses pay their FPN within 10 days of it being issued, for some offences they are offered an early payment discount. In the specific case of littering, individuals only have to pay a reduced rate of £50. If they fail to pay the FPN within this time period, they are then charged the full rate of £80.

The pie chart below depicts the number of FPNs that have been paid at the reduced rate compared to the number of FPNs that have been paid at the full rate. What is clearly evident is that the vast majority of individuals are paying within the first 10 days (84%) and availing of the reduced rate.

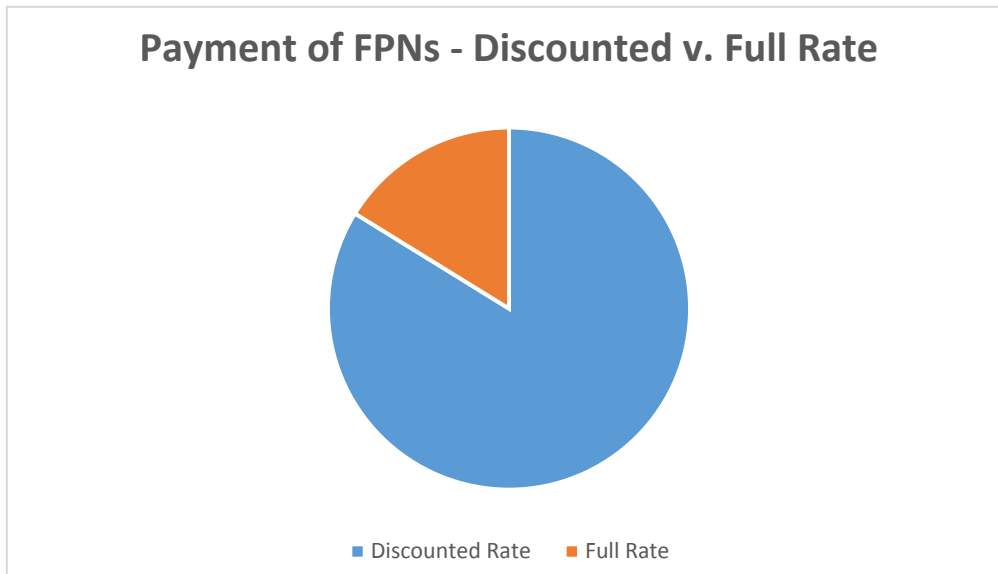


Figure 15: Payment of FPNs - Discounted v. Full Rate

4.11 Income from FPNs

For the 6-month period that the trial has been in operation, currently £70,680 of income has been generated through the payment of FPNs that have been issued to businesses and individuals across the borough.

However, it is anticipated that this level of income will increase as payments for FPNs issued in January will continue to be processed. Therefore, the projected total income for the six-month trial is expected to be £86,780.

As agreed at the onset of the trial, all income derived from the FPNs was maintained by NSL and used to cover the costs of the trial. The cost v income levels can be seen in Section 5.

4.12 Legal Process

When individuals or businesses are issued with FPN, there are no formal grounds to appeal, an FPN is an invitation for the individual or business to discharge their liability to prosecution. In essence this means that although they are not admitting their guilt, they are agreeing that an offence has been committed and that by paying the FPN, no further action will be undertaken by or on behalf of Barnet Council. This method of dealing with offences not only saves time involved for everyone in prosecuting cases

Street Scene Enforcement – Summary of the trial

at court, but the cost associated with a FPN is likely to be substantially lower than any fine imposed by the courts.

When an individual or business is issued with an FPN, if they do not pay it within 14 days from the date of issue, they receive a Final Warning letter to remind them that the payment is overdue. The Final Warning letter allows a further seven days to pay the FPN at the full rate. If it is not paid within this period, the case is referred for prosecution.

To ensure that these cases are dealt with in a timely manner, a process has been developed by the Council, their legal partner HB Public Law and NSL. On a monthly basis, NSL compile each case from that month where no payment has been received and seven days has passed since the Final Warning Letter into a prosecution file. Each of these prosecution file contains a number of relevant documents to the case. These prosecution file files are then forwarded to the Strategic Lead for Clean and Green to both review and authorise the prosecution process to begin. Once this occurs, the final authorised to prosecute files are forwarded to HB Public Law who commence the legal prosecution process that will results in each case going to court.

Since the trial commenced at the end of July 2016, there has been 150 prosecution files forwarded to HB Public Law to commence the legal prosecution process. The table below highlights the monthly number of files forwarded to HB Public Law from the Council since the trial commenced:

Month	'Court bundle' files forwarded to HB Public Law
July	3
August	13
September	34
October	100

Figure 16: Monthly number of files forwarded to HB Public Law

The remaining court bundles for the duration of the trial will continue to be forwarded to HB Public Law for prosecution in the forthcoming months.

The three cases from July and the 13 cases from August were presented to Court on the 10th November 2016. From these 16 cases:

- One defendant appeared at Court on that date. The Magistrate took into account all the information provided from both the defendant and NSL. As a result, the Court ordered an absolute discharge for this specific defendant.
- One defendant submitted a guilty plea by post, stating that they intended to make an early payment but could not afford to do so. As a result, the Court ordered a £50 fine, £30 victim surcharge and no costs.
- The remaining 14 defendants made no response or payment and the offence was proved in their absence. As a result, the Court ordered a £100 fine, £150 costs, a £30 victim surcharge and a collection order. **Totalling £280 each.**

Street Scene Enforcement – Summary of the trial

The 34 cases from September were presented to Court on the 21st February 2017. From these cases:

- Three cases were withdrawn as payments for the FPNs were received.
- One case was withdrawn due to ineffective service, whereby the documents were returned to HB Public Law as the address was incorrect and an alternative address could not be sourced.
- One case was adjourned as initially the documents were returned to HB Public Law as the address was incorrect. A new address for the defendant was sourced and in this circumstance, HB Public Law requested a two-week adjournment to allow re-service of the documents which was granted by the Magistrates. This case will be heard by the Court on the 7th March 2017.
- One case was adjourned as the defendant contacted the Court to confirm that they had only received the documentation on the morning of the 21st February 2017, as it had been sent to an incorrect address. The defendant noted both that they were unable to attend Court and that they had been declared Bankrupt. The Court felt that they should give the defendant the opportunity to attend, should they wish or at least put proof of their personal and financial circumstances before the Court. HB Public Law agreed to contact the defendant via post to ask for proof of their Bankruptcy, as if this was provided, the Council may wish to review the case as to whether it was in the interests of justice to pursue this in Court. This case will be heard by the Court on the 7th March 2017.
- The remaining 28 defendants made no response or payment and the offence was proved in their absence. As a result, the Court ordered a £200 fine, £200 costs, a £30 victim surcharge and a collection order. **Totalling £430 each.**

38 cases from October, specifically those relating to littering offences, were presented to court via a process known as the Single Justice System on the 23rd February 2017. The outcome for these will not be known until March 2017, as the Court will be notifying HB Public Law of the outcomes and there is a two week waiting period.

The remaining 62 cases from October are expected to be presented to Court in March 2017, though a specific date has not yet been set.

In regards to the payments ordered by the Court for each case, the victim surcharges and the fines are held by the Court, whilst the costs are awarded to the Council. Specifically, in relation to the costs, these can take quite a considerable amount of time to be received by the Council. If a collection order is also in place, this means that it is the responsibility of the Court to retrieve all payments.

4.13 Collaborative working with stakeholders

As the trial has progressed, NSL and the council have begun to build positive relationships with a variety of stakeholders, both internally and externally. This has helped to increase the profile of the trial and has enabled greater enforcement action:

Street Scene Enforcement – Summary of the trial

- **Transport for London (TfL)** – NSL have approached TfL and through this, they have received permission to carry out enforcement activities on TfL Busses property outside of enclosed areas, such as inside the stations. TfL ongoing discussions are still taking place for similar agreement with TfL underground.
- **Met Police** - NSL have been involved in constant dialogue with the Met Police across the whole borough. This has enabled NSL to integrate their operations with the Police, as a result this has helped to improve both the service and efficiency of the services both parties offer. Joint operations with the police have also been organised, to show a public presence and to increase the understanding between parties of how to work together efficiently.
- **Community Safety** – NSL and the councils' community safety team have worked collaboratively throughout the trial. The community safety team have provided information to NSL regarding areas across the borough where they believe environmental crime is being committed. As such, NSL have specifically visited these areas to undertake enforcement activities.
- **Delivery Unit** – NSL and the street scene delivery unit have worked collaboratively on the trial in a variety of issues. Specifically, in cases of fly tipping, the Delivery Unit have been informing NSL of incidents of fly tipping which they have then gone to investigate. Once these investigations have been undertaken, NSL have then contacted the Delivery Unit to arrange for them to collect and dispose of the fly tipped waste.
- **Trading Standards** – NSL and the council's trading standards team have worked collaboratively throughout the course of the trial. The trading standards team have been providing NSL with information regarding specific businesses who they believe do not have the required commercial waste duty of care documentation. As a result, NSL have been able to target these businesses and ensure that they are adhering to commercial waste duty of care requirements.
- **Parking Services (DVLA)** – NSL and the council's parking services team have worked collaboratively throughout the trial. This has specifically been for incidents of fly-tipping, where the offenders have been in vehicles whilst committing this environmental crime. As a result, NSL have supplied the vehicle registration numbers to the Council, who have been able to access the DVLA database to decipher the name and address of the owner of the vehicle. This information has then been passed onto NSL who have been able to issue FPNs to these individuals.

4.14 Feedback from residents and businesses within the borough

Obtaining feedback from residents is an important part of the Street Scene Enforcement trial, as it will help inform the council regarding the perception of the trial across the borough. As a consequence of this, on the web page dedicated to the (Keep Barnet Clean) Street Scene Enforcement Trial a feedback form and email address has been provided. Through these options, individuals and businesses can provide feedback on both the enforcement staff and the overall enforcement policy.

Street Scene Enforcement – Summary of the trial

In the initial six-month period of the trial, a total of six feedback contacts were received as well as one stage one complaint (this was not progressed any further).

Moreover, broad feedback has also been received from other sources including the Barnet Council twitter page and anecdotal feedback from residents. The general themes of this feedback have been split into positive and negative comments in the table below:

Positive Feedback Areas	Negative Feedback Area
The posters that have been displayed are really eye catching	The number of options and cost of having large bulky items collected for reuse or disposal
It is positive to see the Council taking a proactive approach to litter in the Borough	Issues using the Report a Problem package on the Council website or gaining feedback about the report
Suggestions of good areas to target for littering and fly tipping	Littering is a trivial offence (from a small number of people who have been fined)

Figure 17: Positive and Negative resident feedback regarding the trial

4.15 Feedback from the suppliers of the trial (NSL)

NSL believe that the contract has been smoothly operated and that the joint working relationship between the council and NSL has ensured that enforcement has been at the forefront of all activities.

NSL felt that the trial was well received across the whole Borough and that they displayed a positive level of customer service.

The relationships that NSL developed with a variety of stakeholders such as the Police ensured that the trial had greater exposure and widespread support.

Moreover, the introduction of the Body Worn Camera enabled NSL to monitor and quality check their operations. Whilst it has also reduced NSL wasting time interviewing Environmental Enforcement Officers on allegations made against them.

NSL have acknowledged that there have been issues with the recruitment of Environmental Enforcement Officers and this has negatively impacted the trial having a full complement of staff. However, NSL are currently building the environmental enforcement component of their business to counteract this.

NSL also believed that the trial could have been more successful if the Body Worn Cameras and the FPNs for commercial waste duty of care violations could have been introduced at the commencement of the trial.

NSL have suggested that going forward, a more efficient approach is developed in preparing their court bundles, with greater collaborative working with HB Public Law. Furthermore, they have suggested that a late evening mobile patrol unit is introduced to tackle off peak fly tipping.

Street Scene Enforcement – Summary of the trial

5 Finance

The cost of the trial and the implications on the viability of a longer term scheme are highly important. This section looks at the expenditure and the income of the direct enforcement as well as the income and expenditure from communications and prosecutions.

5.1 Direct enforcement costs

The tables below highlight the various incomes and expenditures for NSL:

NSL income and expenditure	Cost
Expenditure - Staff	£91,316
Expenditure - Equipment and Sundries	£16,205
Income - Start Up contract payment	(£9,950)
Income – FPN payments (Paid)	(£70,680)
Income – FPN payments (Pending)	(£16,100)
TOTAL	£10,791

Figure 18: NSL Income and Expenditure

5.2 LBB costs

The tables below highlight the various incomes and expenditures for the Councils

LBB income and expenditure (excluding legal costs)	Cost
Expenditure - Start Up contract payment	£9,950
Expenditure - Communications	£17,900
Expenditure – Addition project support for trial set up and support	£20,000
TOTAL	£47,850

Figure 19: Council Income and Expenditure (excluding legal costs)

HB Public Law legal costs	Cost
Expenditure – Prosecutions per person	£104*
Income - Prosecution (paid) (average)	£0
Income – Prosecution (average (pending))	£154**

* Client costs of managing and approving prosecutions, or NSL cost of preparing documentation are no included

**Costs awarded to the Council to date £7,700

Street Scene Enforcement – Summary of the trial

Figure 20: Council Income and Expenditure (Legal)

6 Conclusions

At the beginning of this document, we set out the aims of the trial “to gain a range of information to inform the Committee decision on how street scene enforcement can be delivered in the future” This included but was not limited to:

1. The cost and benefits of Street Scene enforcement
2. The number and type of FPNs issued during the trial period
3. The areas FPNs are issued during the trial period
4. The impact on street cleansing in the borough
5. Public opinion on the use of increased Street Scene enforcement’

6.1 The costs and benefits of Street Scene enforcement

As portrayed in the Finance section of this report (Section 5), financially, the direct enforcement component of this trial is close to breaking even, with only a small deficit projected. This has occurred even though the larger financial value FPNs (fly tipping/commercial waste duty of care) were only introduced later in the trial.

Direct Enforcement: When compared to the estimated cost v income the trial has shown that more individuals and businesses than expected paid at the early discount rate (84%). As such investigation into the FPN fines levels should be undertaken if enforcement activities continue. This would consider the levels which the FPNs would need to be set out to ensure that the enforcement was cost neutral, this would include the benefit of the early payment discount.

Prosecution for non-Payment: As shown in table 20 the legal costs associated with the prosecution of individuals and businesses who do not pay their FPNs, are currently cost neutral, based on the amount the courts have ordered individuals to pay. It should be noted however that cost from individuals via the courts can take some time to be fully paid

Client Costs: The trial has not generating enough income to cover the full client costs of setting up and administering the trial. These costs are larger per month during the set up and monitoring and evaluation needed for a trial. The costs per a month for an ongoing contract would be considerable less, and may be able to be aligned with a current team, should enforcement activities continue to be undertaken.

Communication Costs: When starting or increasing enforcement government guidance is clear that education and communication is vital. As such the council needed to undertake significant communications activities (as outlined in section 2). The trial has been beneficial to the council as it has helped to increase its reputation, portraying Barnet as a proactive council positively tackling environmental crimes. It has also helped to foster a sense of civic pride amongst residents, empowering them to take a greater role in ensuring the overall cleanliness of the Borough.

Street Scene Enforcement – Summary of the trial

The trial has not generated enough income to cover the costs associated with the communications strategy, due to the large initial outlay. Going forward, although communications will continue, they will not be at the same level as at the commencement of the trial. It must be recognised however that the communications associated with the trial were very positively received by a large number of residents across the borough, and have had additional benefits.

Was this aim achieved? Yes.

6.2 The number and type of FPNs issued during the trial period

As the data detailed earlier in Section 4 of this document portrays, through the course of the trial, 2,366 FPNs were issued over the course of six months. Of these 2,366 FPNs, 2,161 were issued for littering, 185 for commercial waste duty of care breaches, 18 for fly tipping and 2 for fly posting.

The overall number of FPNs issued exceeds the number that would have been considered a success. Moreover, the trial has also enabled the council to obtain a range of invaluable information regarding who is committing environmental crimes and what environmental crimes they are committing.

Was this aim achieved? Yes.

6.3 The areas FPNs are issued during the trial period

As the data detailed earlier in Section 4 of this document portrays, the trial has enabled the council to track the areas where FPNs have been issued. This includes a significant amount of data which can be looked at on a street by street basis. The main areas where FPNs were issued were Golders Green (700 FPNs), North Finchley (550 FPNs), Edgware (450 FPNs) and Finchley Central (271 FPNs).

Was this aim achieved? Yes.

6.4 The impact on street cleansing in the borough

Specifically, in relation to littering, NSL have targeted litter ‘hotspots’ across the borough and issued a high level of FPNs for littering. Through this, the cleanliness of these ‘hotspots’ has improved and, as such, the levels of FPNs that NSL could issue in these areas has decreased. NSL have continued this cycle of movement across the borough, however when they return to a previously visited ‘hotspot’, the levels of cleanliness have returned to their original level. What this is highlighting is the positive effect that introducing specific resources have on street cleansing across the borough, but suggests that ongoing activity is needed.

In relation to commercial waste duty of care, since this element was introduced into the trial in November 2016, less issues are arising/being reported in some duty of care ‘hotspots’ such as Golders Way and Lambert Way.

It must be acknowledged, however, that the vast majority of evidence of these positive effects is so far, only anecdotal, as there is not enough data to categorically

Street Scene Enforcement – Summary of the trial

state the level of improvement, especially long term, due to the relatively short nature of the trial.

Was this aim achieved? Partially

6.5 Public opinion on the use of increased Street Scene enforcement

Overall, the public reaction to the trial has been extremely positive. NSL in their feedback regarding the trial detailed in Section 4, highlight how the trial ‘was well received across the borough’. Moreover, also detailed in Section 4 was the low level of complaints that were received regarding any element of the trial. Whilst feedback from social media outlets and the press have in the large been positive as demonstrated in Section 2. Therefore, as well as putting in place, measures to ascertain the public opinion to the use of increased street scene enforcement, it has demonstrated that the public opinion has been positive.

Was this aim achieved? Yes.

6.6 Further achievements as a result of the trial

Overall, the trial did achieve its aims and in addition to this, a number of further achievements resulted from the Street Scene enforcement trial:

- Body Worn Cameras – The introduction of the Body Worn Cameras has been a significant achievement for the trial. They have increased the accountability of the Environmental Enforcement Officers (EEO) and the suspected offenders, as well as providing a layer of extra security for the EEOs.
- NSL – Our partner in this trial, NSL, have shown a strong desire to work collaboratively and both their accommodating and flexible approach has helped to ensure the successful delivery of the trial.
- Environmental Enforcement Officers (EEO) – The EEOs have been excellent ambassadors for both the council and NSL throughout the duration of the trial. They have displayed impeccable conduct, following the correct processes and procedures at all times.
- Constant enforcement action – As a result of the trial, the council has been able to benefit from having the constant use of a number of EEOs patrolling the streets of the borough. This has enabled the council to react swiftly to environmental crime issues that have arisen, from various teams within the council.

Street Scene Enforcement – Summary of the trial

7 Recommendations and Next Steps

The trial is currently contracted to run until 31st March 2017, the Barnet Environment Committee will consider this trial summary report on the 15th March 2017. There are a number of potential options for how the street scene enforcement may be considered in the future.

Each of the key potential options are detailed below, alongside the advantages and disadvantages associated with each option.

7.1 Option A - Ending all street scene enforcement

At the end of the trial period on 31st March 2017, the council would stop uniformed street scene enforcement.

Advantages	Disadvantages
No further direct or indirect expenditure on street scene enforcement	Inability to react to residents or members request on enforcement
	The success of the initial trial will not be built on.
	It may lead to an increase in incidents of littering and fly tipping across the Borough.
	It could lead to negative publicity for the Council.
	Loss of resources to help with multi-agency issues.
	The Council would not be able to achieve attributed MTFS savings target through demand management

Figure 21: Option A Advantages and Disadvantages

7.2 Option B - Extend current contract until 31st July 2017 and then end all street scene enforcement

The current contract could be extended to its maximum point, following which the council would stop uniformed street scene enforcement. There would be no cost to extend the contact, and only a small amount of resources for contract management.

Advantages	Disadvantages
No further direct or indirect expenditure on street scene enforcement	The success of the initial trial will not be built on
It would provide a further four months of enforcement for minimal cost	Inability to react to residents or members request on enforcement long term
	It may lead to an increase in incidents of littering and fly tipping across the Borough
	It could lead to negative publicity for the council, as enforcement has been

Street Scene Enforcement – Summary of the trial

	welcomed by many residents.
	Loss of longer term resources to help with multi-agency issues
	The council would not be able to achieve attributed MTFS savings target through demand management

Figure 22: Option B Advantages and Disadvantages

7.3 Option C - Procure with other local authorities

If the council wished to continue with enforcement past the 31st July 2017 then a new contract would need to be procured. Currently a number of other London Boroughs are looking at procuring similar contract which may enable a joint procurement, and potentially joint contract management.

Advantages	Disadvantages
The council could achieve the attributed MTFS target through demand management	All partners may have to agree on a common list of enforceable offences, unless separate lots area procured.
A joint procurement process could save money and resources for the council.	Difficulties could arise with a number of local authorities working together (varying timescales).
Positive publicity for the Council due to undertaking collaborative working.	Agreement on financial mechanism would need to be agreed before the procurement can commence.
The responsibility to monitor street scene enforcement could be shared depending and the agreement on what the service would look like.	
Due to the larger size of the contract, there is greater scope to achieve a more competitive price across a number of authorities.	

Figure 23: Option C Advantages and Disadvantages

7.4 Option D - Procure a standalone contract

If the council wished to continue with enforcement past the 31st July 2017 then a new contract would need to be procured.

Advantages	Disadvantages
The council could achieve the attributed MTFS target through demand management	It may not be as attractive to third party organisations as a larger joint procurement process.
The Council could decide exactly what enforceable offences they want to be included.	The Council will have to utilise more money and resources to undertake the procurement on their own.

Street Scene Enforcement – Summary of the trial

The Council would have greater control over the contract monitoring of street scene enforcement.	The Council can specify the contract in the most suitable way for Barnet
The Council could easily amend the agreement to suit their own specific requirements if circumstances change.	

Figure 24: Option D Advantages and Disadvantages

7.5 Option E - Procure a combined contract with parking

If the Council wished to continue with enforcement past the 31st July 2017 then a new contract would need to be procured. If timescales allowed this could be procured with other enforcement actions such as parking.

Advantages	Disadvantages
The Council could achieve the attributed MTFs target through demand management	Penalty Charge Notices (PCNs) and Fixed Penalty Notices (FPNs) are very different and therefore difficult to merge into one process.
A joint procurement process will save money and resources for the Council.	May only be applicable to third party suppliers who undertake both parking and environmental enforcement activities.
	The environment enforcement component may be neglected due to the comparatively high volume of the parking component, and the easy of tracing people through the DVLA
	Due to the recent extension of the parking contract. A procurement of a new parking contract will not take place in 2017 and any new contract would not go live until 2019

Figure 25: Option E Advantages and Disadvantages

7.6 Recommendation

Based on the information gathered through the trial it is **recommended that street scene enforcement continues within Barnet.**

As such the preferred Options would be either (C) or (D). It is proposed that the current trial is extended to its maximum allotted time, to allow a procurement process, either through a joint procurement with other local authorities or through a single Barnet Council procurement to take place.

Street Scene Enforcement – Summary of the trial

8 Appendix A – Lessons Learnt/issues to review

As the trial has progressed, the Project Sponsor and the Project Officer have been compiling a fluid list of issues relating to the trial, which will be reviewed once street scene enforcement progresses from the trial stage. The information below details these issues and potential solutions.

8.1 Removal of discount rates on FPNs

Through research and discussions with other local authorities regarding their FPN payment model, it has become apparent that a number of these local authorities do not offer a discounted FPN payment rate for early payment. The main concern was that by not offering a discounted rate, the numbers of FPNs that are actually paid could decrease. However, based on the examples of other Councils, it appears that the payment rates of FPNs remained relatively stable. Therefore, it is an option going forward, to remove the discount FPN payment rate for early payment. This could potentially increase the deterrent to potential offenders and increase the income from paid FPNs.

8.2 Increase FPN levels

The government has set out the fine limits for FPNs that Councils and other authorities issue. Within these limits, there are clearly defined minimum and maximum full penalty charges, as well as a clearly defined minimum discounted penalty charge, for a wide range of environmental crimes. As street scene enforcement progresses from the trial stage, it may be prudent to review all the fine limits in line with the government limits. This will ensure that we are charging the maximum levels that we can, which could potentially increase the deterrent to potential offenders and increase the income from paid FPNs.

8.3 Increase the scope of FPNs that are issued

There are a number of offences that we currently do not issue FPNs for and it is aspired that once street scene enforcement progresses from the trial stage, a review is undertaken of what offences the Council issue/do not issue FPNs for. Through this, the Council may identify environmental crimes that they wish to introduce FPNs for that previously they had not. This could further increase the deterrents to potential offenders, as well as increase the income from paid FPNs.

Street Scene Enforcement – Summary of the trial

9 Appendix B – Communications Summary

INPUTS	OUTPUTS (distribution, exposure, reach)	OUTTAKES (Awareness, Understanding, Engagement)	OUTCOMES (Impact, influence)
<ul style="list-style-type: none"> • Audience insight and desk research • Press launch: Coordination of fly tipping dump for photo shoot. • Twitter • Facebook • Press releases • JC Decaux posters • Bus advertising • Tube advertising • Keep Barnet Clean web pages • Photography • Copy for Barnet First • Advert for Barnet First • Litter picks • Flipagram production /Day on the street with the graffiti clean-up team 	<ul style="list-style-type: none"> • Campaign launch attended by 2 journalists, covered in all local newspapers • Campaign artwork from bus shelter and high street viewed over 27 million times • 5 press releases • Web page viewed 1,872 times • Barnet Council issued 212 tweets and replies • 206, 440 residents saw the press articles from the press releases issued • Two Facebook posts were launched from the Barnet Council page • Two full page adverts in Barnet First • One article in Barnet First 	<ul style="list-style-type: none"> • 48% of residents were aware of the Keep Barnet Clean campaign • Ten litter picks took place across the Borough over the duration of the campaign. • 10 local litter picks • 99 residents and one primary school took part. • 94 bags of litter were collected. • 168 replies were generated from tweets originally sent out by the Council’s twitter account. • 144 re-tweets mentioned the #KeepBarnetClean hashtag and 109 followers liked the campaign tweets • Facebook posts received two likes; a follow-up post reached 33 residents and received four likes and one comment. • Facebook posts were also shared by neighbourhood groups. • Barnet First reached each household x2 = 280k residents 	<ul style="list-style-type: none"> • Estimated 7 per cent return on investment

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Initial Equality Analysis (EIA) Resident/Service User

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Street Scene Enforcement	
Is it a new or revised function, policy, procedure or service? Potential delivery of new service model	
Department and Section: Commissioning Group for Environment (project owners) and Street Scene Delivery Unit (services in scope)	
Date assessment completed:	
2. Names and roles of people completing this assessment:	
Lead officer	Kitran Eastman, Strategic Lead for Clean and Green
Other groups	N/A
3. Employee Profile of the Project	<p>Will the proposal affect employees? No</p> <p>The proposal will not affect employees as the current 'in-house' Street Scene provision, focus solely on more complex multi-agency areas of Street Scene.</p> <p>Therefore, the trial and NSL have focused solely on enforcing environmental crime such as littering, fly tipping, and commercial waste duty of care violations.</p>

4. How are the following equality strands affected? Please detail the effect on each equality strand, and any mitigating action you have taken / required. Please include any relevant data. If you do not have relevant data please explain why / plans to capture data			
Equality Strand	Affected?	Explain how affected	Indicate what action has been taken / or is planned to mitigate impact?
1. Age	Yes	Young people and children under the adult age of 18 are not being issued with a Fixed Penalty Notice if they are caught committing an environmental crime. Instead, they are receiving a verbal warning.	N/A
2. Disability	Yes	Individuals with a disability are not being issued with a Fixed Penalty Notice if they are caught committing an environmental crime.	In rare instances, FPNs are being issued to individuals with a disability which limits their capacity to understand the nature and impact of

		Instead, they are receiving a verbal warning.	environmental crime (as the Environmental Enforcement Officer has not been able to decipher that the offender has a disability). In these instances, if the offender or a friend/relative of the offender provides a letter from a doctor/health professional detailing the disability, then the case will be reviewed and the appropriate action undertaken.
3. Gender reassignment	No	N/A	N/A
4. Pregnancy and maternity	No	N/A	N/A
5. Race / Ethnicity	No	N/A	N/A
6. Religion or belief	No	N/A	N/A
7. Gender / sex	No	N/A	N/A
8. Sexual orientation	No	N/A	N/A
9. Marital Status	No	N/A	N/A
10. Other key groups?	No	N/A	N/A
Carers	No	N/A	N/A
People with mental health issues	No	N/A	N/A
Some families and lone parents	No	N/A	N/A
People with a low income	No	N/A	N/A
Unemployed people	No	N/A	N/A
Young people not in employment	No	N/A	N/A

education or training	No	N/A N/A	N/A N/A
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5. Please outline what data sources, measures and methods could be designed to monitor the impact of the new policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact?

Include how frequently monitoring could be conducted and who will be made aware of the analysis and outcomes

Throughout the duration of the Street Scene Enforcement trial, monthly review meetings were held. These monthly review meetings were attended by representatives from Barnet Council & NSL.

At each of these meetings, NSL presented a document detailing a breakdown of how the trial was progressing. This document included a large variety of data specifically in relation to the impact of the trial, such as:

- Fixed Penalty Notices issued based on gender
- Fixed Penalty Notices issued based on age range
- Fixed Penalty Notices issued based on ethnicity

Moreover, the Council were keen to obtain feedback from individuals & businesses regarding the Street Scene Enforcement trial, to help inform them regarding the impact of the trial. As a consequence of this, on the web page dedicated to the (Keep Barnet Clean) Street Scene Enforcement trial, a feedback form and email address were provided for individuals and businesses to complete.

Through these options, individuals and businesses had a forum to provide feedback on both the enforcement staff and the overall enforcement policy.

Furthermore, individuals and businesses across the Borough could offer feedback on other sources including the Barnet Council twitter page, which was also monitored.

6. Initial Assessment of Overall Impact		
Positive Impact	Negative Impact or Impact Not Known ¹	No Impact √
7. Scale of Impact		
Positive impact √	Negative Impact or Impact Not Known	

8. Outcome			
No change to decision √	Adjustment needed to decision	Continue with decision <i>(despite adverse impact / missed opportunity)</i>	If significant negative impact - Stop / rethink

9. Please give a full explanation for how the initial assessment and outcome was decided. .
<p>Through the information obtained regarding the Street Scene Enforcement trial, the following outcomes were noted:</p> <p>The trial is designed to reduce street litter and instil positive behaviours in all Barnet citizens. Although FPN's have not been issued to children and others under 18 or to people with visible disabilities, Barnet wishes to instil positive behaviour in these groups too. This element will be kept under review.</p> <p>Trends from trial Throughout the course of the six-month trial, the Council in collaboration with NSL Ltd (the third party specialist supplier who have undertaken the trial) have developed a suite of data to monitor the impact of the trial. Through this data a number of trends have been identified, in regards to who is committing environmental crimes.</p> <p>FPNs issued per age range – What is apparent from the data collected is that individuals within both the 26-35 and 36-45 age range were the main offenders.</p>

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

FPNs issued per gender group – What is apparent from the data collected is that Males are the main offenders, with just under two thirds of all FPNs being issued, being issued to Males.

FPNs issued per ethnic group - What is apparent from the data collected is that White Europeans are the main ethnic group being issued with FPNs, as they account for approximately 59% of all FPNs that have been issued.

Therefore, based on the information provided by NSL, the 'typical' individual who commits environmental crime within Barnet is a White European Male aged between 26-45 years of age.

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**London Borough Barnet
Waste Receptacle
Regulations**

**Made under section 20 and 22 of the
London Local Authorities Act 2007**

March 2017

Waste Receptacle Regulations 2017

INTERPRETATION

In these Regulations: -

- (a) "The Council" means the London Borough of Barnet
- (b) "The Act" means the Environmental Protection Act 1990.
- (c) "Waste", "Commercial Waste", "Industrial Waste" and "Hazardous Waste" have the meanings given to them by section 75 of the Act.
- (d) "The 2012 Regulations" means the Controlled Waste (England and Wales) Regulations 2012.
- (e) "Household Waste" has the meaning given to it by section 75 of the Act but excluding waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations.
- (f) "Trade Waste" means any Commercial or Industrial Waste or waste listed in paragraph 3 of Schedule 1 of The 2012 Regulations.
- (g) "Notice" means a notice issued under section 46 of the Act for household waste and waste listed in the table in Schedule 1, Paragraph 4 of The 2012 Regulations or issued under section 47 of the Act for commercial and industrial waste.
- (h) "Clinical Waste" has the meaning given to it by The 2012 Regulations.
- (i) "Clinical Trade Waste" means clinical waste and offensive waste as specified in the table at Schedule 1, Paragraph 3, Point 12 of The 2012 Regulations and other than household waste.
- (j) "Clinical Household Waste" means Clinical Waste and Offensive waste produced at domestic property, a residential home, a caravan or a vehicle or vessel used wholly for the purposes of living accommodation which is to be treated as household waste, except that where such a vehicle or vessel is used in the course of a business for the provision of self-catering accommodation, such waste is to be treated as commercial waste and "Offensive Waste" has the meaning given to it by The 2012 Regulations.
- (k) "Recyclate" means any waste segregated from household waste or trade waste receptacles and sent for treatment other than disposal by land filling or incineration.
- (l) "Commingled Recyclate" means all or any of:
 - (i) clean paper;
 - (ii) clean cardboard;
 - (iii) metal containers for food or drink;
 - (iv) glass containers for food or drink;
 - (v) household plastic packaging; and
 - (vi) cartons for food or drink.
- (m) "Organic Waste" Food waste and Garden waste. It excludes all soil, stones, rubble and also branches over 7 centimetres diameter.
- (n) "Food Waste" means cooked and uncooked food including meat, bones, dairy products, fruit vegetables and left food suitable for composting. It excludes all garden waste, soil, stones, rubble and also branches over 7 centimetres diameter.
- (o) "Garden Waste" means flowers, plants, shrubs, branches and other vegetation suitable for composting. It excludes all food waste soil, stones, rubble and also branches over 7 centimetres diameter.
- (p) "Contamination" shall mean the placement of items within recyclate or organic waste containers which are not a part of that waste streams
- (q) "Bulky Waste" means household waste as defined in the table at Schedule 1, Paragraph 4, points 1 or 2 or 4 or 7 of The 2012 Regulations. That is to say:

Waste Receptacle Regulations 2017

- (i) any article which exceeds 25 kilograms in weight;
 - (ii) Any article of waste which does not fit or cannot be fitted into—
 - (a) a receptacle for household waste provided in accordance with section 46 of the Act;
 - (b) or there no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length
 - (iii) waste which may not be put into a receptacle provided under section 46 of the Act because of a notice served under that section
- (r) “General Refuse” means household waste or trade waste other than separately stored clinical waste, recycle, organic waste or bulky waste.
- (s) “Receptacle” has the meaning given to it by section 46 of the Act for household waste, and Schedule 1, Paragraph 4 of The 2012 Regulations, or section 47 of the Act, for commercial and industrial waste.
- (t) “British Standard” or “BS” means a standard for the United Kingdom set by BSI British Standards.
- (u) “European Standard” or “EN” means a standard for the European Community set by the European Committee for Standardization (CEN).
- (v) “Wheeled Bin” means a receptacle constructed in accordance with BS EN 840-1:2004 of capacity up to four hundred litres.
- (w) “Eurobin” means a metal receptacle constructed in accordance with BS EN 840-2:2004 of capacity over four hundred litres and under thirteen hundred litres.
- (x) “Bulk Bins” means eurobins and/or paladins and will be referred to by the waste being collected Bulk Bin General Refuse or Bulk Bin for Commingled recycle.
- (y) “Waste Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003 with a base colour of purple for Household Waste and red for Trade Waste
- (z) “Wheeled Bin” shall mean a two wheeled plastic bin of capacity under four hundred litres and and will be referred to by the waste being collected for General Refuse or Bulk Bin for Recyclate
- (aa) “Reuseable Bag” shall mean and bag given out by the Council for the collection or Recyclate which is deigned to be used for of more than one collection
- (bb) “Clinical Waste Sack” and “Sharps Box” shall mean any waste sack or box of yellow base colour.
- (cc) “Recycling Sack” shall mean a plastic sack made in accordance with BS EN 13592:2003, with a base colour of Clear for Household Waste and blue for Trade Waste
- (dd) “Collection Point” shall mean any agreed point where waste is placed by the originator for collection by the Council or a waste carrier.
- (ee) “Storage Point” shall mean any other point where waste is stored prior to placement at the collection point.
- (ff) “Street” has the meaning given to it by section 343 of the Public Health Act 1936.
- (gg) “Public highway” means any street maintainable at the public expense for the purposes of the Highways Act 1980.
- (hh) “Responsible Person” means someone who can advise about the status and schedule for the waste collection by that company in that area
- (ii) “Registered waste company” means a company who is a licensed or permitted waste carrier by the Environment Agency

Waste Receptacle Regulations 2017

HOUSEHOLD WASTE

KIND AND NUMBERS OF RECEPTACLES FOR HOUSEHOLD WASTE

1. The council will sell, provide or hire to occupiers of premises producing Household Waste sufficient and suitable Wheeled Bins, Bulk Bins, Waste Sacks and/or Recycling Sacks or Reusable Bags to contain the expected arising's of Household Waste or Household Recyclate from their premises.
2. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for General Refuse they shall be in accordance with the Council policy for minimum and maximum capacity for each premise. Such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents.
3. Where the occupiers of premises producing Household Waste jointly provide suitable Bulk Bins for Recyclate, such receptacles shall be placed at points on the premises so that sufficient Bulk Bins are reasonably accessible to all residents and reduce contamination of recyclate.
4. The occupiers of premises producing Household Waste shall only use provided Wheeled Bins, Bulk Bins, Reusable Bags or Recycling Sacks, for the storage of Recyclate prior to collection.
5. The occupiers of premises producing Household Food Waste, will be provided with a container(s) in line with the Councils policy on food waste collection.
6. For the purposes of these Regulations where Bulk Bins are provided to domestic premises by a managing agent, landlord or other such person, then they will be treated as having been jointly provided by the occupiers.
7. A Household Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
8. Household Waste receptacles shall be maintained by the occupiers of the relevant premises in a reasonable state for storage of waste without sharp edges or holes and with all handles in good condition.
9. All receptacles to be emptied or collected by the Council should be hired or provided by the Council or sourced privately to the agreed BS EN 840 standard.

PLACING OF RECEPTACLES FOR HOUSEHOLD WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

10. Where premises produce Household Waste all Waste and Recyclate containers should be presented for collection at the edge of a resident's property, at the point where the premises meet the adopted highway unless otherwise stated in section 11, 12, 13 or 14. If properties are located down a private driveway/access road then the containers must be presented where the private driveway/access road meets the adopted highway unless otherwise agreed/directed by an officer of the Council.
11. Where Recyclate Sacks are provided by the Council from premises producing Household Waste they shall be placed at a Collection Point adjacent to, but not mixed with, the General Refuse waste sacks from those premises. The Collection Point will be set by the Council
12. Unless otherwise agreed by the Council when a request for collection of Bulky Waste is made, the Bulky Waste from premises producing Household Waste shall be placed for

Waste Receptacle Regulations 2017

collection either on the footway immediately adjacent to the front door/gate or entrance way of the premises or visible and readily accessible within the door/gate or entrance way.

13. The occupier of any premises producing Household Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Household Waste or Hazardous Household waste.
14. Where General Refuse from domestic premises is stored in Bulk Bins or Recyclate is stored in Bulk Bins, these receptacles shall be presented for collection at a point which is reasonably accessible to the Council other than on a Public Highway.

THE SUBSTANCES OR ARTICLES WHICH MAY OR MAY NOT BE PUT INTO HOUSHOLD WATE RECEPTACLES

15. No more than 5kg of Household Waste shall be placed in any General Refuse Sack, unless agreed by an officer of the Council.
16. No more than 5kg of household Recyclate shall be placed in Recycling Sack.
17. General Refuse and Recyclate Sacks shall only be used for the storage of Household Waste prior to its collection by the Council acting in pursuance of the Council's duties under section 45 of the Act.
18. The occupier of any premises provided with Bulk Bins for the storage of Household Waste shall place all General Refuse in the Bulk Bins for collection. This shall include any General Refuse, whether in Waste Sacks or not, at that Collection Point.
19. All General Refuse or Recyclate must be placed within Wheeled Bins or Council provided Sacks. Any waste outside of these containers will not be collected.
20. Those Households who may not use Wheeled Bins must place Recyclate in clear sacks provide by the Council prior to its collection by the Council and its contractors acting in pursuance of the Council's duties under section 45 of the Act.
21. The occupier of any premises provided with Bulk Bins for the storage of Recyclate shall place all Recyclate in the agreed Bins for collection. This shall include any Recyclate at that Collection Point.
22. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
23. The occupier of any premises producing Household Waste shall not use Waste Sacks with a base colour of yellow for the storage of any waste other than as specified in Regulations 22
24. Occupiers of premises producing Household Waste may use sacks which are not Waste Sacks for any purpose, provided that such sacks are not placed at any Storage or Collection Point for Household Waste or Trade Waste other than within suitable and appropriate receptacles.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF HOUSEHOLD WASTE FROM RECEPTACLES

25. All collection points for household waste shall be reasonably accessible to the Council.
26. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins, that Collection Point shall be considered reasonably accessible unless the Council issues an instruction or Notice to require a different Collection Point.

Waste Receptacle Regulations 2017

27. Where General Refuse or Recyclate from premises producing Household Waste is stored in Wheeled Bins then the Wheeled Bins must be presented for collection with the bin lid completely closed and all content contained within the Wheeled Bin. It shall not be permitted to place General Refuse and Recyclate out for collection outside of the Wheeled Bin.
28. A Collection Point for Household Waste in Bulk Bins shall be considered as reasonably accessible if the location has been pre-agreed with a Council officer.
29. In all cases the Storage Point or Collection Point for any Household Waste must be physically separated from any Storage Point or Collection Point for Trade Waste.
30. When a request is made to the Council to collect Bulky Waste that waste must be readily removable by two operatives without the use of mechanical handling aids.
31. Where the Council agrees to collect Bulky Waste from a Collection Point not on the Street immediately adjacent to the front door/gate or entranceway of the premises or readily accessible within the front door/gate or entranceway then the occupier shall take such steps as are required to facilitate collection. Such steps may include the removal of obstructions and protecting fixed and mobile property from accidental damage.
32. Where the Council agrees to collect Bulky Waste from premises, the Bulky Waste shall not be placed on the street more than 12 hours before the day of collection which has been provided by the Council.
33. Premises producing Household Waste, other than the premises in the areas listed at Schedule 1, shall not place Household Waste receptacles on the Street except as authorised by Regulation 10 and 11. In such cases receptacles shall not be placed on the Street earlier than 20:00 pm the day before the scheduled collection or later than 06:00 am on the day scheduled for collection by the Council. The day scheduled for collection can be ascertained from the Council's website at: www.Barnet.gov.uk
34. Where a sign specifying periods during which receptacles should be placed on the public highway is displayed on the same side of a Public Highway as any premises producing Household Waste then the occupier of that premise shall only place receptacles on that Public Highway during the periods prescribed by the sign. Any exception to this such as a festive changes will be advertised in advanced on the Council's website
35. For premises in the areas listed in at Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway for collection or storage.
36. For premises in the areas in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except in sacks issued by the Council, and which are clearly marked to show:
 - (a) the Council Logo
 - (b) the words "Household Waste" and
 - (c) a telephone number, or email or website where the Council can be contacted.
37. For premises in the areas listed in at Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

Waste Receptacle Regulations 2017

NOTICES UNDER SECTION 46 THE ACT

38. Where on or after 1 June 2017 the Council serves a Notice on the occupier of any premises, then the specific requirements in such a Notice shall take precedence over any conflicting provision in the Regulations.
39. Where the occupier of a domestic property, a caravan or a moored vessel used wholly for the purposes of living accommodation is of the opinion that because of age or disability it is not possible to comply with any Regulation then that person or his agent may apply to the Council for exemption from specified requirements imposed by the Regulations. The applicant or his agent shall produce any evidence required by the Council to support the application for an assisted collection.
40. For the purposes of section 23(4) (c) of the London Local Authorities Act 2007 (penalty charges) an application under Regulation 3-8 shall be treated as a reasonable excuse until the Council either rejects the application in writing or issues a Notice to take precedence over any or all of the specified provisions in these Regulations for such period as the Council considers to be reasonable.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

Waste Receptacle Regulations 2017

TRADE WASTE

KIND AND NUMBERS OF RECEPTACLES FOR TRADE WASTE

41. The occupiers of premises producing Trade Waste shall provide sufficient and suitable receptacles to contain the expected arising of Trade Waste from their premises. Such containers may be provided via a registered waste company.
42. A Trade Waste receptacle shall be maintained in a good, sound and safe condition without sharp edges or holes and with all handles in good condition.
43. A Trade Waste receptacle shall not be considered to be suitable if it allows waste to escape or cause litter.
44. Receptacles for Trade Waste must be constructed to BS EN 840 standard.
45. Where cardboard is separated from other trade waste items this can be placed out for collection with the cardboard Sticker that has been provided for Trade Waste recycling purposes by the council or registered contractor. Such stickers should be clearly marked to show:
 - (a) the name of either the waste producer or the waste carrier;
 - (b) the words "Trade Waste" or "Commercial Waste"; and
 - (c) a telephone number where a responsible person can be contacted at all reasonable times.
46. Wheeled Bins and Bulk Bins shall not be allowed to be presented, stored or left on the Street or Public Highway at anytime.

PLACING OF RECEPTACLES FOR TRADE WASTE FOR THE PURPOSE OF FACILITATING THE EMPTYING OF THEM

47. The occupier of any premises producing Trade Waste shall provide suitable Storage Points within those premises for all Trade Waste originating from those premises. The Storage Point for such waste shall not be on any public land or public Highway.
48. Wherever possible the occupier of any premises producing Trade Waste shall provide suitable Collection Point within their premises for all Trade Waste originating from those premises.
49. If a suitable Collection Point is not available within the premises as set out in regulation 48, then the public highway may be used as a Collection Point for General Refuse or Recyclate from premises producing Trade Waste.
50. If the public highway is used as a Collection Point then only Recyclate Sacks or General Refuse Sacks may be used. Cardboard may also be placed out as set out in regulation 45. No Wheeled bins shall be permitted on the public highway.
51. The Collection Point for Bulk Bins, or Wheeled Bins must be on private property and not the public highway or public land.
52. The Collection Point for Recyclate Sacks or General Refuse Sacks when on the public highway should be on the Street immediately adjacent to an entrance to the originating premises on the day of collection.
53. The occupier of any premises producing Trade Waste shall provide safe and secure Storage Points and Collection Points within the originating premises for any Clinical Trade Waste or Hazardous Trade Waste. Such points shall be kept secure at all times with no access for the general public.

Waste Receptacle Regulations 2017

54. Storage and Collection Points provided for Clinical Trade Waste or for Hazardous Trade Waste shall be separate from Storage or Collection points for any other waste.

THE SUBSTANCES OR ARTICLES WHICH MAY OR MAY NOT BE PUT INTO TRADE WASTE RECEPTACLES

55. Waste Sacks with a base colour of yellow shall only be used for the storage of Clinical Waste as defined by the 2012 Regulations.
56. The occupiers of premises producing Trade Waste shall not use General Refuse or Recyclate Sacks with a base colour of yellow, grey, black, clear or purple, if the Storage Point or Collection Point for such sacks is:
- (a) on any public highway, street or open area off a street; or
 - (b) in the same room or area as any sacks used for Household Waste or Trade Waste which the Council has a duty to collect under section 45 of the Act.
57. Occupiers of premises producing Trade Waste may use sacks which are not Waste Sacks for any purpose provided that such sacks are not placed at any Storage or Collection Point for Trade Waste other than within suitable and appropriate receptacles.

THE STEPS TO BE TAKEN TO FACILITATE THE COLLECTION OF TRADE WASTE FROM RECEPTACLES

58. All Collection Points for Trade Waste shall be reasonably accessible to Registered Waste Carriers. Registered Waste Carriers are licensed by the Environment Agency to transport 'controlled waste' as defined by 'The 2012 Regulations'.
59. All receptacles for trade waste shall be clearly marked to show:
- (a) the name of either the waste producer or the waste carrier;
 - (b) the words "Trade Waste" or "Commercial Waste"; and
 - (c) a telephone number where a responsible person can be contacted at all reasonable times.
60. Where a sign specifying periods during which receptacles should be placed on the highway is displayed on the same side of a Public Highway as any premises producing Trade Waste then the occupier of that premises shall only place receptacles on that Public Highway during the periods prescribed by the sign.
61. A Collection Point for Trade Waste shall be considered as reasonably accessible if it has been pre-agreed as such by an officer of the Council when the Council Trade Waste service is used.
62. In all cases the Storage or Collection Point for any Trade Waste must be physically separated from any Storage or Collection point for Household Waste.
63. For those premises in areas listed in Schedule 1 it shall not be permitted to leave Wheeled Bins or Bulk Bins on the public highway or public land for collection or storage
64. For those premises in areas listed in Schedule 1 it shall not be permitted to place Waste and Recyclate out for collection except for times stated in Schedule 1 for Trade Waste.
65. For those premises in areas listed in Schedule 1 it shall not be permitted to leave uncollected Waste and Recyclate out for collection except for times stated in Schedule 1 for Household Waste.

Waste Receptacle Regulations 2017

NOTICES UNDER SECTION 47 OF THE ACT

66. Where on or after 1 June 2017 the Council serves a Notice on the occupier of any premises, then the specific requirements in such a Notice shall take precedence over any conflicting provision in these Regulations.

Compliance with these Regulations shall not be taken to constitute compliance with other legislative provisions including those legislative provisions which relate to the licenced storage, treatment and disposal of controlled waste. In the event of conflict between these Regulations and any statutory provision, the statutory provision shall take precedence.

Waste Receptacle Regulations 2017

SCHEDULE 1 TO WASTE REGULATIONS 2017

#	Street	From	to	Area	Applicable to
1.				Within London Borough of Barnet boundary	(i) Household Waste and Recyclate (ii) Trade Waste and Recyclate
2.					
3.					
4.					
5.					
6.					
7.					

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	<p>Environment Committee</p> <p>15 March 2017</p>
<p style="text-align: right;">Title</p>	<p>Environment Commissioning Plan 2017/18 addendum</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director - Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>Yes</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A: Environment Commissioning Plan 2017/18 addendum</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Kitran Eastman – Strategic Lead – Clean and Green Tel:0208 359 2803. Email: Kitran.Eastment@Barnet.gov.uk</p> <p>Alaine Clarke – Head of Performance & Risk Tel: 0208 359 2658. Email: alaine.clarke@barnet.gov.uk</p>

<p>Summary</p>
<p>In March 2015, the Environment Committee approved a five year Commissioning Plan for the period 2015-20, which sets out the Committee’s priorities and outcome performance measures across its core areas of responsibility – including Highways, Parking and Streetscene. All Theme Committees agreed five year Commissioning Plans.</p> <p>This report presents updated targets for 2017/18 in an addendum to the Commissioning Plan (Appendix A).</p>
<p>Recommendations</p>
<p>1. That the Committee review and approve the addendum to Environment Committee Commissioning Plan for 2017/18 (Appendix A).</p>

1. WHY THIS REPORT IS NEEDED

1.1 The council's Corporate Plan 2015-20 was agreed by Full Council in April 2015. It sets the strategic priorities and direction for the council to 2020 and targets against which progress is measured. Each year, the priorities and targets are refreshed to ensure they remain focused on the things that matter most to the council. The 2017/18 addendum will be presented to Full Council on 7 March 2017 and will include the new priority on delivering quality services:

- **Delivering quality services** – we strive to deliver services to the highest possible standard and to continuously improve this standard. We are committed to high quality customer service and being as transparent as possible with the information we hold and our decision-making.
- **Responsible growth, regeneration and investment** – in an era of reduced Government funding, growth is necessary for councils to increase the local tax base and generate income to spend on public services. The council has an ambitious programme of regeneration, which aims to create new homes and jobs, and the proceeds of this growth will be reinvested in the borough's infrastructure and essential community facilities.
- **Building resilience in residents and managing demand** – we will focus on the strengths and opportunities in our communities and target resources at those most in need. The council will support residents to stay independent for as long as possible through equipping people to help themselves and intervening early to address issues as they arise rather than waiting until they reach a critical stage.
- **Transforming local services** – as a Commissioning Council our focus is on reaching the best outcomes for our residents whilst delivering value for money to the taxpayer. This means delivering differently and working with a range of public, private, and voluntary sector organisations to ensure we can meet our priorities.
- **Promoting community engagement, independence and capacity** – we want to support residents and the wider community to become more independent and self-sufficient. This means residents having more of a say in the future of their local area, and where appropriate, taking on more responsibility for local services.

1.2 In 2015/16, each Theme Committee agreed a five year Commissioning Plan covering the period 2015-20. Commissioning plans set out the strategic priorities and outcome performance measures for each Committee, with targets to be refreshed annually. On 10 March 2015, the Environment Committee agreed its five year Commissioning Plan, which set out the following priorities:

- a) Driving an increase in overall resident satisfaction with Barnet as a place to live to amongst the highest of any Outer London borough
- b) Increasing recycling rates and minimising tonnages collected
- c) Meaningful and on-going engagement with residents across the borough around waste minimisation activity resulting in changing resident behaviour and high levels of satisfaction with the service

- d) With the help of residents protecting, conserving and enhancing green space and the leafy character of Barnet for current and future generations
- e) Supporting and improving the health and wellbeing of the population, by providing safe green spaces to play, participate in sports and physical activity, walk and cycle
- f) Ensuring that Highway services in the borough – including both roads and pavements – are maintained to a high quality, and that improvements in quality and capacity are focused on areas where highest growth is expected, and of highest strategic importance. Always focusing on safety in every aspect of service delivery
- g) Making Regulatory services high quality and efficient, whilst prioritising attention on key risks to health and safety, so that they do not impose unnecessary costs or burdens on businesses who want to grow or relocate to the Borough
- h) Delivering Cemeteries and Crematoria Services that are high quality and efficient, and respond to changing resident preferences in dealing with the deceased respectfully.

1.3 As we move into the third year of delivery of these Plans, each Theme Committee will be asked to agree a 2017/18 addendum to their plans, which sets out the Q3 position against 2016/17 targets and updated targets for 2016/17. This will give Committees the opportunity to review and consider their priorities for the year ahead and the associated targets against which progress will be measured. The addendum to the Environment Committee Commissioning Plan for 2017/18 is provided at Appendix A.

1.4 Following the Chancellor's Autumn Budget Statement in November 2015 and the provisional Local Government Funding Settlement in December 2015, the council's overall budget forecast to 2020 worsened slightly. The updated 2016/17 targets, therefore, reflect the need for the Committee to make a more significant contribution to the council's overall savings in the next three years than previously anticipated.

1.5 The Committees top priorities for 2017/18, and what we are doing about them, are:

- We're **investing in our parks and open spaces** to put in place **better governance**, while exploring opportunities for **more sustainable funding** and **using parks as community assets**.
- We're **making it easier for businesses and residents in all types of accommodation to recycle**, while listening to their concerns in order to **maintain high levels of satisfaction with waste collection services**.
- We're **using new technology to clean the streets more efficiently** and make it **easier for residents to tell us where to focus our efforts**, and keeping them clean through **increased use of enforcement** with a particular focus on town centres.
- We're **improving the management of traffic flows and parking across the borough**, which will also help to maintain **road safety and**

air quality, and working at regional and national level to **improve radial routes for public transport**.

- We are developing a **Transport Strategy** to support the move from cars to other modes of transport, together with an **approach to fees and charges based on environmental impact to help improve overall air quality**.
- **Highways and Network Management within Barnet delivers a high quality, responsive service that optimises travel times across the borough, and taking a strong enforcement approach against developers who damage highways and footways**.
- Working to deliver the **preferred option within the Street Services ADM**.

Summary of Q3 position against 2015/16 targets

- 1.7 In quarter three many indicators are on target. Within Highways and Parking services satisfaction remains lower than target and below the London average. Satisfaction with services for street lighting and within Streetscene remains some of the highest in the Council. Recycling rates are below target having plateaued, and are at or around the level of other authorities with similar recycling and waste schemes. Targets within regulatory service and crematorium are being well met.

Summary of the 2016/17 priorities and targets

- 1.8 The 2016/17 targets continue to focus on the key priority areas with many of the targets remaining challenging. Customer satisfaction of between 62% and 82% are targeted in Streetscene. It is also targeted that recycling and waste tonnages should to reduce, and recycling increase. Within Highways new indicators for “Highways Service Requests” and “Satisfaction with Repairs (from door knocking surveys)” have been included to further monitor the service.

Next steps

- 1.9 The proposed addendum to the Environment Committee’s Commissioning Plan, including updated targets for 2017/18, is set out in Appendix A. Members are invited to review and agree the document.
- 1.10 Following agreement, the Committee will receive a progress report during the year against this Plan and associated in-year targets. This progress report may where appropriate be reported to members informally by email.
- 1.11 Performance and Contract Management Committee will continue to review progress against the council’s Corporate Plan, and overview of the performance of both internal and external Delivery Units. This Commissioning Plan will enable Performance and Contract Management Committee to focus on the key areas of performance for different service areas.

2 REASONS FOR RECOMMENDATIONS

- 2.1 A key element of effective strategic and financial management is for the council to have comprehensive business plans in place that ensure there is a clear strategy for addressing future challenges, particularly in the context of continuing budget and demand pressures (resulting from demographic and legislative changes), delivering local priorities and allocating resources effectively.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 There is no statutory duty to publish Committee Commissioning Plans but it is considered to be good practice to have comprehensive business plans in place for each Committee – which set out priorities and how progress will be measured – to ensure that the council’s vision for the future is clearly set out and transparent.

4 POST DECISION IMPLEMENTATION

- 4.1 Revisions to the Commissioning Plan will be communicated internally and with key stakeholders.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 This report invites Members to review and approve the addendum to the Commissioning Plan for 2017/18.

5.2 Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 In addition to continuing budget reductions, demographic change and the resulting pressure on services pose a significant challenge to the Council. The organisation is facing significant budget reductions at the same time as the population is increasing, particularly in the young and very old population groups.

- 5.2.2 The Commissioning Plan has been informed by the council’s Medium Term Financial Strategy, which sets out the need to make savings of £81m by 2020.

5.3 Social Value

- 5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

5.4 Legal and Constitutional References

- 5.4.1 All proposals emerging from the business planning process must be considered in terms of the council's legal powers and obligations, including its overarching statutory duties such as the Public Sector Equality Duty.
- 5.4.2 The Council's Constitution (Clause 15A, Responsibility for Functions, Annex A) sets out the terms of reference of the Environment Committee. Therefore it is appropriate that this Committee reviews and approves the addendum to Environment Committee Commissioning Plan for 2017/18 (Appendix A).
- 5.4.3 This matter is not reserved to Full Council or to the Policy and Resources Committee as the Constitution specifically allocates matters of this type to the Environment Committee.

5.5 Risk Management

- 5.5.1 The council has an established approach to risk management. Key corporate risks are assessed regularly and reported to Performance and Contract Management Committee on a quarterly basis.

5.6 Equalities and Diversity

- 5.6.1 The general duty on public bodies is set out in section 149 of the Equality Act 2010.
- 5.6.2 A public authority must, in the exercise of its functions, have due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.6.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 5.6.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

- 5.6.5 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, the need to tackle prejudice; and promote understanding.
- 5.6.6 Compliance with the duties in this section may involve treating some persons more favourably than others but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.
- 5.6.7 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 5.6.8 It also covers marriage and civil partnership with regard to eliminating discrimination.
- 5.6.9 In agreeing the Corporate Plan, the council is setting an updated strategic equalities objective and reiterating our commitment to delivering this. The strategic equalities objective is as follows:
- Citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer.

5.7 Consultation and Engagement

- 5.7.1 The original Corporate Plan and Commissioning Plans were informed by extensive consultation through the Budget and Business Planning report to Council (3 March 2015).
- 5.7.1 The consultation aimed to set a new approach to business planning and engagement by consulting on the combined package of the Corporate Plan, Commissioning Plans, and budget. In particular it aimed to:
- Create a stronger link between strategy, priorities and resources
 - Place a stronger emphasis on commissioning as a driver of the business planning process.
 - Focus on how the Council will use its resources to achieve its Commissioning Plans.
- 5.6.3 To allow for an eight week budget consultation, consultation began after Full Council on 17 December 2014 and concluded on 11 February 2015. Further consultation on the budget for 2017/18 has been undertaken following Policy and Resources Committee on 1 December 2016.

6 BACKGROUND PAPERS

- 6.1 Environment Committee, 10 March 2015. Item 9 Business Planning:
<https://barnet.moderngov.co.uk/Documents/s21836/Buiness%20Planning%20-%20201516%20to%20201920.pdf>

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ENVIRONMENT COMMITTEE

Commissioning Plan 2015 – 2020

2017/18 addendum & targets

This document is an addendum to the **Environment Committee Commissioning Plan 2015 – 2020**, which sets out a revised narrative and updated indicators/targets for 2017/18. The full Commissioning Plan can be found here: <https://www.barnet.gov.uk/citizen-home/council-and-democracy/policy-and-performance/corporate-plan-and-performance.html>

1. CONTEXT FOR COMMISSIONING PLAN (SUBJECT TO CHANGE)

Delivering quality services

Barnet is growing, with the highest population of any London borough. Our vision is for a council that works to ensure everyone can benefit from the opportunities that growth and investment will bring. This means helping people to help themselves whilst still protecting what people value in Barnet – its excellent schools, its parks and open spaces, and the character of the borough.

We will need to change the way we work over the next few years to ensure we remain in a stable financial position, while delivering the savings required. We will take this opportunity to do things differently so that we achieve better outcomes for residents and become more efficient.

Barnet is an ambitious council, and we strive to continuously improve the quality of our services. Delivering services that our residents value most to a high standard will ensure that Barnet continues to be a great, family friendly, place to live.

In practice, this means keeping our neighbourhoods and town centres clean and safe, maintaining our parks and open spaces, ensuring that our roads and pavements are well looked after and that we are reaching the highest possible standards of air quality – all whilst ensuring value for money for the Barnet taxpayer.

To support this, we are taking a strong enforcement approach against those who litter and fly-tip. We will ensure that developers pay for any damage that they cause to our roads and pavements through a deposit scheme. We will also outline an approach to vehicle fees and charges based on environmental impact to help us improve our air quality.

Responsible growth, regeneration and investment

As the funding we receive from the government reduces to zero, growth is necessary to increase the local tax base and generate income to spend on local services.

The council's regeneration programme will see £6bn of private sector investment over the next 25 years, which will create around 20,000 new homes and up to 30,000 new jobs. It will also generate £17m of additional income annually for the council by 2020, with one-off income of £55m.

Through our capital investment programme we will invest £772m in the borough between now and 2020. We will use the proceeds of growth to re-invest in infrastructure, not only delivering quality housing – including affordable homes – but also providing essential community facilities such as community hubs and transport.

We will work to ensure that our residents and businesses get the most out of the opportunities presented by growth. We will do this by improving our town centres, supporting small businesses to thrive, and bringing more jobs and easier access to skills development.

We have already put in place services to support our residents into work, for example, the Burnt Oak Opportunities Support Team (BOOST) which has helped nearly 200 people into work since its launch in June 2015.

Building resilience in residents and managing demand

Barnet council is facing a £61.5m savings gap to 2020, and this is not simply due to continued reductions in Government funding. Changing demographics, a growing population – particularly increased numbers of children and young people and older people – and a rising cost of living are putting pressure on the public services we offer.

We will always protect our vulnerable residents. Our aim is to target our resources at those most in need, and support residents to stay independent for as long as possible. In Children’s and Adults’ social care where there is significant pressure due to increasing numbers of vulnerable residents, we are focusing on building on strengths and opportunities to improve outcomes.

This means equipping residents to help themselves and intervening early to address and respond to issues as they arise, rather than waiting until they reach a critical stage. We are working with other parts of the public sector to achieve this through more joined up services that will deliver better outcomes for residents, as well as costing less by working together more efficiently.

An example of this is the Barnet Integrated Locality Team which is being trialled in the west of the borough and which coordinates care for older adults with complex medical and social care needs. This integrated health and social care approach helps vulnerable adults to stay well and living in their own home, easing demand for costly residential care and reducing pressure on the NHS.

Transforming local services

For all of our services, we are considering the case for delivering differently in order to meet our priority outcomes. As a Commissioning Council our focus is on reaching the best outcomes for our residents whilst delivering value for money to the taxpayer through working with a range of public, private, and voluntary sector organisations.

For some services, this has meant a partnership with the private sector, for example our contracts with Capita to provide our back office and customer services.

We have also recently entered into a partnership with Cambridge Education, a specialist education company, to deliver our Education and Skills services. By 2019/20 this partnership is guaranteed to save the council £1.88 million per year through marketing and selling services to more schools and other local authorities, which will create income.

Through our Customer Access Strategy we are aiming to move towards a ‘digital by default’ approach, with a target of 80% of contact with the council being online or through other digital means by 2020. This is more efficient and flexible for the customer, and saves the council money. The money saved through moving towards digital by default allows us to free up resource which we can target at our customers who are most in need.

This will be underpinned by a Digital Inclusion Strategy which aims to help all those in the borough who are willing and able to get online, and ensure that there are special access arrangements for those who cannot.

We are also transforming the way we work within the council to allow staff to do their jobs more effectively and to make the council more accessible to those who use its services. The office move to Colindale is a key part of this and will support the ongoing regeneration in the west of the borough as well as bringing us closer to the community and reducing the amount we spend on accommodation.

Promoting community engagement, facilitating independence and building community capacity

We want to support residents and the wider community to become more independent, healthy and self-sufficient. This means residents having more of a say in the future of their local area, and where appropriate, taking on more responsibility for local services.

Our Community Participation Strategy will play a key role in this. We will increase our support for those residents and groups who want to take on a more active role in their community, and will work with them to make the best possible use of their knowledge and skills to deliver what is needed.

2. OUR APPROACH TO MEETING THE 2020 CHALLENGE

The council's Corporate Plan sets the framework for each of the Theme Committees' five year commissioning plans. Whether the plans are covering services for vulnerable residents or about universal services such as the environment and waste, there are a number of core and shared principles, which underpin the commissioning outcomes.

The first is a focus on fairness: Fairness for the council is about striking the right balance between fairness towards the more frequent users of services and fairness to the wider taxpayer and making sure all residents from our diverse communities – young, old, disabled and unemployed benefit from the opportunities of growth.

The second is a focus on responsibility: Continuing to drive out efficiencies to deliver more with less. The council will drive out efficiencies through a continued focus on workforce productivity; bearing down on contract and procurement costs and using assets more effectively. All parts of the system need to play their part in helping to achieve better outcomes with reduced resources.

The third is a focus on opportunity: The council will prioritise regeneration, growth and maximising income. Regeneration revitalises communities and provides residents and businesses with places to live and work. Growing the local tax base and generating more income through growth and other sources makes the council less reliant on Government funding; helps offset the impact of budget reductions and allows the council to invest in the future infrastructure of the borough.

Planning ahead is crucial: The council dealt with the first wave of austerity by planning ahead and focusing in the longer-term, thus avoiding short-term cuts and is continuing this approach by extending its plans to 2020.

3. CORPORATE PLAN PRIORITIES

The **principles** of **Fairness**, **Responsibility** and **Opportunity** are at the heart of our approach. We apply these principles to our **Corporate Plan priorities** of: **delivering quality services; responsible growth, regeneration and investment; building resilience in residents and managing demand; transforming local services; and promoting community engagement, independence and capacity.**

These priorities are underpinned by a commitment to **continual improvement in our customer services** and to be **as transparent as possible with the information we hold and our decision-making.**

Fairness

- fairness for the council is about striking the right balance between fairness towards more frequent users of services and to the wider taxpayer
- **building resilience in residents and managing demand** – between 2011 and 2016 we've successfully saved over £112m through effective forward planning. In order to meet the £61.5m budget gap to 2020, we will target resources on those most in need and support residents to stay independent for as long as possible
- this will require a step change in the council's approach to early intervention and prevention, working across the public sector and with residents to prevent problems rather than just treating the symptoms.

Responsibility

- the council will focus not only on getting the basics right, but also **delivering quality services**, and striving to continuously improve the standard of services
- **promoting community engagement, independence and capacity** - as the council does less in some areas, residents will need to do more. We're working with residents to increase self-sufficiency, reduce reliance on statutory services, and tailor services to the needs of communities
- in doing so, the council will facilitate and empower residents to take on greater responsibility for their local area.

Opportunity

- the council will capitalise on the opportunities of a growing local economy by prioritising regeneration, growth and maximising income
- **responsible growth, regeneration and investment** is essential for the borough – by revitalising communities and providing new homes and jobs whilst protecting the things residents love about Barnet such as its open spaces. New homes and business locations also generate more money to spend on local services, which is increasingly important as the money received directly from government reduces to zero
- we will use the proceeds of growth to invest in local infrastructure and maintain Barnet as a great place to live and work as we continue to deal with budget reductions to 2020
- we will explore the opportunity this presents to **transform local services** and redesign them, delivering differently and better
- we will focus on making services more integrated and intuitive for the user, and more efficient to deliver for the council and the wider public sector.

The Equality Act 2010 and the Public Sector Equality Duty impose legal requirements on public organisations to pay due regard to equalities. The Corporate Plan is fundamental to the council's approach to deliver equalities. It enables the principles of equalities and valuing diversity to be reflected and mainstreamed into all council processes. It also outlines the council's Strategic Equalities Objective (SEO) that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer.

Through the SEO, Barnet aims to provide the best start for our children and access to equal life chances to all our residents and taxpayers who live, work and study in Barnet. Progress against the SEO is monitored annually in an Annual Equalities Report which is publicly reported to Council and the SEO is also reflected through our Commissioning Plans and priorities for each Theme Committee. Management Agreements with our Delivery Units have a number of commitments which reflect the importance of equalities and how the Commissioning Plans will be achieved in practice, and performance indicators have been set and published for each Delivery Unit.

4. VISION FOR THE ENVIRONMENT

- Barnet is a green and leafy borough and this is one of the reasons people want to live here.
- Ensuring that our parks and open spaces are among the best in London will help to attract more people to the borough.
- We will meet the needs of our growing population by minimising waste for disposal and ensuring that collections are sustainable.
- We will support the prosperity of our growing borough by keeping the streets consistently clean and safe, day and night.
- Highways are maintained to a high standard and areas of high growth and strategic importance being progressively upgraded and improved.
- Meet the highest standards of air quality possible and develop policies to support this, for example, through emission-based permits and our Transport Strategy which is being developed to support moving people away from cars to other means of transport.

5. COMMISSIONING PRIORITIES

Summary

- We're **investing in our parks and open spaces** to put in place **better governance**, while exploring opportunities for **more sustainable funding** and **using parks as community assets**.
- We're **making it easier for businesses and residents in all types of accommodation to recycle**, while listening to their concerns in order to **maintain high levels of satisfaction with waste collection services**.
- We're **using new technology to clean the streets more efficiently** and make it **easier for residents to tell us where to focus our efforts**, and keeping them clean through **increased use of enforcement** with a particular focus on town centres.
- We're **improving the management of traffic flows and parking across the borough**, which will also help to maintain **road safety and air quality**, and working at regional and national level to **improve radial routes for public transport**.
- We are developing a **Transport Strategy** to support the move from cars to other modes of transport, together with an **approach to fees and charges based on environmental impact to help improve overall air quality**.
- **Highways and Network Management within Barnet delivers a high quality, responsive service that optimises travel times across the borough, and taking a strong enforcement approach against developers who damage highways and footways**.
- Working to deliver the **preferred option within the Street Services ADM**.

Parks and open spaces

Attractive suburban parks that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth.

- We have carried out a thorough **assessment of our parks as community assets** and will now look at how residents use them and how they are likely to want to use them in the future, particularly as the density of housing in the borough increases.
- We are delivering major Parks and Open Spaces developments supported through the regeneration programme, drawing on private sector investment as well as our own

investment, for example, Montrose Playing Fields, Silk Stream Park, and Clitterhouse Park as part of the Brent Cross development.

- We will consult on the Playing Pitch Strategy and develop schemes with national bodies and local interest groups.

Recycling and waste

High levels of resident satisfaction with waste and recycling services and a green and clean borough.

- Recycling is better for the environment and cheaper for the council than disposing of waste; we have set a target to **recycle 50% of all waste by 2020**.
- We're **focusing our efforts on 'hot spots'** where the majority of waste for disposal comes from because recycling facilities are often not easily accessible, such as blocks of flats and commercial centres.
- We believe businesses should recycle as much as households so we are transforming our commercial waste service to offer all of our customers comprehensive recycling services
- For those who fail to deal with their waste responsibly enforcement action will be taken to ensure fairness to all residents.
- We will work with the North London Waste Authority (NLWA) and the other six constituent boroughs in the delivery of new and replacement waste facilities:
 - The existing Energy from Waste plant, which is coming to the end of its operational life, will need replacing. This will bring financial challenges, and we will then need to ensure we have the most effective way to fund the construction costs of the new replacement facility
 - As part of the Brent Cross Cricklewood regeneration scheme the existing NLWA waste transfer station, which Barnet Council uses, will be relocated, and may bring the opportunity of increasing the types of waste that can be delivered to the transfer station, improving service efficiency.

Street cleansing

Low levels of littering compared with similar councils; resulting in high levels of resident satisfaction and a green and clean borough.

- The biggest cost associated with running the street cleansing service is staff. Therefore, we are **investing in new technology** where this can be used in place of human resources to help the service do its bit to make the necessary savings.
- The efficiency of street cleansing services is being improved by using new technology to allocate more resources to areas that tend to get dirty quickly and less to those that tend to stay clean for longer.
- It is fair that those who create demand for street cleansing services, for example by littering and fly tipping, should have this behaviour discouraged with **enforcement and fines**. This is particularly important in busy town centres where a lack of **street cleanliness can have a detrimental effect on the local economy**.
- There will be a **reduced demand for services** if a stronger line of enforcement is taken, and a small contribution of income from fines will help support the service.

Roads and transport

A high quality, responsive, service that optimises travel times across the borough; and which is safe for users and reflects the growing nature of the borough.

- The population of the borough is growing, and with it the need to **keep the roads safe and well maintained** while addressing congestion and air quality issues and we will do this through the development of a borough wide **Transport Strategy**.
- **Investment in key junctions** will improve traffic flows and safety for pedestrians.
- It is fair that **motorists should have to compensate for the pollution and congestion their vehicles cause** through CPZs, emissions based parking permits and other charging mechanisms.
- Barnet's public transport links in and out of central London are strong, but **radial routes across the borough need to be developed** and made more reliable, so residents across the borough can travel to town centres without using their cars.
- **Car free development** is becoming a higher priority for the local planning authority.
- We will make **strategic investment** in our **highway network** and will focus on good **value for money from a whole life costing approach**.
- We will work with the public and private sector to improve accessibility to car clubs and electric vehicle charging points.
- As part of the Transport Strategy we will look to **improve facilities and infrastructure for cyclists and pedestrians**.
- We will ensure that we **protect the borough's infrastructure by enforcement against developers who damage highways and footways**.

Parking

Parking is an important service to residents and initiatives are in place to enable the parking service to fulfil its aims of **keeping traffic moving, making roads safer, reducing air pollution, ensuring that there are adequate parking spaces on high streets and that residents can park as near as possible to their homes**.

- We have implemented a **Parking Database with improved customer experience** with online permit and PCN transactions and will continue to make improvements to the customer journey.
- We have introduced **CCTV enforcement in key locations** outside of schools and junctions **to keep traffic moving and** vulnerable road users safe and will continue to monitor local traffic issues.
- We have introduced **transparent parking information** including details of the number of penalty notices issued in which locations and we will publish an annual report.
- We will provide more effective and **customer focused web content** making it easier for our residents to perform parking transactions and find out information.
- We will continue to **improve our services for disabled residents** in terms of access to freedom passes and taxi cars whilst ensuring that we take a firm approach to **Blue Badge fraud**.

Regulatory Services

Effective, targeted, proportionate services that are easy to access and navigate by users. Breaches in regulatory services are effectively and efficiently enforced and costs recovered by the council. Regulatory services are directly contributing to public health and improved public safety.

- We will continue to inspect the **highest risk food businesses and new food businesses** and work with operators to ensure standards are improved or maintained.
- A large number of major roads and high levels of traffic passing through Barnet lead to poor **air quality**. We will work with neighbouring boroughs to implement project plans under the **Mayors Air Quality Fund**.
- We will continue to investigate **public health, noise, nuisance and anti-social behaviour** service requests and work with interested parties to resolve problems.
- The Trading Standards service will continue to investigate serious complaints of **unfair trading, fraud and consumer safety**.
- We work to ensure that **licensed premises** meet the licensing objectives.
- We will ensure that the **Pest Treatment Service** provides the highest standards of customer care and effective and reliable treatments at a fair and reasonable cost.

Cemetery and Crematorium

Highest possible standards in meeting the needs of the bereaved safely – including administration, burial, cremation, memorial management, and ground maintenance and cremation memorial options.

- We will seek to implement the **latest technology** to enable us to meet the needs of the bereaved and to ensure the funeral service offering is the best available locally.
- We will invest in the **repair and modernisation of the cemetery buildings** to provide a **modern and fit for purpose bereavement service office** and associated facilities, including **on-site catering facilities**.
- As available space at Hendon Cemetery becomes scarce, we will investigate means to **prolong the life of the cemetery** and to **provide additional burial space locally**.

6. KEY SUCCESSES IN PAST YEAR

Parks and open spaces

- The **Parks and Open Spaces Strategy** was published and plans to deliver the activities developed.
- A **Playing Pitch Strategy** is in development and will determine the other playing pitch work streams.
- The **Adopt a Place** initiative has progressed with new schemes in conjunction with community groups.

Recycling and waste

- The **Municipal Recycling and Waste Management Strategy** was adopted and published and plans to deliver the activities developed.
- **Resident satisfaction with refuse collection and doorstep recycling** is high, at 77% and 73%, 8 percentage points and 7 percentage points above the London averages respectively and **amongst our highest rated council services**.
- Achieved 37% recycling rate for 2015/16, placing the borough 9th in London.
- Continued **expansion of recycling scheme in flats**, including the provision of direct size bins to fit different circumstance.

Street cleansing

- The **Keep Barnet Clean** trial started in July 2016 with communications and an education campaign, and enforcement started at the end of July 2016. There was high level of public support for the council and encouragement to tackle behaviour that results in the degradation of the street scene. A number of community litter picks also took place.
- The first **Fixed Penalty Notices for fly tipping** (which were enacted in May 2016) were issued in Barnet as part of the trial.

Roads and transport

- **Footway relay works** are ongoing with paving slabs being replaced with asphalt in roads outside of Town Centres and Conservation Areas in line with the newly agreed policy.
- Awarded Cleaner Air Borough (CAB) status, for effectively monitoring and reducing air pollution.
- **114 trees have been planted** on streets close to busy junctions to help reduce pollution

Parking

- **Moving Traffic Contraventions** were installed at yellow box junctions, schools and banned turns.
- It was agreed that the NSL enforcement contract should be extended for a period of 18 months.
- Electronic renewal of residents permits was introduced.

7. STRATEGIC PARTNERSHIPS

We have a number of key partners who we work with to deliver our commissioning priorities.

- **Re Highways:** Working in partnership to keep the roads safe and well maintained. Investing in key junctions to improve traffic flows and safety for pedestrians. Also working with Re Highways who are contributing to the Long-term Transport Strategy and our plans to improve air quality by the reduction of congestion. Also we are making strategic investment in our highway network via focusing on a whole life costing approach.
- **Transport for London:** Working in Partnership to improve Barnet's public transport links and public transport reliability, so residents across the borough can travel to town centres without using their cars.
- **Office of Low Emission Vehicles:** Working in Partnership to improve accessibility to car clubs and electric vehicle charging points.
- **NSL Parking Services:** Working in partnership on effective enforcement to help keep traffic moving, reduce air pollution and improve road safety.
- **NSL Environment Enforcement:** Working in partnership on effective enforcement to help Keep Barnet Clean by ensure business, residents and visitors in Barnet dispose of waste and litter correctly
- **North London Waste Authority (NLWA)** – The NLWA is responsible for the disposal of waste for all of its seven members, of which Barnet is one. The authority also works in partnership with its the Boroughs to reduce waste through promotion of waste minimisation and recycling

8. TRANSFORMATION PROGRAMME

The council's *transformation programme* will help to deliver the £12 million savings required by the Medium Term Financial Strategy, see second table below. The key benefits of the Environment Portfolio, along with the expected costs of delivery and financial benefits are outlined in the tables below.

Key benefits

Area	Key benefit
Street Scene ADM	Explore in house transformation, shared services and alternative models of delivery across the Street Scene Delivery Unit to deliver more effective and efficient services
Parks	Delivery of parks strategy and action plan and capital investment in parks
Recycling & Collection	Increase recycling rates, reduce waste tonnages and maintain high levels of satisfaction with the waste service, exploring behaviour change and greater efficiency
Street Cleansing	Develop an 'intelligence-led' approach to deploying resources which maintains standards of street cleansing in the borough, improves resident satisfaction and realises operational savings
Sustainable Transport Strategy	Improve the management of traffic flows and parking across the borough, to maintain road safety and air quality, and improve radial routes for public transport

Transformation Programme cost and Medium Term Financial Plan benefits

Project	Total cost	Total financial benefit
Street Scene ADM	£664,000	Saving of £0.7m
Parks Investment & Improvement	£310,000	Saving of £0.80m
Recycling & Collection Offer	£450,000	Saving of £2.50m
Street Cleansing Model	£200,000	Saving of £0.75m
Commercial Waste	£315,000	Saving of £1.2m
Sustainable Transport Strategy	£140,000	Non quantifiable savings generated by improving the quality of Barnet as a place to live and work by reducing congestion and journey times
Street Scene Efficiencies	£834,000	Saving of £1.19m (A number of Projects Completed)
Mortuary Shared Services	£70,000	Saving of £0.045m (Project Closed)
Parking service Transformation	£486,000	Improve service efficiency and customer experience
Revenue neutral CCTV service	£70,000	Saving of £0.24m (Project Closed)

9. INDICATORS FOR 2017/18

The tables below outline how the Committee contributes to achieving the priorities of the Corporate Plan: **Delivering quality services** (Responsibility); **Responsible growth, regeneration and investment** (Opportunity); **Building resilience in residents and managing demand** (Fairness); **Transforming local services** (Opportunity); and **Promoting community engagement, independence and capacity** (Responsibility).

Key:

CPI = Corporate Plan Indicator
SPI = Commissioning Plan Indicator

Delivering quality services (Responsibility)

PARKS AND OPEN SPACES - Attractive suburban parks that promote health and wellbeing, conserve the natural character of the area, and encourage economic growth.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
CPI	SS/S1 (RPS - Biannual)	Percentage of residents who are satisfied with parks and open spaces	72%	72% (Autumn 2016)	73% (Autumn and Spring)	75%	Street Scene
SPI	NEW - TBC	Amount of external funding invested in parks (annual)	NEW FOR 2017/18	NEW FOR 2017/18	Monitor	Monitor	Street Scene

STREET CLEANSING - Low levels of littering compared with similar councils; resulting in high levels of resident satisfaction and a green and clean borough.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
CPI	SS/S6 (RPS - Biannual)	Percentage of residents who are satisfied with street cleaning	58%	51% (Autumn 2016)	60% (Autumn and Spring)	62% ¹	Street Scene

ROADS AND TRANSPORT - A high quality, responsive, service that optimises travel times across the borough; and which is safe for users and reflects the growing nature of the borough.

¹ London average was 55% in 14/15.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
CPI	KPI 2.1-2.3 (NM)	Highways defects made safe within agreed timescales	100%	Fail (data not available)	100%	100%	Re
CPI	NEW - TBC	Highways service requests ²	NEW FOR 2017/18	NEW FOR 2017/18	TBC	TBC	Re
CPI	NEW - TBC	Satisfaction with repairs (from door knocking surveys) ³	NEW FOR 2017/18	NEW FOR 2017/18	TBC	TBC	Re
CPI	CG/S11 (RPS - Biannual)	Percentage of residents who are satisfied with repair of roads	35%	33% (Autumn 2016)	35% (Autumn and Spring)	London average (41% in 14/15)	Commissioning Group
CPI	CG/S12 (RPS - Biannual)	Percentage of residents who are satisfied with quality of pavements	35%	34% (Autumn 2016)	35% (Autumn and Spring)	London average (41% in 14/15)	Commissioning Group
SPI	PI/C6 (RPS - Biannual)	Percentage of residents who are satisfied with street lighting	72%	69% (Autumn 2016)	73% (Autumn and Spring)	74%	Commissioning Group – Parking & Infrastructure

PARKING - A more efficient parking database for permits and PCNs, a new Parking Policy and web-enabled GIS parking system, which displays all our parking restrictions and parking bays.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
CPI	PI/S3 (RPS - Biannual)	Percentage of residents who are satisfied with parking services	30%	24% (Autumn 2016)	30% Autumn and Spring	London average (33% in 14/15)	Commissioning Group – Parking & Infrastructure

² New indicator – targets will be set after methodology agreed and baseline identified.

³ New indicator – targets will be set after methodology agreed and baseline identified.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
SPI	CG/C17 (RPS -Biannual)	Percentage of residents who are concerned about traffic congestion	18%	23.0% (Autumn 2016)	20% Autumn and Spring	London average (23% in 14/15)	Commissioning Group

Building resilience in residents and managing demand (Fairness)

RECYCLING AND WASTE - High levels of recycling and the low levels of waste compared with similar councils; resulting in high levels of resident satisfaction and a green and clean borough.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
CPI	SS/S3	Percentage of household waste sent for reuse, recycling and composting	42%	39.90% (Q2 16/17) (Q2 Target 41.92%)	42%	50%	Street Scene
CPI	SS/S4 (RPS - Biannual)	Percentage of residents who are satisfied with refuse and recycling services	80%	75% (Autumn 2016)	82% (Autumn and Spring)	85% ⁴	Street Scene
SPI	SS/C1	Waste tonnage – residual per household	590.85kg per HH	159.90 (Q2 16/17) (Q2 Target 154.41)	602kg per HH	502kg per HH	Street Scene
SPI	SS/C2	Waste tonnage – recycling per household	427.97kg per HH	106.16 (Q2 16/17) (Q2 Target 111.44)	402kg per HH	502kg per HH	Street Scene

REGULATORY SERVICES - Effective, targeted, proportionate services that are easy to access and navigate by users. Breaches in regulatory services are effectively and efficiently enforced and costs recovered by the council. Regulatory services are directly contributing to public health and improved public safety.

Ref	Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
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⁴ London average was 69% for refuse and 66% for recycling in 14/15.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
SPI	EH01A	Compliance with Environmental Health Service Standards (Priority 2)	95%	96.6%	95%	95%	Re
SPI	EH01B	Compliance with Environmental Health Service Standards (Priority 1)	100%	100.0%	100%	100%	Re
SPI	EH02D	Food and drinking water sampling inspections	100%	112.5%	100%	100%	Re
SPI	TSLKPI02	Appropriate response to statutory deadlines	100%	100%	100%	100%	Re
SPI	NEW - TBC	Air quality	NEW FOR 2017/18	NEW FOR 2017/18	TBC	TBC	Commissioning Group
SPI	NEW - TBC	Trading standards and environmental health e.g. food safety (outcome measures)	NEW FOR 2017/18	NEW FOR 2017/18	TBC	TBC	Commissioning Group

CEMETERY AND CREMATORIUM - Highest possible standards in meeting the needs of the bereaved safely - including administration, burial, cremation, memorial management, and ground maintenance and cremation memorial options.

Ref		Indicator	2016/17 Target	2016/17 Q3 Result	2017/18 Target	2019/20 Target	Service
SPI	HCC01	Meeting religious burial requests	95%	100%	95%	95%	Re
SPI	HCC04 (Annual)	Charter for the bereaved	Gold	Not reported – due Q4	Gold	Gold	Re

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	<p>Environment Committee</p> <p>15 March 2017</p>
<p>Title</p>	<p>Playing Pitch Strategy 2017/2022</p>
<p>Report of</p>	<p>Commissioning Director: Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>No</p>
<p>Enclosures</p>	<p>None</p>
<p>Officer Contact Details</p>	<p>Dennis Holmes: Dennis.Holmes@barnet.gov.uk (07753 686 111)</p>

Summary

At its 11 January 2017 meeting, the Environment Committee considered the draft Playing Pitch Strategy (PPS) for Barnet. The Committee approved the draft PPS to go to public consultation, with the consultation outcome and the updated draft PPS being reported to this meeting for adoption by the Council.

Recommendations

1. That the Environment Committee note the outcome of the public consultation and adopts the updated Playing Pitch Strategy on behalf of the Council.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report informs the Environment Committee of the outcome of the public consultation relative to the Playing Pitch Strategy (PPS), following consideration of which, the Committee is requested to adopt the updated draft PPS on behalf of the Council.
- 1.2 The adoption of the PPS will create a policy framework for future pitch provision to support the delivery and playing of outdoor pitch sport into the future; as well as informing proposals for the development of new parks and open spaces and improvements to existing sites.
- 1.3 The development and ongoing updating of a PPS is also required to inform the Council's Local Plan, specific planning policies and its responses to individual applications for planning consent.
- 1.4 The National Planning Policy Framework (NPPF) requires that planning authorities' Local Plans should meet objectively assessed need and positively seek to meet the development needs of an area. Specifically, planning policies for open spaces and sports and recreation should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provisions. The information gained from these assessments should be used to determine what open spaces, sports and recreation provisions are required which, going forward, will provide evidence for the revision of Barnet's Local Plan in 2017

Consultation

- 1.5 Public consultation on the draft PPS for Barnet was undertaken from 16 January to 27 February using the following methodology:-
 - Questionnaire on Engage Barnet;
 - Direct email to all sports clubs with links to the questionnaire to be circulated to all members;
 - Council promotion methods, such as facebook.
- 1.6 The response to the public consultation is available at Engage Barnet; from which it will be seen that:-
 - A total of 31 responses were received to the consultation;
 - 77.42% of respondents had taken part in formal sport activity during the year prior to the consultation;
 - Lack of time (42.86% of responses) was given as the main reason for respondents not taking part in sporting activity;
 - 86.36% of respondents are members of sports clubs;
 - More respondents agreed or strongly agreed (average 49.98% across all sports) with the strategic directions for the individual sports than disagreed or strongly disagreed (average 7.91% across all sports);
 - The 35-44, 45-54 and 55-64 age groups returned the most responses (73.33% when taken together);
 - The majority of the respondents were male (71.43%).

2 REASONS FOR RECOMMENDATIONS

- 2.1 **Recommendation 1** – It is recommended that the Environment Committee note the outcome of the public consultation and adopts the updated draft PPS for Barnet. The adoption of the PPS will create a policy framework for future pitch provision to support the delivery and playing of outdoor pitch sport into the future; as well as informing proposals for the development of new parks and open spaces and improvements to existing sites and informing the Council's 2017 Local Plan Revision.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 No alternative options have been considered at this stage as the Council's Parks and Open Spaces Strategy requires the development of a Playing Pitch Strategy for Barnet.
- 3.2 In addition, the Playing Pitch Strategy is required to inform the Council's Local Plan, specific planning policies and responses to individual applications for planning consent. Sport England will respond to consultation requests regarding applications for planning consent with playing pitch and/or recreational green space implications in the context of an approved PPS.

4 POST DECISION IMPLEMENTATION

4.1 If the Committee is minded to agree the above recommendation, the Steering Group comprising representatives of the relevant National Governing Bodies of Sport, Sport England and the Council will be re-established to:-

- Act as a focal point for promoting the value and importance of the PPS and playing pitch provision in the area;
- Monitor, evaluate and review progress with the delivery of the PPS recommendations and Action Plan;
- Share lessons learnt from how the PPS has been used and applied;
- Ensure the PPS is used effectively to input to any new opportunities to secure improved provision and influence relative programmes and initiatives;
- Maintain links between all relevant parties with an interest in playing pitch provision in the area;
- Review the need to update the PPS together with the supply and demand and assessment information on which it is based.

Arising from the review process, the Steering Group may:-

- Provide short annual progress or update papers;
- Provide highlight reports focussing on individual sports, pitch types or sub-areas;
- Lead a full PPS review as required.

The Steering Group will meet at relevant points throughout the year to progress the above and oversee the development and implementation of individual sport, site and area development plans.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Council's Corporate Plan says:-

- Barnet's Parks and Greenspaces will be amongst the best in London;
- Resident feedback consistently shows that Barnet's Park and Greenspaces are amongst its biggest assets and a strong influence for people deciding to live here;
- The Council recognises this and will continue to ensure that the Borough's Parks and Greenspaces are well looked after;
- The Council will develop more innovative ways of maintaining its Parks and Greenspaces; including through greater partnerships with community groups and focus on using parks to to achieve wider public health priorities for the Borough.

5.1.2 The Joint Health and Wellbeing Strategy says:-

- Barnet is now the largest Borough in London by population (367,265 at the end of 2015) and is continuing to grow. The highest rates of population growth are forecast to occur around the planned development works in the west of the Borough; with over 113% growth in Golders Green and 56% in Colindale by 2030;
- Barnet Sport and Physical Activity Needs Assessment (2012) highlighted that whilst health behaviours and outcomes are more favourable in Barnet than in England as a whole, sports and physical activity rates and the use of outdoor spaces are below the national average;
- A breadth of evidence demonstrates that a more active lifestyle is essential for physical and mental wellbeing. Regular physical activity helps reduce the risk of stroke, type II diabetes, development of dementia, incidences of heart disease, cancers and high blood pressure. Physical activity supports the prevention and management of long term conditions as well as being a component of achieving and maintaining a healthy weight;
- Physical inactivity currently costs the UK economy £7.2 billion. Additional costs are incurred via the wider economy through increased sickness absence, premature death of productive individuals and increased costs for individuals and their carers;
- Within Barnet the health costs of physical inactivity currently amount to £6.7 million. This is approximately £1.9 million per 100,000 of the Borough's population. However, as measured by the Sport England Active People Survey Data (APS9 Quarter 2) 43.8% of the Borough are currently inactive and would like to do more;
- The number of people with mental health conditions is predicted to increase as the population grows. In November 2014, the Health and Wellbeing Board identified prevention of and early intervention in mental health problems as a priority. Mental health is our key priority in year one of the LHWB Strategy with partners coming together to make a positive impact for all of our residents;
- Maximise the potential of improvements to and changes in the management of open spaces where this could support improved mental wellbeing.

5.1.3 Local Plan Policy CS7 says the Council will create a greener Borough by:-

- Enhancing open spaces to provide improvements in overall quality and accessibility;
- Meeting increased demand for access to open space and opportunities for physical activity;
- By tackling deficiencies and underprovision.

5.1.4 The development and adoption of a Playing Pitch Strategy for Barnet will assist in attracting and targeting investment in and improvement of Barnet's greenspaces to support growth and wellbeing in Barnet will also result in the delivery of a range of outcomes linked to other Council strategies:-

- Growth Strategy: creating the environment for growth;
- Regeneration Strategy;
- Fit and Active Barnet Strategy;
- Community Safety Strategy;
- Entrepreneurial Barnet Strategy.

5.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 **Finance, Value for Money and Procurement** – A Greenspaces Investment Programme is being developed to put into place a framework for the funding of improvements to Barnet’s parks and open spaces, including outdoor pitches. This programme will seek to maximise opportunities for the funding of schemes from external sources; including CIL, section 106 contributions, partnerships and grant giving bodies.

5.2.2 The Greenspaces Investment Programme will create financial allocations against which funds for specific projects, including outdoor pitch projects, will be drawn down subject to proposals and their funding packages being considered and approved by the Greenspaces Board and the appropriate committee of the Council prior to their delivery. The procurement of detailed design work and construction works will be subject to competitive tender processes in accordance with the Council’s Contract Procedure Rules. This prior scrutiny and approval of schemes will ensure that value for money is achieved when capital schemes are developed and delivered.

5.2.3 The revenue effects of schemes will be defined and considered by the Greenspaces Board and the appropriate Committee of the Council as part of the project approval process. It is intended that schemes, once completed, will be revenue neutral, taking alternative delivery and funding mechanisms into account.

5.2.4 **Staffing** – None at this time but future delivery of the Playing Pitch Strategy for Barnet outcomes will require appropriate capacity and capability in the organisation; including within the commissioning arrangements.

5.2.5 **IT** – None at this time

5.2.6 **Sustainability** – The implementation of the Playing Pitch for Barnet outcomes will be undertaken in compliance with the Parks and Open Spaces Strategy and associated initiatives which seek to protect, improve and enhance the natural environment of Barnet. The individual projects to be delivered during implementation of the strategy will be developed and delivered in accordance with both environmental and financial sustainability and outcomes.

5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social,

economic and environmental benefits. The key themes within the Playing Pitch Strategy for Barnet are:-

- Social outcomes and benefits;
- Environmental Outcomes and Benefits;
- Economic Outcomes and Benefits.

5.4 Legal and Constitutional References

5.4.1 Local authorities have a number of different statutory powers in relation to parks and open spaces, including the Public Health Act 1875 which permits the purchase and maintenance of public walks or pleasure grounds and the Local Government (Miscellaneous Provisions) Act 1976, which gives a wide range of powers to provide recreational facilities; including pitches and facilities for the playing of sports.. The Open Spaces Act 1906 provides that local authorities shall hold and administer open space in trust to allow the enjoyment of it by the public and shall maintain and keep the open space in a good and decent state.

5.4.2 The Council’s Constitution (Clause 15A: Responsibility for Functions, Annexe A) sets out the terms of reference for the Environment Committee. This decision is within the remit of the committee and therefore it is deemed appropriate for the Environment Committee to consider and determine this report. .

5.5 Risk Management

5.5.1 The management of risk is undertaken on a continual basis and reported as part of the Council’s Quarterly Performance regime and considered as part of the Performance and Contract Management Committee quarterly monitoring report.

5.5.2 Risks are managed through the project boards and are reviewed and revised at board meetings. The current key risk areas are:-

	Rating Criteria	1: Low	2: Medium	3: High
1.	Total investment required		X	
2.	Potential benefits	X		
3.	Return on investment	X		
4.	Level of risk	X		
5.	Political sensitivity	X		
6.	Fit with corporate objectives	X		
7.	Users/DU’s impacted	X		
	Total score	8		

5.6 Equalities and Diversity

5.6.1 The Equality Act, 2010 sets out the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:-

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act, 2010;
- Advance equality of opportunity;
- Foster good relations between different people when carrying out their activities.

5.6.2 Relevant protected characteristics are:- age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5.6.3 The purpose of the Playing Pitch Strategy for Barnet is to ensure that the broad diversity of Barnet's residents and communities have access to and benefit from these community assets and that their needs and aspirations are reflected in the provision that the Council makes.

5.6.4 Agreement by the Council to the Playing Pitch Strategy for Barnet and the Development of the Greenspaces Investment Programme will put into place the resources required to allow individual sport, project and site proposals to be worked up. Equalities Impact Assessments will be developed on a scheme by scheme basis so as to ensure compliance with the requirements of the 2010 Act and that the needs of the communities and groups are taken into account in the development of schemes.

5.7 Consultation and Engagement

5.7.1 The draft PPS has been developed following detailed and comprehensive consultation with local sports clubs and leagues, pitch providers, Sport England and the relevant National Governing Bodies of Sport.

5.7.2 The public consultation on the draft PPS and its outcome are reported in Section 1 of this report, above.

6 BACKGROUND PAPERS

6.1 [Environment Committee 12 May 2016 Papers](#)

6.2 [Environment Committee 11 January 2017 Papers](#)

6.3 [Parks and Open Spaces Strategy for Barnet: 2016 to 2026.](#)

6.4 [Open Barnet Data Portal](#)

6.5 [Sport England Guidance](#)

6.6 Draft Playing Pitch Strategy Public Consultation Response 27 February 2017

	<p>Environment Committee</p> <p>15 March 2017</p>
<p style="text-align: right;">Title</p>	<p>2017/18 Local Implementation Plan (LIP) Work Programme</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director - Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 – LIP Corridors, Neighbourhoods and Supporting Measures proposals Appendix 2 – Traffic Management and Accident Reduction proposals including prioritisation of Minor Traffic Management Schemes – To Follow Appendix 3 – School Travel Plan and 20mph initial work programme - To Follow Appendix 4 – Parking Review schemes prioritisation and initial work programme - To Follow</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jane Shipman, highwayscorrespondence@barnet.gov.uk, 020 8359 3555</p>

Summary

The Report seeks the Committee’s approval for the work programme funded from the ‘Corridors, Neighbourhoods and Supporting Measures’ programme of the 2017/18 Local Implementation Plan (LIP) allocation provided by Transport for London.

Recommendations

1. That the Committee approve the Local Implementation Plan (LIP) work programme for “Corridors, Neighbourhoods and Supporting Measures” as detailed in Appendices 1-4 of this report to be funded from the 2017/18 LIP allocation.

<p>2. That the Committee grant delegated authority to the Commissioning Director for Environment to adjust the detailed programme and funding for individual proposals as they develop.</p>
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1. WHY THIS REPORT IS NEEDED

1.1 On 29 September 2016 the Environment Committee approved proposals for the borough's Local Implementation Plan (LIP) 2017/18 Annual Spending Submission to Transport for London (TfL), including proposals for the LIP 'Corridors, Neighbourhoods and Supporting Measures Programme'. This is the main programme that supports development and implementation of Traffic Management Schemes and work to support Road Safety and Sustainable Travel. The proposals are set out in Appendix 1. In December, TfL confirmed their support for the proposals in the Corridors, Neighbourhoods and Supporting Measures Programme.

1.2 The report to the Environment Committee on 29 September 2016 included a number of generic areas of work. A more detailed programme for these areas have now been developed based on work already in progress in 2016/17 and prioritisation of proposals and new requests using the Prioritisation Tool approved by the Environment Committee in May 2016.

Traffic Management and Accident Reduction

1.3 In previous years a combined 'Traffic Management and Accident Reduction' work package heading was used but for 2017/18 separate work packages have been identified for 'Accident Reduction Schemes' and for 'Minor Traffic Management Schemes'. The Accident Reduction Schemes package is already largely defined in the scheme description. It identifies named locations with high levels of Personal Injury road traffic accidents to vulnerable road users for work to develop and implement safety schemes. Work is also included to complete schemes from the 2016/17 'Traffic Management and Accident Reduction' programme that are at or close to the point of construction.

1.4 The Prioritisation Tool has been applied to requests for schemes at other locations and the highest priorities identified for inclusion in the Minor Traffic Management Schemes Requests work package.

1.5 Further information is included at Appendix 2 regarding the proposals within these two areas of work.

School Travel Plan Schemes and 20mph schemes around schools

1.6 School Travel Plan Schemes and proposals specifically for 20mph areas around schools make use of the same prioritisation system, even though there are separate work packages identified.

- 1.7 For School Travel Plan schemes the funding application identified that work would be undertaken to:
- (1) complete 2016/17 proposals,
 - (2) carry out detailed design and implementation on schemes associated with a number of named schools, which have been previously prioritised and initial work undertaken and;
 - (3) outline design for newly prioritised locations.
- 1.8 The proposal for 20mph schemes also includes for;
- (1) completion of work on a number of schemes identified for 2016/17,
 - (2) detailed design and implementation of a series of other named locations (identified from previous prioritisation of locations) and
 - (3) work on reserve locations if appropriate.
- 1.9 It is currently anticipated that completing items (1) and (2) from the School Travel Plans work package is likely to require a significant proportion of the available allocation for School Travel Plan Schemes. Similarly for 20mph schemes it is anticipated that completion of items (1) and (2) will not leave significant scope to include new locations.
- 1.10 Prioritisation of new locations has therefore been deferred to later in the year when it is clearer whether there is capacity within these work packages to introduce new proposals. This will help to ensure that when it is possible to introduce new proposals that the prioritisation is undertaken based on the most recent issues identified through the schools' latest School Travel Plans.
- 1.11 The progress of individual schemes in 2016/17 for 20mph schemes in particular has varied with some named locations for 2017/18 having been accelerated to compensate for locations that are delayed. Appendix 3 provides more detail on the schemes identified for inclusion in the work programme for 2017/18 for these two work packages.
- Parking Schemes (Parking Reviews and Minor Parking Schemes)**
- 1.12 The Parking Reviews package includes provision of new Controlled Parking Zones (CPZs) and reviews of existing CPZs and similar arrangements in town centres and around transport hubs. The proposals for inclusion in the 2017/18 work programme include locations where work is underway to develop or deliver schemes which commenced in 2016/17. Prioritisation of other requests for new CPZs or changes to CPZs have been undertaken to populate the remainder of the programme.
- 1.13 There is also LIP funding identified for minor parking schemes to address safety and traffic flow. However, the Council is currently considering how to address minor parking requests generally, including how these should be managed and funded moving forward. Depending on the outcome of these considerations, which are due to be concluded later this year, and the alternative funding options available, it is intended that the LIP minor parking allocation either be treated in the same way as originally envisaged, or be used to address minor changes from the Parking Review prioritisation or where appropriate the traffic management schemes prioritisation. In the meantime prioritisation of these minor parking requests have been deferred.

2. REASONS FOR RECOMMENDATIONS

- 2.1 TfL's LIP allocation for 2017/18 totals £4.857m, covering Principal Road maintenance (£1.344m), 'Corridors and Neighbourhoods & Supporting Measures' (£3.413m), and Local Transport Fund (£100k). The LIP work programme is intended to address the Mayor of London and the borough's transport priorities identified in Barnet's LIP document.
- 2.2 The recommendations define the 2017/18 work programme for Corridors Neighbourhoods and Supporting Measures including prioritisation where appropriate to focus on schemes that will best address borough priorities and provide the greatest benefit, while ensuring that proposals which are already at an advanced stage are completed or brought to an appropriate conclusion.
- 2.3 Delegation to the Commissioning Director for Environment to make adjustments is included to retain the flexibility to respond to changing circumstances.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Reconsideration of proposals where works are in advanced stages have not been identified since this would involve wasted development costs and dropping proposals where a decision to implement or a public expectation of implementation already exists.
- 3.2 Prioritisation of new school related schemes and minor parking schemes at this time is not recommended for the reasons identified in section 1.

4. POST DECISION IMPLEMENTATION

- 4.1 Approval of the recommendations will identify the proposals to be incorporated within the 2017/18 LIP work programme of schemes.
- 4.2 As these are developed and fuller costs known it is intended that adjustments to the proposals identified in line with the principles set out in this report would be agreed by the Commissioning Director for Environment and reported to the Environment Committee at the next available meeting.
- 4.3 It is anticipated that approval for implementation of schemes within the budgets identified will be through powers delegated to officers, Area Committee or Environment Committee as appropriate to the individual proposal.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The proposed LIP programme will contribute directly to two of the three Corporate Objectives by:
 - Promoting responsible growth, development and success across the borough;
 - Improving the satisfaction of residents and businesses within the London Borough of Barnet as a place to live, work and study

5.1.2 The proposals here will particularly help to address the Corporate Plan delivery objectives of “a clean and attractive environment, with well-maintained roads and pavements, flowing traffic” and “a responsible approach to regeneration, with thousands of new homes built” by helping residents to feel confident moving around their local area on foot, or in a vehicle and contribute to reduced congestion.

5.1.3 The proposed LIP programme will also contribute to the Council’s Health and Wellbeing Strategy by making Barnet a great place to live and enable the residents to keep well and independent. The individual proposals also help address road traffic casualties which will also have an impact on Health and Wellbeing.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 Core funding for the implementation of the LIP is provided by TfL through various programmes of funding. The total provided for 2017/18 is £4.857m, and this is included in the Council’s capital programme approved by Policy & Resources Committee on 23rd February 2017, and will be recommended for approval by Council. The £4.857m is made up of £3.413m ‘Corridors, Neighbourhoods and Supporting Measures’ programme, Principal Road Maintenance (£1.344m) and Local Transport Fund (£100k). The Annual Spending Submission provides the means by which proposals are submitted and agreed by TfL.

5.2.2 This report concerns the £3,413,000 ‘Corridors, Neighbourhoods and Supporting Measures Programme’, which is aimed at addressing a range of transport issues. The programme as approved by TFL is detailed in Appendix 1. Appendices 2 to 4 provide further details on some of the items listed in Appendix 1. .

5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to procurement of services.

5.4 **Legal and Constitutional References**

5.4.1 Greater London Authority Act 1999 (GLA Act) Part IV Chapter I governs the preparation of a Transport Strategy by the Mayor of London and preparation of a Local Implementation Plan by each borough containing proposals for the implementation of the Strategy in its area.

5.4.2 Section 159 of the GLA Act allows TfL to provide financial assistance to support provision of transport facilities or services within Greater London.

5.4.3 The Constitution section 15 Responsibility for Functions (Annex A - Membership and Terms of Reference of Committees, Sub-Committees and Partnership Boards) provides that the Environment Committee has specific responsibilities for commissioning transport and traffic management including agreement of London Transport Strategy-Local Implementation Plan.

5.4.4 The Traffic Management Act 2004 places obligations on authorities to ensure the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.

5.5 Risk Management

5.5.1 Lack of clarity over proposals within the programme due to changed priorities through the year presents risks to delivery. This is mitigated by defining the programme proposals and limiting the scope to make changes in year.

5.5.2 Conversely limiting the scope for in-year changes limits the flexibility to respond to changing priorities and new requests. However, the ability to make minor changes through delegated powers retains the ability to respond to the most critical issues.

5.5.3 Ceasing work on schemes risks reputational damage where an expectation already exists in relation to developing or implementing proposals on proposals already underway. This has been addressed by incorporating in the programme those proposals that have been developed to stage where implementation is imminent.

5.5.4 Scheme design will seek to mitigate risks to safety in the long term and during construction. Construction risks will be identified through contractor Health and Safety Plans and contract managers' meetings.

5.6 Equalities and Diversity

5.6.1 Section 149 of the Equalities Act 2010 places a duty on local authorities as follows:

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This duty is addressed below.

5.6.2 The programme includes packages of road safety education initiatives and road safety engineering schemes that will tend to benefit groups currently disproportionately affected by road traffic collisions. This can include young people and older people, males, and some minority ethnic groups. Provision for 20mph proposals near schools is expected to particularly benefit children.

5.6.3 Measures are also included to support cycling. The full LIP equalities impact assessment identified that cycling was a higher priority among minority ethnic groups as a whole than among the population as a whole.

5.6.4 Allocations are included in relation to provision of accessible bus stops and work to address other local accessibility issues which would help to advance

equality of opportunity for disabled people accessing the transport system.

5.6.5 Prioritisation of proposals for otherwise undefined areas of work based on objective criteria will help ensure that the programme is developed fairly.

5.6.6 Detailed impacts of specific major proposals will receive further consideration as they are developed and implemented.

5.7 Consultation and Engagement

5.7.1 Public consultation was undertaken in relation to development of the original LIP and future statutory and non-statutory consultation will apply to implementation of various proposals contained within it.

5.7.2 Consultation on individual schemes will be carried out as appropriate to the type and scale of the proposals.

5.8 Insight

5.8.1 The full LIP sets out the data informing the transport priorities used in the Annual Spending Submission and in the Prioritisation Tool, and Personal Injury Accident data, data from other public sources and survey data also informs the various proposals.

6. BACKGROUND PAPERS

6.1 On 12 May 2016, the Environment Committee agreed the Prioritisation Tool outlined in Appendix 5 [of that report] for prioritising scheme requests from 2016/17 and developing future year LIP Programmes. The minute and papers for that decision are available at item 11 via the link below.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=8337&Ver=4>

6.2 On 29 September 2016 the Environment Committee approved the 2017/18 Local Implementation Plan (LIP) Annual Spending Submission proposals detailed at Appendix A [of that report] for submission to Transport for London. The minute and papers for that decision are available at item 13 via the link below.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=8590&Ver=4>

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Appendix 1 – 2017/18 Corridors Neighbourhoods & Supporting Measures Programme

Corridors Neighbourhoods and Supporting Measures programme		17/18 allocation
Electric Vehicle Charging points	Introduction of traffic orders, associated bay markings and signage and other support for introduction of new Electric Vehicle charging locations in the borough. Provision of charge points will be through Source London. 100 locations currently identified for delivery over 3 years – proposal anticipates accelerated delivery and additional locations.	£100k
Car club locations study	Study to identify suitable on or off street locations to be offered to car-club suppliers (taking account of level of demand and availability of space to identify optimum locations), and consider suitable procurement arrangements	£50k
Cycle training	Delivery of a programme of cycle training including school based training for primary and secondary pupils to Bikeability standards and other introductory training where appropriate and Adult and Family Cycle Skills training.	£170k
Support for cycling	Staffing and resources to support and promote cycling and cycling activities, including part funding for Cycle Officer, Fleet driver training, part funding for Bike-it plus	£60k
Cycle Infrastructure provision	Provision of new cycle parking including on-street Sheffield stands, covered cycle parking in vicinity of national rail and LU stations (where provision at station not practical), and residential provision in areas of high density development with limited alternative cycle parking options.	£120k
Cycle routes	New / improved cycle route provision - provisionally widening and improving path on Brookside Walk (between North Circular Road and Finchley Road) that also forms part of Dollis Valley and Capital Ring walks to better provide for cycle use.	£150k
Travel Planning resources	Staff and resources to support schools developing and implementing school travel plans and monitoring of development led plans	£400k
Road safety Education, Training and Publicity	Staff and resources to support and deliver road safety education, training and publicity initiatives including school pedestrian training and theatre in education initiatives, BikeSafe and Scooter Safe course referrals with targeted funded places	£200k
Parking Reviews	Reviews of existing and provision of new controlled parking zones and parking arrangements in town centres and around transport hubs	£125k
Disabled parking provision	Implementation of disabled bays in town centres and residential areas	£75k
Minor parking schemes to address safety and traffic flow	Boroughwide	£25k
20mph around schools	Development and introduction of proposals for 20mph areas around schools in the borough. 1) Completion of 1617 locations: 2) Provisional 1718 locations for detailed design and implementation:	£200k

	Summerside School # Childs Hill School # Claremont Primary School # Lyonsdown School # Woodcroft Primary School # Woodridge Primary School # Courtland Primary School # Moss Hall Nursery School # Queen Elizabeth (boys) School # Parkfield Primary School 3) reserve locations if appropriate	
School Travel Plan Engineering schemes	Development and introduction of engineering proposals to support school travel plans. 1) Completion of 2016/17 locations 2) Detailed design and implementation (provisional locations): Manorside/Tudor* # Annunciation (Burnt Oak) # Dollis Infants (Mill Hill) # Edgware School (Edgware) # Etz Chaim (Mill Hill) # Frith School (Mill Hill) # Garden Suburb Infant # Mill Hill County (Hendon) # Osidge La?? 3) Outline design newly prioritised locations	£400k
Accident reduction schemes	Development and introduction of accident reduction proposals: 1) Completion of 16/17 locations 2) Implementation of proposals currently at design stage: EDGWARE RD (Hay La to Kingsbury Rd) # HIGH ROAD (NTH FINCHLEY)/KINGSWAY # HIGH RD EAST FINCHLEY (East End Rd - Church La) # STATION RD (Edgwarebury Lane to A5) # WOODHOUSE RD (Summers La to Colney Hatch La) 3) New design locations BALLARDS LA (Granville Rd-Alexandra Gr) # CRICKLEWOOD LA/CLAREMONT RD # GREAT NORTH RD/THE BISHOP'S AVENUE # HIGH RD NORTH FINCHLEY	£400k
Minor Traffic Management schemes	Small scale traffic management schemes addressing localised issues identified through the year	£100k
Junction Improvement scheme A5 junction with Spur Road	Detailed design of proposal to provide capacity and road safety improvements at existing roundabout junction (possible signalisation) (subject to outcome of modelling in progress 16/17)	£30k
Junction Improvement Scheme A5 junction with Station Road, Edgware	Detailed design of proposals to reduce injury accidents and provide pedestrian facilities at the junction. (subject to outcome of modelling to be undertaken 16/17)	£30k
Junction Improvement Scheme A5 junction with Deansbrook Road	Detailed design of proposal to provide capacity improvements and pedestrian facilities at existing traffic signalled junction. (subject to outcome of modelling in progress 16/17)	£30k
Junction Improvement Scheme A504 Finchley La/Church La j/w Brent Street/Parson	Detailed design of a proposal to provide pedestrian facilities and reduce injury accidents, and accommodate traffic growth.(subject to outcome of modelling in progress 16/17)	£30k

Street		
Woodhouse Rd/Friern Barnet Rd/Colney Hatch La	Detailed design of proposal to provide capacity and road safety improvements (subject to outcome of modelling in progress 16/17)	£30k
A1000/East End Road	Detailed design of proposal to provide capacity and road safety improvements (subject to outcome of modelling in progress 16/17)	£30k
North Finchley	Commence detailed design of proposals for road layout and traffic management changes around the Tally Ho gyratory building on preliminary design work being undertaken in 2016/17	£30k
Finchley Central	Implementation of proposals to relocate bus stops / pedestrian crossing on Ballards Lane to address restricted footway in town centre (developed from more major town centre proposals considered for bridge and junction)	£40k
Burnt Oak Broadway / Watling Avenue	Detailed design of proposal to provide pedestrian and road safety improvements and manage increased traffic levels (subject to outcome of options appraisal 2016/17)	£30k
Local Access and Accessibility Improvements Various locations boroughwide	Improvements to respond to localised accessibility issues identified through year	£50k
Town Centre decluttering	Completion of de-cluttering in town centres (Chipping Barnet, Edgware, Finchley Church End, North Finchley, Golders Green, Mill Hill Broadway).	£50k
Chipping Barnet - junction of A1000 and Wood Street	Introduction of permanent changes and streetscape enhancements following completion of experimental period	£100k
Development of proposals/TfL liaison/Monitoring etc	Development of LIP proposals/TfL liaison/Monitoring etc	£50k
Bus stop accessibility improvements (boroughwide)	Continuation of programme of bus accessibility improvements.	£50k
Chipping Barnet High Street buildouts	Implementation or partial implementation of agreed proposals for Chipping Barnet High Street pavement build-outs (initial est £208k) subject to availability of other funding.	£100k
Lorry restriction changes	Develop local area and wider area lorry restriction changes to respond to recommendations of 2016/17 review.	£100k
Bus Priority	Delivery of elements of bus priority proposals to serve major development areas and other routes where not deliverable through other funding	£58k
	OVERALL TOTAL	£3.413M

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	<h2>Environment Committee</h2> <h3>15 March 2017</h3>
<p style="text-align: right;">Title</p>	<p>Standard Approach to Footway Construction</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director for Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1: Standardised Footway Construction Details Appendix 2: Accessibility and Tree Surround Details</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jamie Blake, Jamie.blake@barnet.gov.uk</p>

<h2>Summary</h2>	
1.0	The 14 th July 2016 Environment Committee made a decision to implement standardisation to footway treatment types based on best practice whole life costs principles based on their suitability and application on the Council’s footways for a trial period of 12 months.
2.0	This report provides an update to the Committee on those works carried out to date and on the different standardised types of footways and their service benefits and costs.
<h2>Recommendations</h2>	
1.	That the Environment Committee note 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.	That the Environment Committee note 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.

WHY THIS REPORT IS NEEDED

- 1.1 This report is required to ensure that the Committee is kept informed on the trials carried out using the standardised footway types. These footway types are based on the highway asset management best practice concept of whole life costing and are being proposed for use in all works as part of the 5 year highway asset management Network Recovery Plan. The report to the Environment Committee on 14th July 2016 proposed the use of 4 different footway treatment types with the standard being Type 4 for the majority of areas and Type 1 for town centres and conservation areas.
- 1.2 The treatment Type 4 where a flexible asphalt surface is replacing paving stones has received some criticism and the Type 3 treatment which is a mixture of a flexible asphalt footway behind a grey block margin by the kerbline has been better received from residents and this does allow for some vehicle override by the kerb.
- 1.3 It is acknowledged that there may be exceptional circumstances where the treatment type should be changed - for example in cul-de-sacs which lead off of town centres which would be paved and these may be better completed in paving as a treatment Type 1 or where sections of footway are only partially in a conservation area or town centre and the treatment type may require extending to the nearest junction to separate the treatments.
- 1.4 Similarly where there is the constant override of vehicles on the footway a flexible asphalt footway may be better placed than paving which would crack and eventually break up resulting in possible third party claims to the council.

2. REASONS FOR RECOMMENDATIONS

Network Recovery Plan

- 2.1 A presentation was made to the Members Working Group on the 2nd October 2014 to explain Highway Asset Management best practice and 'The case for a long term effective long term funding plan'. The LBB network in common with many authorities has an extensive backlog of maintenance works and high levels of customer demand for maintenance.
- 2.2 The discussion highlighted that a strategy is needed that is based on understanding and projecting the long term **whole life costs** for keeping an asset safe and serviceable during its 30-40+ year life i.e. not only the initial construction cost.
- 2.3 The presentation highlighted key factors to be taken into account regarding the toolbox of cost effective Network Recovery Plan footway maintenance treatments to account for whole life costs and recover the backlog:-
 - (i) The current backlog of maintenance requires at least £13m per annum budget expenditure for planned maintenance (roads and pavements) plus annual reactive expenditure. Notwithstanding the current £50m investment over 5 years this will be very difficult to achieve long term

so funding pressures will always exist and maintenance treatments must therefore be affordable. The current 5 year capital funding must be maximised.

- (ii) The size of the footway network across the whole Borough is 3.5 million square metres. In recent years less than 1% of the total surface area of footways has benefited from planned maintenance each year. This has been as a result of a tendency to reconstruct complete lengths of footways at a high average square metre repair cost – typically >>£75/sq.m.
- (iii) This approach resulted in >>99% of LBB footways not receiving any planned maintenance each year despite a significant demand from all wards. As a result LBB has to fund an annual reactive repair budget in excess of £1m for footway repairs to meet its statutory safety requirements. In year 2015-16 with an injection of £7.7 m funding and a changing approach to treatments this percentage has only increased to just under 4%. **However, the percentage treated needs to be much higher to achieve the necessary network recovery plan as part of the LBB Highway Asset Management Plan.**
- (iv) To significantly increase the surface area of the footway network that is treated will necessitate the use of more affordable and sustainable repair treatment unit rates and more preventative maintenance. Complete reconstruction ‘dig out’ of footways is (a) not necessary and (b) not affordable. Sections of existing footway which remain serviceable and stable will not be replaced in the initial five year plan.

Whole Life Costing of Footways

- 2.4 The primary purpose of the footway is to provide a safe surface for pedestrians to walk on. The ‘definitions’ of safe are dealt with via the Highways Act and Code of Practice guidance and in the LBB Inspection Manual. A system of scheduled safety inspections based on a risk management approach is in place to ensure LBB can apply the defence under section 58 of the Highways Act 1980 as described in paragraph 5.4.1 below if claims are made against the authority. This legal duty applies to LBB’s 3.5 million square metres surface area of footways.
- 2.5 Paragraphs 2.6 – 2.23 that follow discuss a range of issues and factors that need to be taken into account relating to whole life costs and selection of standardised maintenance designs that are affordable. The standardised details for footway maintenance treatments are included at Appendix 1.

Design Suitability

- 2.6 There are two commonly used construction types for pedestrian footways:-
 - concrete paving slabs (various sizes) including concrete modular bricks or blocks
 - flexible construction – tarmac/bituminous/asphalt materials

Numerous styles and combinations of these construction types exist across the UK network and within LBB. This is inevitable given that many footways have been in place for more than 40 years.

- 2.7 Flexible construction (usually referred to as tarmac/asphalt) unit rates are generally lower than precast concrete slab construction. Unit rates can sometimes be affected by local commercial supply chains. The current LBB LoHAC contract, has unusually slightly lower rates for slab constructions when compared to tarmac/asphalt. However, these rates need to be disregarded as the current contractor has advised that the rates as tendered some years ago are not commercially sustainable. An open market re-procurement is being undertaken to obtain a representative cost rate comparison between footway maintenance standard details (Appendix 2) for precast slabs and tarmac that can be applied to the LBB Network Recovery Plan footway programme. Such analysis will include specific network recovery footway treatment standard details that can help LBB achieve the percentage surface area preventative maintenance targets for the next 4 years of the 5 year plan.
- 2.8 A brand new footway, such as those now being built on new developments or regenerations projects, has a design life of 25 years before needing significant resurfacing or reconstruction works. The Authority is legally responsible under the Highways Act for keeping the footway safe and maintenance works will be needed, the level increasing as the footway gets older. The reality of funding levels for highway maintenance is that footways will actually need to be maintained for at least double their design life i.e. more than 50 years. The case for effective funding actually identified that at pre NRP levels of funding and areas being treated each year *“Barnet residents can expect their footways to be resurfaced every 140 years”* due to lack of investment and restrictions of budget.
- 2.9 LBB has a legal responsibility which necessitates an appropriate customer reporting and an inspection regime and a team of people to undertake those inspections and maintain a Section 58 defence for the Authority. For example the busiest town centre footways are inspected monthly and footways with less usage, such as in some residential areas, less frequently. These inspections generate repair works and the management, inspection and repair costs are part of the whole life costs.
- 2.10 Safety defects in pedestrian footways are mainly caused by damage to the footway from vehicles – cars and vans and heavy goods vehicles driving on the footway or regularly parking on the footways. Another major cause of damage is urban street trees and their root systems. These causes of damage generate a regular need for inspections, member and customer requests for service via the Customer Hub and the web based Report IT system, and regular instructions to contractors for repair works. All of these have a financial cost. In 2015/16 LBB had to make available a reactive annual budget of £1.9m for safety defect repairs of which over £1m was spent on footway repairs. The average cost of a reactive safety temporary defect repair to a localised cracked slab or a pothole is £57 (*Annual Local Authority Road Maintenance (ALARM) Survey 2015*).

- 2.11 Safety defects also create the potential for claims to be made against the Highway Authority which creates a cost liability for LBB and this is a key part of the whole life costs. The annual financial liability for LBB for highways is on average £670,000 per year with the most expensive claims usually on footways sustained by personal injury. In urban locations such as LBB this cost is a major part of the whole life cost consideration.
- 2.12 The cumulative cost of the initial construction cost plus the total cost of reactive maintenance to the footway together with any claim liabilities during its 25-30 year design life is the **whole life direct financial cost**. The best practice approach is to minimise the whole life cost.
- 2.13 In addition to the direct financial costs are a range of indirect costs not readily measured, but nevertheless important. These include the costs of processing customer service requests and complaints, ad-hoc inspections and investigating and preparing reports to defend insurance claims.

Standardised Maintenance Designs

- 2.14 The choice of footway maintenance design has a significant impact on the financial liabilities for a Highway Authority over an extended period of time. Research organisations including the Transport Research Laboratory (TRL) which advises key organisations on maintenance policy and strategy have analysed the relative costs between slabs and flexible construction. The whole life costs for slab construction footways in urban environments were found to be higher due to the increased incidence of repairs and claims.
- 2.15 Concrete slab footways can have many benefits if placed in the right environment but they are not suited to being overrun by cars or heavy goods vehicles which inevitably crack the slabs and damage the underlying foundations causing a weakness that leads to safety defects or a visually unattractive cracked surface whilst still remaining serviceable. They are not suited to narrow footways due to bonding patterns and also footways with trees with growing roots that need to be accommodated. They also do not cope well with being excavated by statutory undertakers laying new services or making repairs. When slabs are laid in locations not well suited such as those described above they can also result in complaints from disability access groups. **Slab construction footways with some or all of these unsuitable characteristics represent a heightened risk to the authority with an increased probability of claims and reactive maintenance costs.**
- 2.16 The role of the Operational Network Hierarchy is also a factor in the choice of repair design as it identifies locations with high pedestrian activity and probability of risk. The hierarchy used in conjunction with the key factors such as footway width, trees in the footway, parking on the footways (whether formal or informal), vehicular crossings to properties and the like will guide the best choice of material to minimise whole life costs and risks. **These factors where present would dictate that a flexible bituminous type footway construction is best suited to long term maintenance and managing the risk of safety defects.** The proposal for flexible tarmac construction can include some form of design that incorporates elements of brick pavements for vehicle crossings or for small areas of decorative features to enhance the

visual appearance of the area and improve the cosmetic appearance of the street scene.

- 2.17 A study undertaken in 2006 by the Independent Transport Research Laboratory (TRL) which was reported to the 11th January Environment Committee in detail, modelled the whole life costings over a forty year period of bituminous tarmac footways compared with paved footways. When average costs and typical maintenance regimes were used to model the whole life costs, it was discovered that the whole life costs of the bituminous tarmac footway were 77% of those of the paved footway. Furthermore, when the estimated costs of accidents and insurance claims were factored into the model, the whole life costs of the bituminous tarmac footway were found to be 52.9% of those of the paved footway.

Standardised Designs

- 2.18 Appendix 1 shows the agreed four standardised types of footway design each of which has their own construction cost, anticipated whole life time cost and other advantages and disadvantages specific to their intended locations:

Type 1: All ASP Paving:

Although under the current contractual arrangements paving is marginally cheaper to install, it suffers from many disadvantages including: a larger whole lifetime cost, an incompatibility with urban trees whose roots rapidly damage the paving, an incompatibility with footway parking, vehicle crossovers and vehicle overruns (due to the inflexible nature of the slabs which are rapidly compromised by the weight of vehicles). Therefore this type is recommended to Members for use on mainly town centres and footways which will have no vehicle overrun or are not susceptible to tree root damage.

Type 2: All Asphalt:

We recommend this type to the Members for residential roads as it offers value for money from an initial cost perspective as it is less expensive under the current LoHAC contract to install than type one, and it requires less whole life cost maintenance when compared to paving. This type also has other advantages including flexibility which makes it suitable for use with urban trees and vehicle crossings, footway parking and vehicle overruns.

Type 3: Asphalt footway with block paving crossovers and margins:

This type shares many of the benefits of type 2 above, however it is the most expensive of the options to install, mainly due to the increased quantity of block paving required.

Type 4: Asphalt footway with block paving crossovers:

This type also shares many of the benefits of type 2 and is currently slightly cheaper under the current LoHAC contact rates. Members may therefore want to consider this type as a favourable option for the network recovery plan. However, when the current contract is re-procured this type

could become more expensive under new contractual arrangements. This type also has the advantage of breaking up the area of asphalt footway with the block paving and improving the overall appearance.

Prestigious developments and Conservation Areas

- 2.19 Whilst the types above will be suitable for the vast majority of residential areas it is recognised that some prestigious developments and conservation areas might benefit from enhanced materials which are sympathetic to their environment. This approach will need to be considered carefully on a case by case basis due to the higher capital cost of these materials and the increased revenue cost of maintaining them. As part of the whole life costing decision it is also recognised that the condition and appearance of footways can contribute to the overall image of an Authority helping to support growth, regeneration and people wanting to work and live in the Borough. For this reason the concrete paving slab including concrete brick or block paviour type construction is favoured and suited to the busiest economic town centres. The Operational Network Hierarchy identifies the 22 LBB designated town centres as the highest category of footways and it is these locations where precast concrete slabs are deemed appropriate.

Future Arboricultural Policy

- 2.20 Urban street trees and their root systems are a major cause of damage to footways which increases the authority's maintenance burden and exposure to public liability insurance claims. However, this damage can be vastly reduced by an effective tree management plan which involves such measures as tree pits and the careful selection of tree species for when new trees are planted. A more significant issue is how established mature trees should be managed when it becomes evident they are causing damage to footways. A working group of officers has been established to review these issues and produce a tree policy for the Borough. This policy will aim to reduce the damage caused by trees, but will crucially also recognise the important role that trees play as valuable Borough assets and the numerous benefits they provide for our residents and visitors. It is worth noting that the asphalt footway construction is especially suitable to environments where urban trees are present.
- 2.21 Appendix 2 details the three materials previously approved for trialling in the Borough and have been approved by the Council's Tree officer. The edge restraint around the tree is optional and will comprise either wooden or metal strip adjacent to the paving or asphalt footway and one of the following 3 treatments to allow the tree roots to grow with minimum future maintenance costs:
- Breedon Gravel – a granular material that is compacted and laid flush to the adjacent paving. However, it can overspill on to the surrounding area if frequently trafficked by pedestrians, but can be topped up for future maintenance when necessary.
 - Porous paving – this is usually made up of a type of resin bound material containing a coloured aggregate. It is a permeable material with a high quality finish, but is expensive and can only be installed in

good weather conditions by specialist contractors. It usually comes with a guarantee for newly installed trees, but will need maintenance as the tree grows. The trials to date have been successful and it is proposed that this treatment be used in the majority of locations, particularly in residential areas, and that the black porous material be used as standard.

- Composting mulch – this is the cheapest of the 3 options, can allow for tree growth and be topped up for future maintenance. However, it can easily be disturbed by pedestrian traffic or animals, become unsightly and a regular maintenance issue.

Conclusions and Proposals

- 2.21 To achieve the LBB Network Recovery long term strategy objectives and best value expenditure necessitates the application of asset management whole life costs principles through cost effective standardised maintenance designs.
- 2.22 The optimum whole life cost footway treatment standard details default to bituminous/asphalt type products with a grey block paving margin and grey block paving for vehicle crossovers if present (Type 3 treatment) as this approach delivers better long term whole life costs and risk management. The full range of standardised footway details and their associated characteristic and benefits is included at Appendix 1.
- 2.23 Designated parts of the LBB operational network hierarchy will continue to be maintained using slab construction. Such locations will be identified in the Developer Design Guide and will include the 22 designated shopping Town Centres and Conservation Areas (Treatment Type 4).
- 2.24 The standardised treatments agreed at the 14th July 2016 Environment Committee are listed below:

Standardised Footway Type	Material	Locations
Type 1	All ASP (rigid paving slabs)	Standard usage in Town Centres & Conservation Areas
Type 2	All asphalt (flexible blacktop material)	Areas where there is already asphalt and replaced like for like
Type 3	Asphalt with grey block paving margin & vehicle crossovers	Standard usage in all areas apart from Town Centres & Conservation Areas
Type 4	Asphalt with grey block paving vehicle crossovers	Areas where there is already asphalt and vehicle crossovers

- 2.25 The porous paving used for tree surrounds has proved successful and popular with residents and is proposed to be the treatment which should be

used in the majority of locations, particularly in residential areas, and that the black be used as standard.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable to this report

4. POST DECISION IMPLEMENTATION

4.1 The LBB Highway Asset Management Network Recovery Plan planned maintenance programme will be implemented in accordance with whole life costs principles.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Council's Corporate Plan 2015 – 2020 states in its strategic objectives that it will work with local partners to create the right environment to promote responsible growth, development and success across the borough. In particular Barnet's local environment will be clean and attractive, with well-maintained roads and pavements and flowing traffic.

5.1.2 The proposal will also contribute to the Council's Health and Wellbeing Strategy by making Barnet a great place to live and enable the residents to keep well and independent.

5.1.3 The Highway network is the Council's most valuable asset and it is vital to the economic, social and environmental wellbeing of the Borough as well as the general image perception. They provide access for business and communities, as well as contribute to the area's local character and the resident's equality of life and it is imperative that the additional investment by the Authority provides the best treatment for the borough's footways.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 This policy aims to ensure optimum value for money from expenditure for LBB Highway Maintenance Managed Budgets and the £50 million of funding for the LBB Network Recovery Plan. Detailed financial scheme costs will be included in the relevant yearly planned maintenance works programme report seeking approval from the Environment Committee.

5.2.2 The 5 year Network Recovery Plan for planned maintenance as informed by the Operational Network Hierarchy supports optimum value for money from the expenditure for LBB Highway Maintenance Budgets by providing:-

- cost effective whole life costs (over 20 years) through maintenance treatments suited to the footway conditions, in particular, instances of

footway parking and vehicle overrun.

- a positive transformation from costly and disruptive reactive maintenance 'patching' to planned maintenance.
- reducing LBB financial risk of insurance claim incidences.

5.3 **Social Value**

The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to procurement of services contracts.

5.4 **Legal and Constitutional References**

5.4.1 Maintaining the highway so as to allow safe passage of traffic is a statutory duty of the local authority under the Highways Act 1980 and Traffic Management Act 2004. Section 58 of the Highways Act 1980 provides a statutory defence to an action against a highway authority in respect of damage resulting from their failure to maintain a highway maintainable at public expense if the authority had 'taken such care as in all the circumstances was reasonably required to secure that the part of the highway to which the action relates was not dangerous for traffic'. In determining whether the defence applies regard is given to the character of the particular highway and the traffic that might reasonably be expected to use it (as well as other factors).

5.4.2 The Council's Constitution (Responsibility for Functions, Annex A) gives the Environment Committee certain responsibilities related to the street scene including pavements and all classes of roads, parking provision, and enforcement, and transport and traffic management including agreement of the London transport Strategy Local Implementation Plan.

5.5 **Risk Management**

5.5.1 The Operational Network Hierarchy that is being used to formulate the Network Recovery Plan programme is a key element of the risk management approach to highways maintenance and the selection of footway materials based on the use of Whole Life Cycle Costing will ensure that the correct treatments are used to provide best value for money thereby minimising future maintenance costs and future third party claims on newly constructed areas of footways.

5.6 **Equalities and Diversity**

5.6.1 Street design should be inclusive, providing for all people regardless of age or ability. There is a general duty for public authorities to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between persons with protected characteristics and those without them, under the 2010 Equality Act. There is also a specific obligation for those

who design, manage and maintain buildings and public spaces to ensure that disabled people play a full part in benefiting from, and shaping, an inclusive built environment.

Designers will be required to refer to Inclusive Mobility, The Principles of Inclusive Design and Guidance on the Use of Tactile Paving Surfaces (1999) in order to ensure that the designs are inclusive.

5.7 Consultation and Engagement

5.7.1 The Network Recovery Planned Maintenance programme is subject to suitable advanced and ongoing communications with local members and residents in roads and footways affected by the works. Additional communication and engagement will be undertaken on any changes to existing construction materials and the planned maintenance programme periodically updated and included on the LBB website will include materials types.

5.8 Insight

5.8.1 The principle of whole life costs is informed by a significant and ongoing analysis of reactive safety defects, claims and risks.

6. BACKGROUND PAPERS

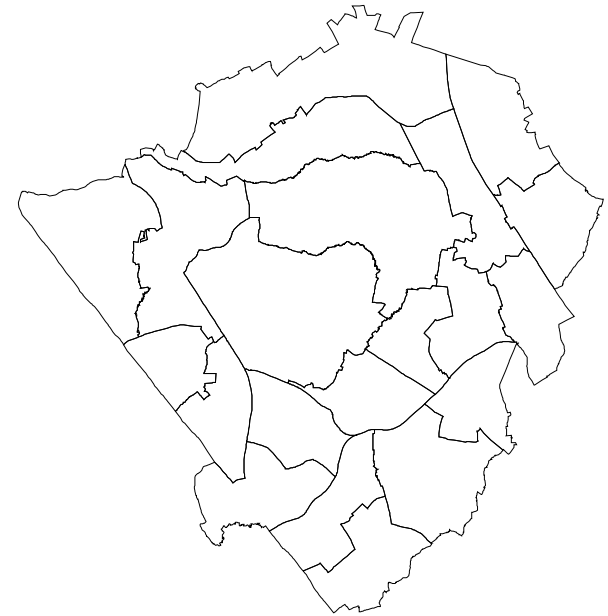
- 6.1 Case for Effective Funding – Members Working Group 2nd October 2014.
- 6.2 Environment Committee 27th January 2015 – Highways Planned Maintenance Programme 2015/16.
- 6.3 Environment Committee 11th January 2016 – Highways Planned Maintenance Programme 2016/17
- 6.4 Environment Committee 14th July 2016 - Highway Maintenance – Proposed Footway Treatment Types

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Standard Footway Details

Network Recovery Programme

May 2016



Footway Type 1: All ASP



BEFORE



AFTER



BEFORE

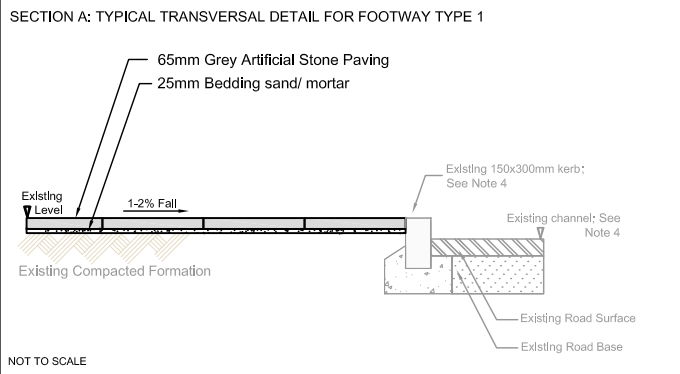
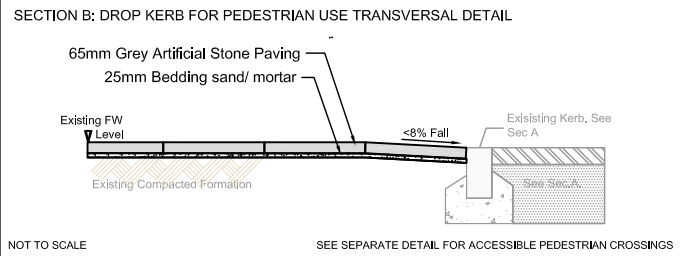
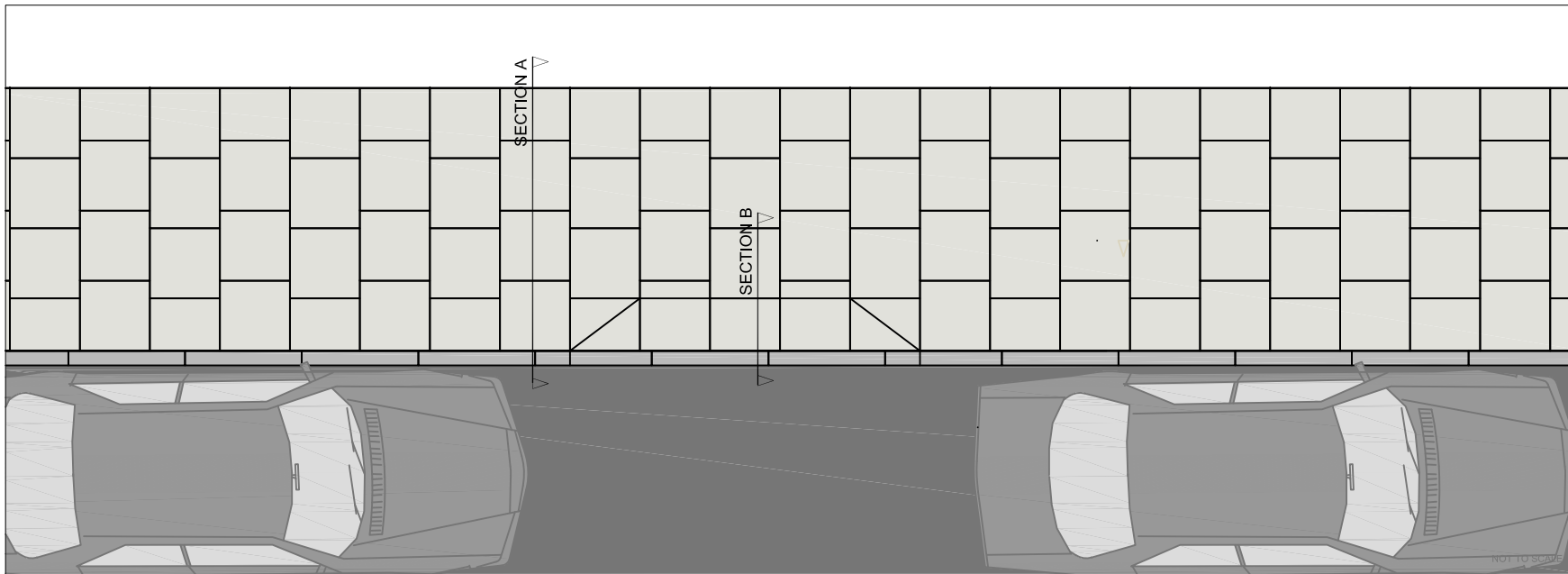
02/09/2015



AFTER

Footway Type 1: All ASP

Unit Cost: £68.25/sq.m.



CASE STUDY: NETHERFIELD ROAD, N12

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

All footway relay works will be carried out to comply with H&S regulations, Traffic Management Act 2004, New Roads and Street Works Act 1991, Street Works (Regulations, Notices, Directions and Designations) (England) Regulations 2007, Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009, The Transport for London Lane Rental Scheme. Failure to comply with the Acts or Regulations outlined above will lead to charges being imposed on the Contractor in line with the fines associated with the relevant legislation.

NOTES:
1. These details illustrate standard footway construction and are for guidance only. They should be read in conjunction with each scheme's Location and Extents Plan, the relevant Bills of Materials and the Operational Network Hierarchy (ONH) Review and Management Plan.

2. Planned maintenance footway relay depths will vary depending on existing footway and environmental conditions, and will be agreed prior to construction starting. Sections A and B (1&2) show typical relay depths, with existing formation (not excavated) shown in lighter grey. New footways will be constructed to full depth in accordance with appropriate design standards (see separate drawing).

3. Pavement designed to comply with the Design Manual for Road and Bridges, and the DT's Guidance on the use of Tactile Paving Surfaces and Manual for Inclusive Mobility.

4. Existing kerbs and ASPs to be reused in situ whenever possible and when instructed. New materials will only replace existing ones when there is a change to material specifications, or existing material is no longer in a safe, usable condition. This document shows typical kerb arrangement. Kerb details (materials and kerb face) may vary.

5. Footway Verge - Footway widths across the borough are varied. Width of all verges will be optimised to minimise the number of flags or pavers that must be cut down from their original size, allowing for a minimum ASP area width of 1.2m and a maximum verge width of 1m.

6. Vehicle Crossovers - When new crossovers are instructed to be constructed as part of footway relay works, approved widths and confirmation of payment will be provided by the Crossover Team. All existing crossovers will be reinstated to their original width, unless otherwise specified. New and existing crossovers will comply with the guidelines set in this document, and no gradients greater than 10% (1 in 10) will be constructed.

7. Tree pits - Size of tree pit will vary depending on location and site constraints. Tree pits to be reconstructed to original widths, to comply with guidelines set in this document (See Tree Pit Details drawing). Care should be taken to avoid any damage to trees by the contractor as part of the footway relay works and LB Barnet's Green Spaces Team to be contacted prior to any work commencing around any highway tree.

8. Footway Gradients - In order to ensure footways remain accessible to all users, the following gradients will not be exceeded:
- Footway length of 1m and below: preferable 8% gradient; max. gradient of 10% (1 in 10)
- Footway lengths over 1m: preferable 1 to 2% gradient; max. gradient of 2.5% (1 in 40)

9. Edge Restraints - Where the back of the footway does not meet a wall or building, concrete edging will be installed.

10. Unit Costs - Rates shown are relevant to the LoHAC tender documents. No allowance has been made for restrictive working. Rates may vary in future years of NRP.

11. New Developments - Footways constructed as part of new developments shall be built to full depth, adoptable standards to meet relevant design criteria. Highways Development Control Team shall be contacted prior to implementation of any works in and around new developments.

CONDITIONS

- Location: ONH 300 to 600 – Town Centres and areas of historic significance
- Footways wider than 1.2m
- NO Footway Parking
- NO Highway Trees
- NO Vehicle Crossovers
- NO Vehicle Overrun

REVISION				
Revision Details	Design/Check	Date	Rev	
Initial Issue	MDM/CC	11.11.15	0	
Draft 1	MDM/CC	07.12.15	1	
Draft 2 - Tree Detail Added	MDM/CC	18.02.16	2	
Draft 3 - Tactile Details Added	MDM/CC	13.05.16	3	
Draft 4 - Unit Cost Amended	MDM/CC	02.06.16	4	

CONSULTATION

Client:

PLANNED MAINTENANCE STANDARD FOOTWAY DETAILS

Drawing title: FOOTWAY TYPE 1: ALL ASP

Scale @ A3 1:1000

Design	Drawn	Checked	Approved
MDM	MDM	CC	RC

Date: 11/11/15 Date: 11/11/15 Date: 11/11/15 Date: 11/11/15



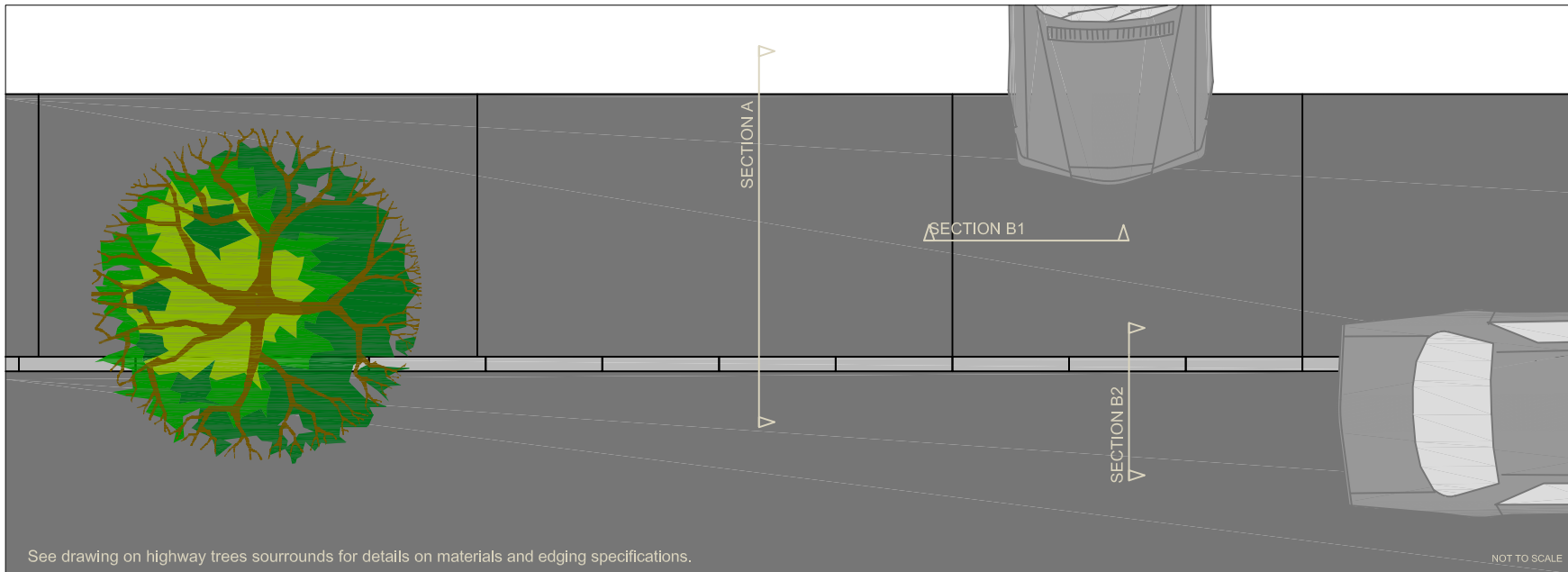
2016/17_FW DETAILS- T1 Rev: 4

Footway Type 2: All asphalt

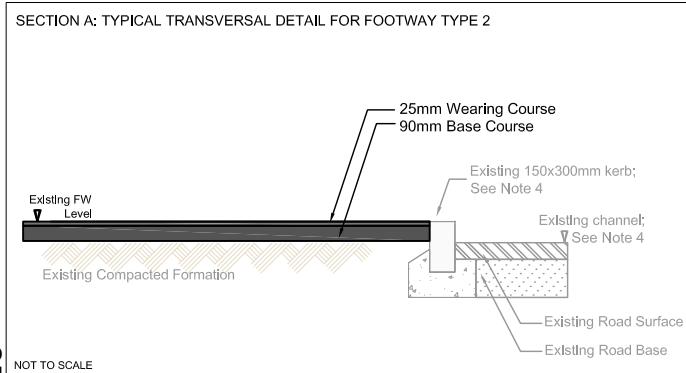
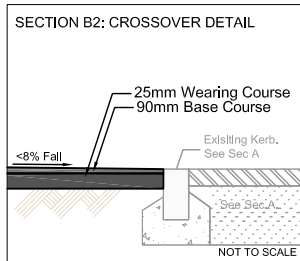
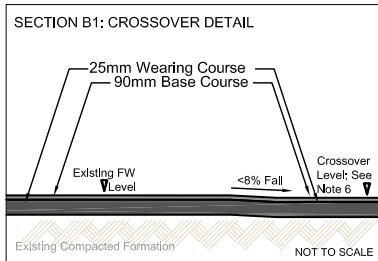


Footway Type 2: All Asphalt

Unit Cost: £62.86/sq.m.



See drawing on highway trees surrounds for details on materials and edging specifications.



CASE STUDY: BRUNSWICK PARK ROAD, N11

CONDITIONS

- Location: ONH 100 to 300 – Residential and/ or Rural Areas
- Footways of any width
- Footway Parking
- Highway Trees
- Vehicle Crossovers
- Vehicle Overrun

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

All footway relay works will be carried out to comply with H&S regulations, Traffic Management Act 2004, New Roads and Street Works Act 1991, Street Works (Regulations, Notices, Directions and Designations) (England) Regulations 2007, Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009, The Transport for London Lane Rental Scheme. Failure to comply with the Acts or Regulations outlined above will lead to charges being imposed on the Contractor in line with the fines associated with the relevant legislation.

NOTES:
1. These details illustrate standard footway construction and are for guidance only. They should be read in conjunction with each scheme's Location and Extents Plan, the relevant Bills of Materials and the Operational Network Hierarchy (ONH) Review and Management Plan.

2. Planned maintenance footway relay depths will vary depending on existing footway and environmental conditions, and will be agreed prior to construction starting. Sections A and B (1 & 2) show typical relay depths, with existing formation (not excavated) shown in lighter grey. New footways will be constructed to full depth in accordance with appropriate design standards (see separate drawing).

3. Pavement designed to comply with the Design Manual for Road and Bridges, and the DT's Guidance on the use of Tactile Paving Surfaces and Manual for Inclusive Mobility.

4. Existing kerbs to be reused in situ whenever possible and when instructed. New materials will only replace existing ones when there is a change to material specifications, or existing material is no longer in a safe, usable condition. This document shows typical kerb arrangement. Kerb details (materials and kerb face) may vary.

5. Footway Verge - Footway widths across the Borough are varied. Width of all verges will be optimised to minimise the number of flags or pavers that must be cut down from their original size, allowing for a minimum ASP area width of 1.2m and a maximum verge width of 1m.

6. Vehicle Crossovers - When new crossovers are instructed to be constructed as part of footway relay works, approved widths and confirmation of payment will be provided by the Crossover Team. All existing crossovers will be reinstated to their original width, unless otherwise specified. New and existing crossovers will comply with the guidelines set in this document, and no gradients greater than 10% (1 in 10) will be constructed.

7. Tree pits - Size of tree pit will vary depending on location and site constraints. Tree pits to be reconstructed to original widths, to comply with guidelines set in this document (See Tree Pit Details drawing). Care should be taken to avoid any damage to trees by the contractor as part of the footway relay works and LB Barnet's Green Spaces Team to be contacted prior to any work commencing around any highway tree.

8. Footway Gradients - In order to ensure footways remain accessible to all users, the following gradients will not be exceeded:
- Footway length of 1m and below: preferable 8% gradient; max. gradient of 10% (1 in 10)
- Footway lengths over 1m: preferable 1 to 2% gradient; max. gradient of 2.5% (1 in 40)

9. Edge Restraints - Where the back of the footway does not meet a wall or building, concrete edging will be installed.

10. Unit Costs - Rates shown are relevant to the LoHAC tender documents. No allowance has been made for restrictive working. Rates may vary in future years of NRP.

11. New Developments - Footways constructed as part of new developments shall be built to full depth adoptable standards to meet relevant design criteria. Highways Development Control Team shall be contacted prior to implementation of any works in and around new developments.

REVISION			
Revision Details	Design/Check	Date	Rev
Initial Issue	MDM/CC	11.11.15	0
Draft 1	MDM/CC	07.12.15	1
Draft 2 - Tree Detail Added	MDM/CC	10.02.16	2
Draft 3 - Tactiles Details Added	MDM/CC	13.05.16	3
Draft 4 - Unit Cost Amended	MDM/CC	02.06.16	4

CONSULTATION

Client:

PLANNED MAINTENANCE STANDARD FOOTWAY DETAILS

Drawing title: FOOTWAY TYPE 2: ASPHALT

Scale @ A3 1:1000			
Design	Drawn	Checked	Approved
MDM	MDM	CC	RC
Date: 11/11/15	Date: 11/11/15	Date: 11/11/15	Date: 11/11/15



2016/17_FW DETAILS- T2 Rev: 4

Footway Type 3: Asphalt footway with concrete block paving margins and crossovers

Case Study: Cranbourne Gardens, NW11

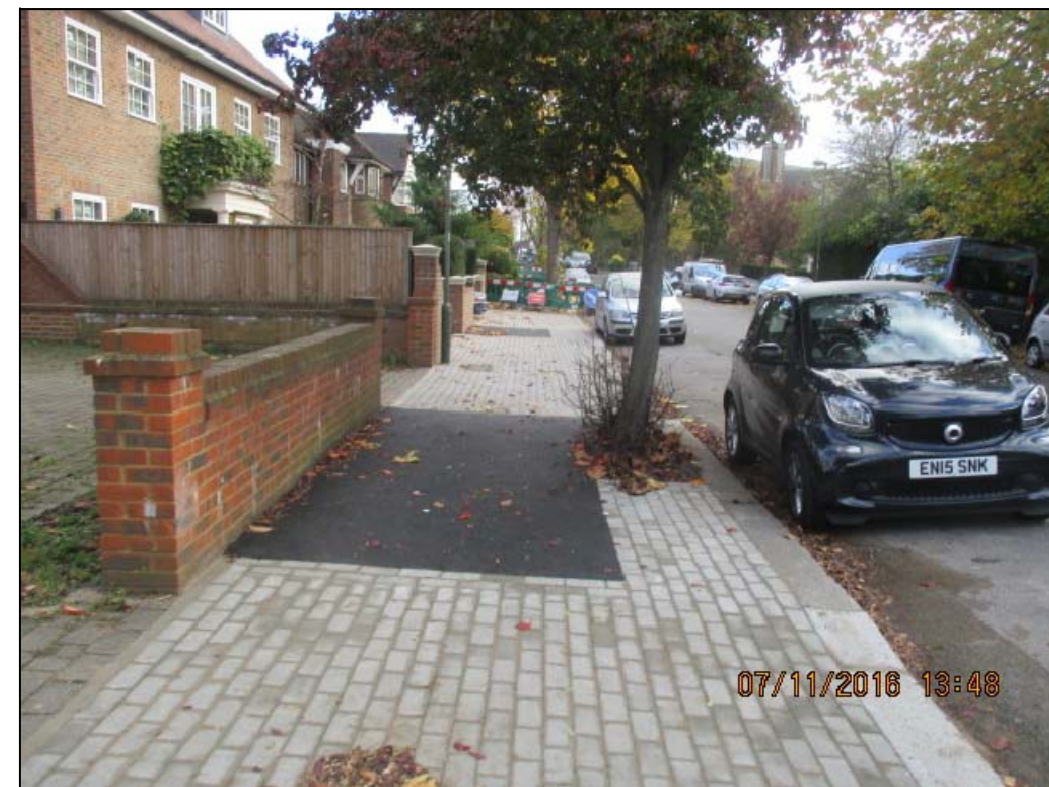
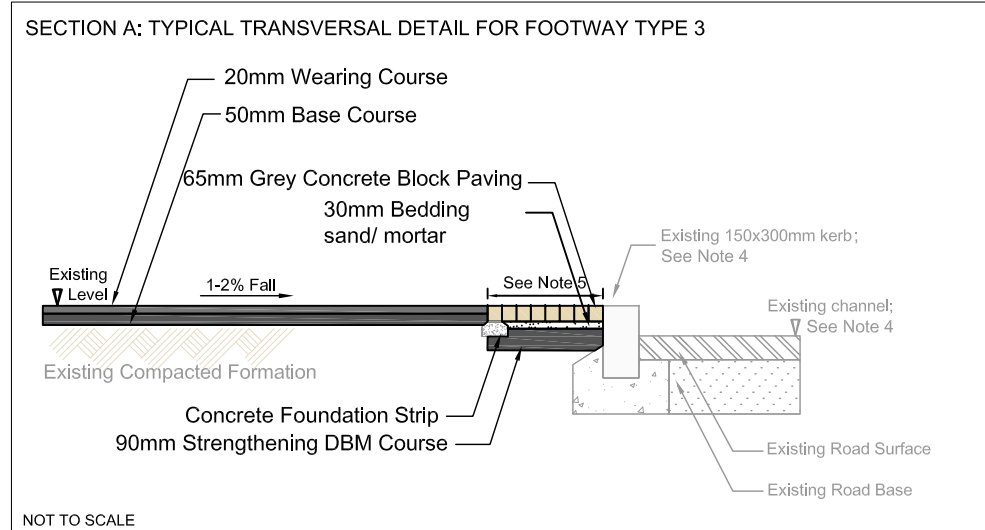
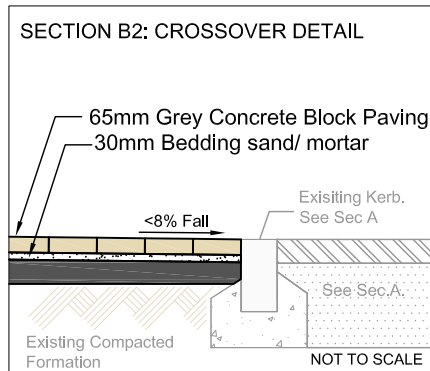
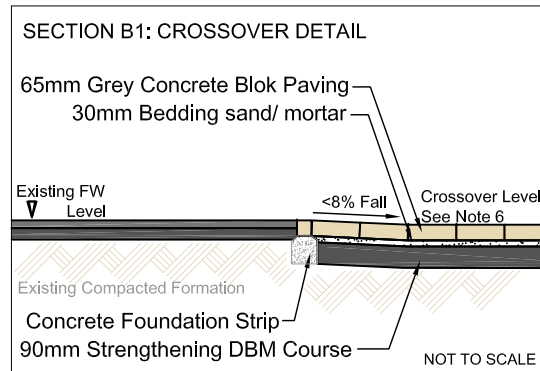
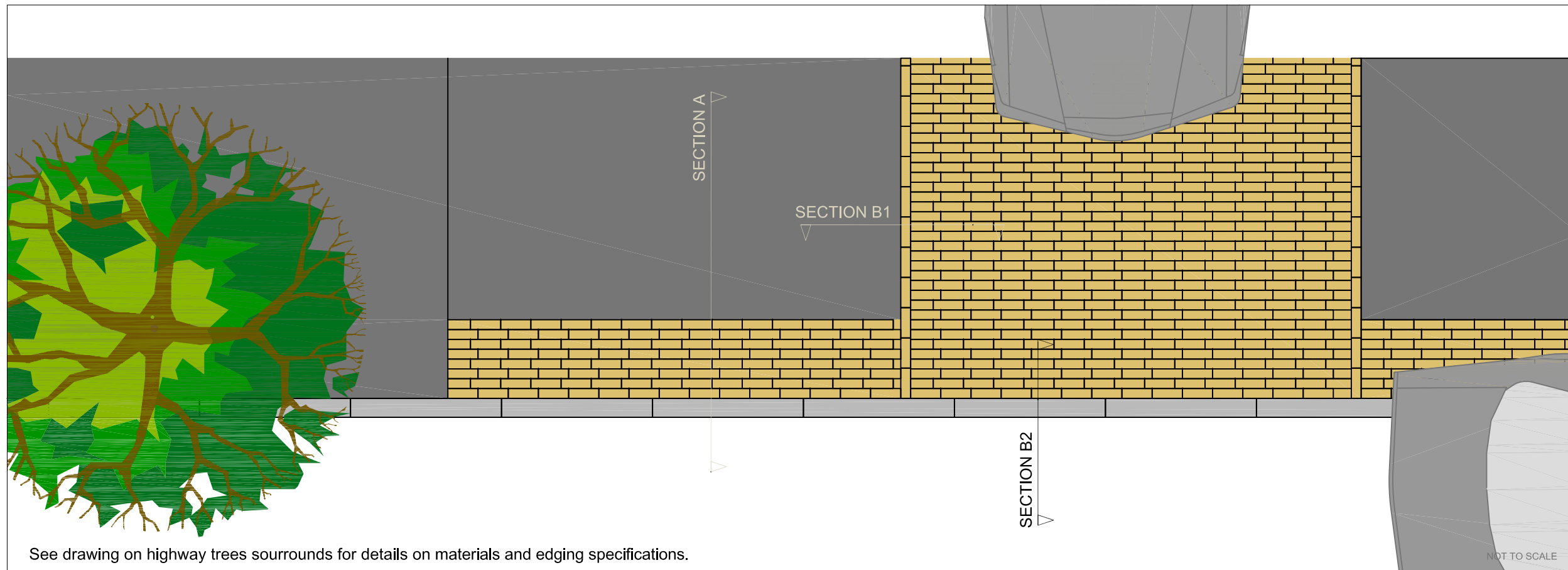


Case Study: Eastside Road, NW11



Footway Type 3: Asphalt Footway with Block Crossovers and Margins

Unit Cost: £70.62/sq.m.



CASE STUDY: CRANBOURNE GARDENS, NW11

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
 All footway relay works will be carried out to comply with H&S regulations, Traffic Management Act 2004, New Roads and Street Works Act 1991, Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007, Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009, The Transport for London Lane Rental Scheme.
 Failure to comply with the Acts or Regulations outlined above will lead to charges being imposed on the Contractor in line with the fines associated with the relevant legislation.

- NOTES:**
1. These details illustrate standard footway construction and are for guidance only. They should be read in conjunction with each scheme's Location and Extents Plan, the relevant Bills of Materials and the Operational Network Hierarchy (ONH) Review and Management Plan.
 2. Planned maintenance footway relay depths will vary depending on existing footway and environmental conditions, and will be agreed prior to construction starting. Sections A and B (1&2) show typical relay depths, with existing formation (no excavated) shown in lighter grey. New footways will be constructed to full depth in accordance with appropriate design standards (see separate drawing).
 3. Pavement designed to comply to the Design Manual for Road and Bridges, and the DTI's Guidance on the use of Tactile Paving Surfaces and Manual for Inclusive Mobility.
 4. Existing kerbs and blocks to be reused in situ whenever possible and when instructed. New materials will only replace existing ones when there is a change to material specifications, or existing material is no longer in a safe, usable condition. This document shows typical kerb arrangement. Kerb details (materials and kerb face) may vary.
 5. Footway Verge - Footway widths across the Borough are varied. Width of all verges will be optimised to minimise the number of flags or pavers that must be cut down from their original size, allowing for a minimum ASP area width of 1.2m and a maximum verge width of 1m.
 6. Vehicle Crossovers - When new crossovers are instructed to be constructed as part of footway relay works, approved widths and confirmation of payment will be provided by the Crossover Team. All existing crossovers will be reinstated to their original width, unless otherwise specified. New and existing crossovers will comply with the guidelines set in this document, and no gradients greater than 10% (1 in 10) will be constructed.
 7. Tree pits - Size of tree pit will vary depending on location and site constraints. Tree pits to be reconstructed to original widths, to comply with guidelines set in this document (See Tree Pit Details drawing). Care should be taken to avoid any damage to trees by the contractor as part of the footway relay works and LB Barnet's Green Spaces Team to be contacted prior to any work commencing around any highway tree.
 8. Footway Gradients - In order to ensure footways remain accessible to all users, the following gradients will not be exceeded:
 - Footway length of 1m and below: preferable 8% gradient; max. gradient of 10% (1 in 10)
 - Footway lengths over 1m: preferable 1 to 2% gradient; max. gradient of 2.5% (1 in 40)
 9. Edge Restraints - Where the back of the footway does not meet a wall or building, concrete edging will be installed.
 10. Unit Costs - Rates shown are relevant to the LoHac tender documents. No allowance has been made for restrictive working Rates may vary in future years of NRP.
 11. New Developments - Footways constructed as part of new developments shall be built to full depth adoptable standards to meet relevant design criteria. Highways Development Control Team shall be contacted prior to implementation of any works in and around new developments.

CONDITIONS

- Location: ONH 200 to 500 – Residential Areas
- Footways wider than 1.2m
- Footway Parking
- Highway Trees
- Vehicle Crossovers
- Vehicle Overrun

Revision Details	Design/Check	Date	Rev.
Initial Issue	MDM/CC	11.11.15	0
Draft 1	MDM/CC	07.12.15	1
Draft 2 - Tree Detail Added	MDM/CC	19.02.16	2
Draft 3 - Tactile Details Added	MDM/CC	13.05.16	3
Draft 4 - Unit Cost Ammended	MDM/CC	02.06.16	4
Draft 5 - Trial site TBA	MDM/CC	24.05.16	5
Draft 6 - Case study added	MDM/CC	03.03.17	6

Purpose of issue
CONSULTATION

Client:

**PLANNED MAINTENANCE
 STANDARD FOOTWAY DETAILS**

Drawing title
**FOOTWAY TYPE 3: ASPHALT WITH
 BLOCK CROSSOVERS AND MARGINS**

Scale @ A3 1:1000		Checked		Approved	
Design	Drawn	CC	RC	CC	RC
MDM	MDM	MDM	MDM	MDM	MDM
Date: 11/11/15	Date: 11/11/15	Date: 11/11/15	Date: 11/11/15	Date: 11/11/15	Date: 11/11/15



2016/17_FW DETAILS-T3 Rev. 6

Footway Type 4: Asphalt footway with concrete block paving
crossovers

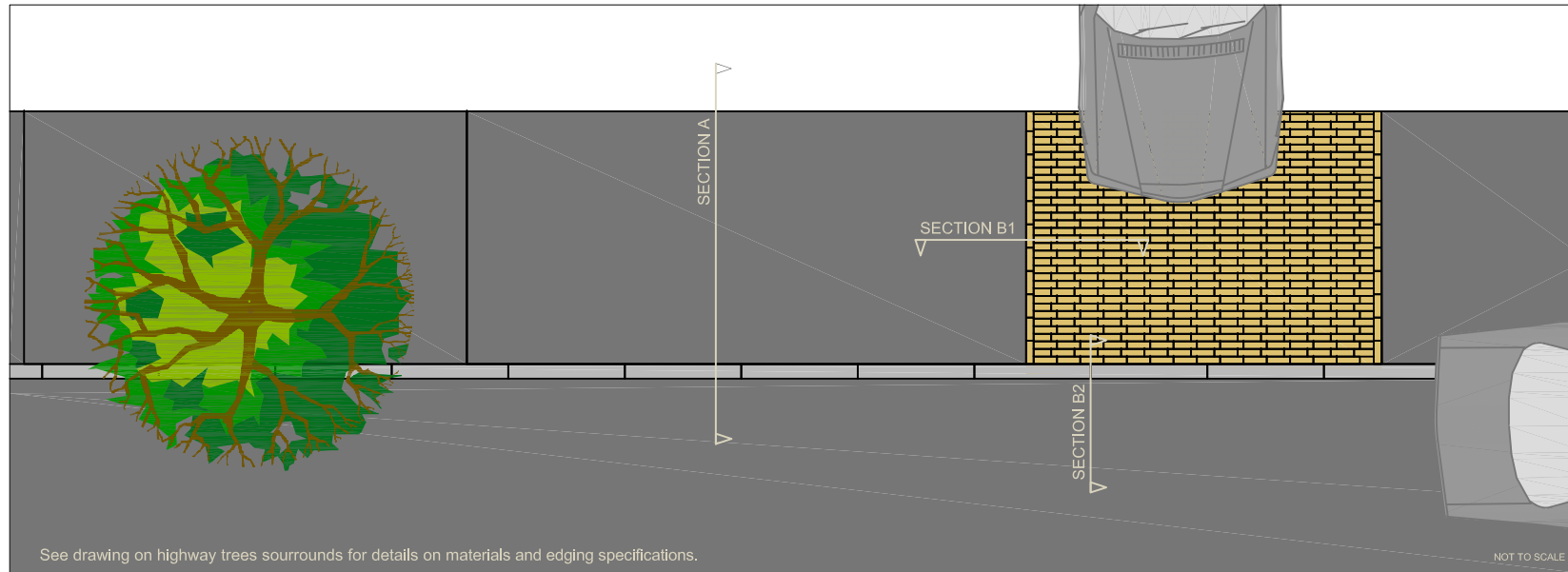


Case Study: Goodyers Gardens, NW4

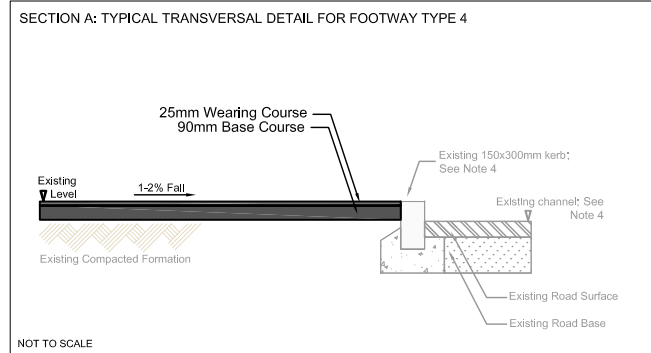
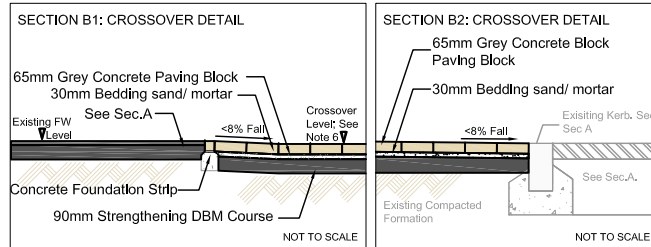


Footway Type 4: Asphalt Footway with Block Crossovers

Unit Cost: £67.89/sq.m.



See drawing on highway trees surroundings for details on materials and edging specifications.



CASE STUDY: GOODYERS GARDENS

- CONDITIONS**
- Location: ONH 100 to 400 – Residential Areas
 - Footways of any width.
 - Footway Parking
 - Highway Trees
 - Vehicle Crossovers
 - Vehicle Overrun

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

All footway relay works will be carried out to comply with H&S regulations, Traffic Management Act 2004, New Roads and Street Works Act 1991, Street Works (Regulators, Notices, Directions and Designations) (England) Regulations 2007, Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009, The Transport for London Lane Rental Scheme. Failure to comply with the Acts or Regulations outlined above will lead to charges being imposed on the Contractor in line with the fines associated with the relevant legislation.

NOTES:
1. These details illustrate standard footway construction and are for guidance only. They should be read in conjunction with each scheme's Location and Extents Plan, the relevant Bills of Quantities and the Operational Network Hierarchy (ONH) Review and Management Plan.

2. Planned Maintenance Footway Relay depths will vary depending on existing footway and environmental conditions, and will be agreed prior to construction starting. Sections A and B (1&2) show typical relay depths, with existing formation (not excavated) shown in lighter grey. New footways will be constructed to full depth in accordance with appropriate design standards (see separate drawing).

3. Pavement designed to comply with the Design Manual for Road and Bridges, and the DfT's Guidance on the use of Tactile Paving Surfaces and Manual for Industry Mobility.

4. Existing kerbs and blocks to be reused in situ whenever possible and when instructed. New materials will only replace existing ones when there is a change to material specifications, or existing material is no longer in a safe, usable condition. This document shows typical kerb arrangement. Kerb details (materials and kerb face) may vary.

5. Footway Verge - Footway widths across the borough are varied. Width of all verges will be optimised to minimise the number of flags or pavers that must be cut down from their original size, allowing for a minimum ASP area width of 1.2m and a maximum verge width of 1m.

6. Vehicle Crossovers - When new crossovers are instructed to be constructed as part of footway relay works, approved widths and confirmation of payment will be provided by the Crossover Team. All existing crossovers will be reinstated to their original width, unless otherwise specified. New and existing crossovers will comply with the guidelines set in this document, and no gradients greater than 10% (1 in 10) will be constructed.

7. Tree pits - Size of tree pit will vary depending on location and site constraints. Tree pits to be reconstructed to original widths, to comply with guidelines set in this document (See Tree Pit Details drawing). Care should be taken to avoid any damage to trees by the contractor as part of the footway relay works and LB Barnet's Green Spaces Team to be contacted prior to any work commencing around any highway tree.

8. Footway Gradients - In order to ensure footways remain accessible to all users, the following gradients will not be exceeded:

- Footway length of 1m and below; preferable 8% gradient; max. gradient of 10% (1 in 10)
- Footway lengths over 1m; preferable 1 to 2% gradient; max. gradient of 2.5% (1 in 40)

9. Edge Restraints - Where the back of the footway does not meet a wall or building, concrete edging will be installed.

10. Unit Costs - Rates shown are relevant to the L04HC tender documents. No allowance has been made for restrictive working. Rates may vary in future years of NRP.

11. New Developments - Footways constructed as part of new developments shall be built to full depth adoptable standards to meet relevant design criteria. Highways Development Control Team shall be contacted prior to implementation of any works in and around new developments.

REVISION				
Revision Details	Design/Check	Date	Rev.	
Initial Issue	MDM/CC	11.11.13	0	
Draft 1	MDM/CC	07.12.13	1	
Draft 2 - Tree Detail Added	MDM/CC	19.02.14	2	
Draft 3 - Tactile Details Added	MDM/CC	13.05.14	3	
Draft 4 - Unit Cost Amended	MDM/CC	02.06.14	4	

Purpose of Issue:

CONSULTATION
Client: **BARNET**
LONDON BOROUGH

PLANNED MAINTENANCE
STANDARD FOOTWAY DETAILS

Drawing Title: **FOOTWAY TYPE 2: ASPHALT**

Scale as A3 1:1000			
Design	Drawn	Checked	Approved
MDM	CC	MDM	RC
Date: 11/11/13	Date: 11/11/13	Date: 11/11/13	Date: 11/11/13



2016/17_FW DETAILS- T2

4

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	<h2>Environment Committee</h2> <h3>15 March 2017</h3>
<p style="text-align: right;">Title</p>	<p>Highways Planned Maintenance Programme 2017/18</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director for Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A: Proposed Carriageway and Footway Works by Wards for Year 3 of the Network Recovery Programme during 2017/2018</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jamie Blake, Jamie.blake@barnet.gov.uk</p>

<h2>Summary</h2>
<p>This report seeks the Committee’s approval for the delivery of the 2017/18 Highway Planned Maintenance and Network Recovery Plan (NRP) Work Programme listed in Appendix A, totalling £8 million to be funded from the agreed NRP Capital allocation of £50 million over 5 years.</p> <p>The work programme has been primarily developed based on condition assessment survey data and deterioration modelling. The proposed schemes have been identified and prioritised in consultation with local ward Councillors using whole life costing and good asset management principles to ensure that investment is targeted where it is most needed.</p> <p>The investment split for 2017/18 will be as follows:- 55% footway, 35% carriageway and 10% structures, drainage, road markings and other highway assets.</p>

Recommendations

- 1. That the Committee approves 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 agrees 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.**

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is needed to provide the appropriate Council authority to instruct Re, approve the planned maintenance programme for 2017/18 and agree the proposed investment proportions for the planned maintenance programme for 2017/18.
- 1.2 This report provides a list of schemes for delivery in Year 3 of the Network Recovery Plan Programme which will continue to substantially increase the percentage of carriageway and footway treated every year by using more planned preventative type treatments and less costly, reactive treatments. The aim was to treat at least 10% of the whole of the carriageway network and 5% of the footway network per year over the five year programme by using optimum maintenance strategies and treatments such as Surface Dressing and Micro-Asphalt thereby substantially reducing highway maintenance service requests. However, the decision to avoid the use of surface dressing and increase the percentage of spend on footways instead of carriageways will now no longer provide the percentages originally forecast.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The recommendations are required to enable the Council to deliver the planned maintenance programme for 2017/18 and also develop the planned maintenance programme for future years.
- 2.2 The Highways Act 1980 (HA 1980) sets out the main duties of highway authorities in England and Wales. Highway maintenance policy is set within a legal framework. Section 41 of the HA 1980 imposes a duty to maintain highways which are maintainable at public expense and almost all claims against authorities relating to highway functions arise from an alleged breach

of this section. The HA 1980 sits within a much broader legislative framework specifying powers, duties and standards for highway maintenance.

- 2.3 The Council has a duty to ensure that the statutory functions and responsibilities in relation to those highways for which the local authority is responsible are discharged. The Authority also has a duty to ensure a safe passage for the highway user through the effective implementation of the legislation available to it, principally the HA 1980, and in particular Section 41, of the Act.
- 2.4 Planned highway maintenance is generally funded by Capital Funding. Capital allocations are also made by Central Government through the Local Implementation Plan (“LIP”) process taking into account factors such as road lengths, classification, traffic figures and road condition data derived from the condition indicators, UK Pavement Management System (UKPMS), National Road Maintenance Condition Survey (NRMCS) and condition surveys. Revenue allocations funding, which covers mostly reactive maintenance, is generally provided from a combination of local council tax and other Government Revenue Support Grants. Funding is further sought from Private Developers, secured as planning obligation under S106 of the Town and Country Planning Act 1990. It is important to ensure that realistic benefit is obtained for highway maintenance from contributions in respect of new developments.
- 2.5 The programme proposed in this report was developed using an independent condition assessment survey company, Highway Surveyors, who undertook a survey of every footway and carriageway in the borough and recorded the data to a defined national standard of all footways and carriageways within the borough. This data was added to that of the Operational Network Hierarchy, defects scores from the highway safety inspectors with the local knowledge they have from walking the streets regularly as part of their routine inspection, and insurance claims to the council and by applying guidance on Network Recovery Plan whole life cost principles it resulted in the list of those footways and carriageways to be in the worst condition.
- 2.6 Schemes have been prioritised based on their known condition. In order to achieve best value for the investment, the proposed carriageway treatments include micro asphalt with patching as required, as well as a resurfacing programme. Surface dressing of carriageways has not been proposed again for year 3. The independent condition assessment scores combined with the hierarchy scores (defined in the Operational Network Hierarchy) have been used to prioritise and compile Appendix A. All ward councillors have been consulted over the proposed lists and their comments where appropriate have been used to finalise that shown in Appendix A. However, the final programme will be subject to review and possible change to ensure that future developments and statutory undertaker works within the borough do not conflict with that proposed and result in abortive works. Any schemes which are unable to be progressed or delayed due to the above will be replaced in the programme with those next on the priority list.

- 2.7 Under Section 58 of the New Roads and Street Works Act 1991, the Highway Authority is required to issue a statutory three-month Notice to Utility companies of its intention to carry out substantial road works on the public highway. This requirement is aimed at preventing or restricting streets being dug up soon after they have been resurfaced for major works. This is a legal notice which is served on all the statutory undertakers who carry out work in the Borough. The Highways Authority is required to commence the works within one month of the date specified in the notice. The restriction on statutory undertakers carrying out street work applies for a period of 36 months after the works have been implemented. However, Utility companies can still carry out emergency and service connection works by just notifying the Highway Authority. The Notice will be published in the London Gazette and sent to all the utility companies for co-ordination.
- 2.8 The Traffic Management Act 2004 introduced a new hierarchy of Strategic Roads for London where the London Boroughs retain highway and traffic authority responsibilities, but for which Transport for London (TfL) has oversight. This requires the Council to notify TfL, or both TfL and neighbouring boroughs, if the proposed maintenance works are likely to affect traffic operations on a strategic road in its own area. The Council aims to implement all the schemes safely, with minimum traffic congestion and TfL will be provided with the necessary information within the stipulated timescales. The contractor will have in place a Health and Safety Plan for implementing these schemes safely.
- 2.9 Appendix A lists all the proposed carriageway treatments and footway relay schemes in each ward to be undertaken in 2017/18. Where appropriate, the table shows the section of the street that will be treated. Relevant information about the work in each location will be provided in advance to residents by letter along with advanced signing. In order to maximise improvement to the street scene, action will be taken to tidy up associated infrastructure and generally reduce street clutter. Local ward councillors will be given revised ward packs of the final schemes showing treatment types for both footways and carriageways in their ward and be notified in advance of that of residents of the proposed extent of works for each scheme.
- 2.10 The highways maintenance backlog has been estimated, based on the 2011/12 condition surveys, at £97.3 million and the funding required to address this maintenance backlog using the traditional maintenance treatments was estimated at £19.6 million per year, over a five year period. Clearly, under the current tough economic climate this level of funding is not available. Adopting Highway Asset Management Principle (HAMP) marks a move away from “worst first” approach to maintenance operated by the Council so far. Officers reviewed the highway maintenance treatments to focus on a preventative approach to maintenance, as explained to a Members’ working Group on the 2nd of October 2014. Therefore, alternative treatments, cheaper than the traditional treatments, which will preserve and extend the life of carriageway for a number of years, by minimising the whole life costs of the highways, have been considered and recommended. These treatments include the sealing of carriageway cracks and joints, other

localised treatments of carriageway cracks, surface dressing, patching, micro surfacing/micro asphalt-preceded by localised patching, if appropriate. It should be emphasised that, in accordance with highway asset management principles, the preventative type treatments (carriageway sealing, surface dressing, micro asphalt) are targeted on roads with an Amber or Green indicator on the deterioration curve to stop them deteriorating into Red, which will require a more expensive treatment. All these treatments are incorporated in the current term maintenance contract and Appendix A identifies the treatment types for year 3 of the Network Recovery Programme.

- 2.11 A subsequent report will address the proposed programme of continued works as part of the Network Recovery Programme for year 3 on the Council's highway structures along with proposed drainage works which will target the "Critical Drainage Areas" where the risk of flooding is higher. This will also take in to account the Local Flood Risk Management Strategy which has recently been sent to stakeholders for comment before being circulated for full consultation. A programme of roadmarking refresh and other treatments will be included in this subsequent report.

2.12 Year 1 and 2 of the Network Recovery Programme

- 2.12.1 A total of 308 schemes comprising 125 carriageway surface dressing, 43 carriageway micro asphalt, 57 carriageway resurfacing and 83 footway were completed in year 1 of the Network Recovery Programme. A total of 124 schemes comprising 23 carriageway micro asphalt, 47 carriageway resurfacing and 54 footway are due for completion in year 2 of the NRP.
- 2.12.2 The council has commissioned an independent condition assessment which is being undertaken by Highways Surveyors of all of the surface dressing and micro asphalt schemes programmed in year 1 of the Network Recovery Programme in order to identify any areas of failure before final acceptance and completion of the 24 month defect period where the contractor is still responsible for the works. The LoHAC contractor has already agreed to resurface 12 to 15 of the worst carriageway schemes as acknowledgement of failure and the perception of poor workmanship and these will be resurfaced by using either Stone Mastic Asphalt (SMA) or Dense Bitumen Macadam (DBM), whichever is deemed appropriate. The LoHAC contractor will also be required to provide an extended warranty on the remaining schemes, thereby extending the 24 month defect period.
- 2.12.3 Following the completion of the year 2 micro asphalt works the LoHAC contractor has agreed to revise their method statement to address the issue of loose chippings on the micro asphalt works and additional sweeping will be included in the year 3 programme of micro asphalt schemes.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option of undertaking planned maintenance based on the previous approach of “worst first” has been considered and rejected because this is an unsustainable approach associated with expensive short term reactive repairs.

4 POST DECISION IMPLEMENTATION

- 4.1 Once the Committee approves the recommendations, officers will plan, consult and implement the approved planned maintenance schemes by raising relevant orders with the Council’s term contractor or specialist contractors if there are financial benefits in doing so. As part of year 3 of the Network Recovery Programme a further independent condition assessment will be commissioned towards the latter part of the year to assist in preparation of the year 4 programme.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The proposed planned maintenance programme will contribute directly to two of the three Corporate Objectives of the Council’s 2013 - 16 Corporate Plan by:

- Promoting responsible growth, development and success across the borough;
- Improving the satisfaction of residents and businesses within the London Borough of Barnet as a place to live, work and study.

- 5.1.2 The proposed planned maintenance programme will also contribute to the Council’s Health and Wellbeing Strategy by making Barnet a great place to live and enable the residents to keep well and independent.

- 5.1.3 The Highway network is the Council’s most valuable asset and is vital to the economic, social and environmental wellbeing of the Borough as well as the general image perception. They provide access for business and communities, as well as contribute to the area’s local character and the resident’s equality of life. Highways really do matter to people and often public opinion surveys continually highlight dissatisfaction with the condition of local roads and the way they are managed. Public pressure can often result in short term fixes such as potholes for example, rather than properly planned and implemented longer term solutions. The proposed 2016/17 Programme aims to stop short term repairs that provide poor value for money and often undermine the structural integrity of the asset.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Funding is being sought from all possible sources to address the on-going deterioration of non-principal local roads, to improve the condition of footways and eliminate the backlog of repairs. An examination of the Planned Maintenance Budgets over the last 10 years shows a gradual reduction of the level of investment over recent years. This reduction of planned maintenance, the result of the tough economic climate, has contributed to the planned maintenance backlog. In addition, as funding reduces, the ability to provide a satisfactory level of investment in the road network decreases and this in turn generates increasing levels of reactive cost and works.
- 5.2.2 A bid for carriageway resurfacing works on the Borough's principal roads was included in the Local Implementation Plan (LIP) 2017/18 bid submitted to Transport for London (TfL) and the council has been allocated £1.344 million for carriageway resurfacing works which will be included in the programme of planned highway maintenance.
- 5.2.3 The total Council budget allocation for planned maintenance carriageway and footway works in the combined areas for 2017/18 is £8 million. The Council agreed on the 16th of December 2014 to invest £50 million, spread over 5 years, in highways maintenance. The funding for each year is shown in the table below:

Proposal	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Borough wide highways maintenance incl. Borough wide signs and lines programme.	15,000 (15,365 actual spend)	13,000 Revised to 10,000	8,000	8,000	6,365
Total	£50,365				

The amount of the available funding will determine the extent of the schemes that would be delivered in the year and schemes that exceed this figure and those next in order of priority will feature in years 4 and 5 of the Network Recovery Programme, subject to available funding and the next year's condition assessment. The LIP funded allocation for principal roads will be additional to the above figures.

Bearing in mind the need of the road network and the current maintenance backlog, the following percentage split between footways, carriageways, structures, drainage, signs, roadmarkings and other assets is proposed:

Asset	Proposed Approximate Percentage Spent
Carriageways	35 %
Footways	55 %

Structures, Drainage, Signs, Road Markings and other highway assets (details of which will follow in a further report)	10 %
Total	100 %

5.2.4 The following two main treatments are included in the Appendix A:

Micro Asphalt: Involves overlaying a thin surface layer of 15-30 mm and may involve removing or planing some of the old surface, particularly at the channels. Some carriageway patching may be required before this treatment is applied, but essentially this treatment is applicable where the road surface is still sound. In addition to sealing the carriageway and providing a new running surface this treatment can also restore some of the shape of the road. This treatment is not really applicable to heavily trafficked roads. A typical life expectancy is 10 years plus.

Carriageway Resurfacing: This requires the removal and replacement of the surface layer with hot rolled asphalt, dense bitumen macadam or stone mastic asphalt, and the specific treatment will be decided by the highway officers. The treatment depth is between 30 and 40 mm, but it can be more if the underlying layer also needs replacing. A typical life expectancy is 15-20 years.

Other treatments may also be proposed such as carriageway patching, joint sealing and use of reflective membranes where considered necessary by experienced highway officers.

5.2.5 The majority of the footways in Barnet are laid in pre-cast paving slabs which are labour intensive and expensive to renew. It is estimated that the cost of replacing just 3% of the Borough footways in a year will be in excess of £8 million. It is therefore proposed that the same asset management principles are also applied on the footways and, where appropriate, laying footways in asphalt is considered. This will allow treatments, similar to those mentioned above, to be used on footways to seal and protect the footways, reducing responsive maintenance costs and insurance payments. The standardisation of footway materials has already been agreed and a separate report has been produced on the treatment types being used to date.

5.2.6 The carriageway and footway estimates given in Appendix A are provisional and may be subject to change following completion of the individual scheme designs. The estimates are based on the contract rates of the London Highways Alliance Contract (LoHAC), which the Council adopted to use as a means to deliver all the highway maintenance works. A cost comparison exercise has confirmed that the LoHAC rates offer a saving of some 15% compared to the previous highways term contracts.

5.2.7 Some of the proposed schemes may not be delivered due to future utility or development works as previously stated and some schemes have already been omitted following consultation with ward councillors and others. Updates of any changes or variations to the highway schemes scheduled in Appendix

A will be reported back to this Committee at quarterly intervals, as and when required.

5.2.8 There are no staffing ICT or property implications.

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to procurement of services contracts.

5.4 Legal and Constitutional References

5.4.1 The Council's Constitution (Responsibility for Functions, Annex A) gives the Environment Committee certain responsibilities related to the street scene including pavements and all classes of roads, parking provision and enforcement, and transport and traffic management including agreement of the London Transport Strategy Local Implementation Plan. These are contained in the main body of the report.

5.4.2 Highway Maintenance is a statutory duty under the Highways and Traffic Management Acts.

5.4.3 The Traffic Management Act 2004 places obligations on authorities to ensure the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.

5.4.4 The Council's Constitution (Responsibly for Functions, Annex A) gives the Environment Committee certain responsibilities related to the street scene including pavements and all classes of roads, parking provision and enforcement, and transport and traffic management including agreement of the London Transport Strategy Local Implementation Plan.

5.5 Risk Management

5.5.1. The extreme weather encountered over previous winters has resulted in a rapid deterioration of the core fabric of many patched and heavily deteriorated carriageways. The whole life condition of these carriageways is susceptible to further reduction by increased frequency of future extremes of weather unless timely intervention is carried out by a planned programmed of appropriate highway maintenance treatments. The reactive attention to defects or filling of pot-holes has been technically proven to be only a short-term and a superficial remedy to highway damage.

5.5.2 Based on the 2011 condition surveys, the current highway maintenance backlog has been estimated to be £97.3 million. The funding required to address this backlog, based on traditional maintenance treatments, has been

assessed to be £20 million per year over a 5 year period. Given the current economic climate this is clearly unsustainable and there is therefore the risk that continuing deterioration of the highway will substantially increase the backlog and/or result in closure of roads. In order to reduce this risk Re officers are proposing the use of preventative type treatments which cost considerably less than the traditional maintenance treatments and are cost effective in extending the life of the highway.

5.6 Equalities and Diversity

- 5.6.1 Good roads and pavements have benefits to all sectors of the community in removing barriers and assisting quick, efficient and safe movement to schools, work and leisure. This is particularly important for older people, people caring for children and pushing buggies, those with mobility difficulties and sight impairments. The state of roads and pavements are amongst the top resident concerns and the Council is listening and responding to those concerns by the proposed planned highways maintenance programme.
- 5.6.2 The physical appearance and the condition of the roads and pavements have a significant impact on people's quality of life. A poor quality street environment will give a negative impression of an area, impact on people's perceptions and attitudes as well as increasing feelings of insecurity. The Council's policy is focused on improving the overall street scene across the borough to a higher level and is consistent with creating an outcome where all communities are thriving and harmonious places where people are happy to live.
- 5.6.3 There are on-going assessments carried out on the conditions of the roads and pavements in the borough, which incorporates roads on which there were requests by letter, email, and phone-calls from users, Members and issues raised at meetings such as Forums, Leader listens and Chief Executive Walkabouts, etc. The improvements and repairs aim to ensure that all users have equal and safe access across the borough regardless of the method of travel. Surface defects considered dangerous are remedied to benefit general health and safety issues for all.
- 5.6.4 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other contact prohibited by the Equality Act 2010.
 - b) Advance equality of opportunity between people from different groups.
 - c) Foster good relations between people from different groups.

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design policies and the delivery of services. There is an on-going process of regularisation and de-clutter of street furniture and an updating of highway features to meet the latest statutory or technical expectations.

5.7 Consultation and Engagement

- 5.7.1 No consultation is proposed or appropriate as the list of proposed planned maintenance schemes has been prepared objectively and is based on the condition of the carriageway and footways. All requests for highways maintenance received in the last year are logged and have been considered in preparing the lists of Appendix A. Consultation has already been undertaken with ward councillors and residents will receive notification in advance informing them of any forthcoming maintenance works.
- 5.7.2 The Council's Communications Team will be engaged to communicate with the residents via the press, the Council's Barnet First magazine and other media and highlight the Council's investment in highway maintenance as a "good news story". Customer satisfaction surveys have also taken place during year 2 of the Network Recovery Programme and the results circulated in the media coverage listed above.

5.8 Insight

- 5.8.1 This section of the report does not apply to this report.

6 BACKGROUND PAPERS

- 6.1 Cabinet 22 July 2002 decision number item 7 - approved the Planned Highway Maintenance Programme – initial Scheme Prioritisation Procedure.
- 6.2 Task and Finish Groups were subsequently introduced as part of the Overview and Scrutiny arrangements adopted by the Council in May 2009 and the Road Resurfacing Task and Finish Group reported to and agreed by the Cabinet on 12 April 2010 following recommendations: 1) The Council introduce a Highways Asset Management approach to achieve best value for investment in the highway infrastructure. 2) A full survey is undertaken of the borough footways to enable footway schemes to be prioritised effectively. 3) Footway schemes should be carried out, as far as possible, to consistent standard across the network, using the same materials wherever possible.
- 6.3 The Cabinet on the 4th of November 2013, Item 5.4, approved an additional £4 million of funding to be spent on highway maintenance. A list of all the schemes in this programme has been included in the Area Environment Committee reports on 26th of March 2014. As a result of efficiencies three more footway schemes have been delivered under this programme: Bridge Lane, Daws Lane and Raleigh Drive.
- 6.4 The Environment Committee on the 24th of July 2014 approved a Draft Network Recovery Plan, a Draft Network Management Plan and a Draft Operational Network Hierarchy.
- 6.5 The Environment Committee on the 18th of November 2014 considered and agreed in principle a five year Commissioning Plan, involving significant

funding for Borough wide highways maintenance, subject to consultation and agreement by the Policy and Resources Committee.

- 6.6 The Council on 16th of December agreed, subject to the agreement of the Council's February 2015 Policy and Resources Committee, a capital allocation of £50.365m, spread over the five years 2015/16-2019/20 as shown in paragraph 5.2.3, to be spent on Borough wide highways maintenance.
- 6.7 The Environment Committees in January, July and November 2015 considered details and progress of the 2015/16 Network Recovery Programme (year 1) and those in January, May and September 2016 for progress of the 2016/17 Network Recovery Programme (year 2).

Appendix A: Proposed Carriageway and Footway Works by Wards for Year 3 of the Network Recovery Programme - 2017/2018

Carriageway Micro Asphalt – Year 3

Ref	Road Name	Post Code	Ward	Estimated cost
C291	Hodford Road	NW11	Childs Hill	£27,969.72
C232	Golders Way	NW11	Childs Hill	£8,344.80
C223	Gillingham Road	NW2	Childs Hill	£11,470.44
C628	Wessex Gardens	NW11	Childs Hill	£19,661.52
C165	Devonshire Place	NW2	Childs Hill	£5,621.76
C761	Woodfield Avenue	NW9	Colindale	£11,902.32
C009	Ajax Avenue	NW9	Colindale	£10,277.28
C283	Hillfield Avenue	NW9	Colindale	£18,036.48
C728	Booth Road	NW9	Colindale	£14,947.44
C756	The Loning	NW9	Colindale	£4,589.64
C115	Church Hill Road	EN4	East Barnet	£43,261.20
C750	Pym Close	EN4	East Barnet	£1,610.40
C443	Park Road	EN4	East Barnet	£17,092.20
C747	Kingston Road	EN4	East Barnet	£5,541.24
C730	Capel Road	EN4	East Barnet	£21,198.72
C044	Beresford Road	N2	East Finchley	£10,050.36
C712	Kitchener Road	N2	East Finchley	£7,905.60
C261a	Hale Lane	HA8	Edgware	£38,532.48
C726	Broadfields Avenue	HA8	Edgware	£24,675.72
C337a	Lichfield Grove	N3	Finchley Church End	£8,095.92
C169	Dollis Park	N3	Finchley Church End	£38,327.52
C651	Winnington Road	N2	Garden Suburb	£38,810.64
C047	Bigwood Road	NW11	Garden Suburb	£16,938.48
C745	Highfield Gardens	NW11	Golders Green	£25,034.40
C261b	Hale Lane	HA8	Hale	£54,965.88
C171	Dryfield Road	HA8	Hale	£26,783.88
C251	Greencroft	HA8	Hale	£6,412.32
C770	Gold Hill	HA8	Hale	£6,631.92
C755	The Fairway	NW7	Hale	£21,967.32
C729	Brampton Grove	NW4	Hendon	£10,687.20
C743	Heriot Road	NW4	Hendon	£10,043.04
C731	Church End	NW4	Hendon	£11,397.24
C347	Lodge Road	NW4	Hendon	£7,737.24
C705	Moxon Street	EN5	High Barnet	£19,727.40
C738	Flower Lane	NW7	Mill Hill	£42,822.00
C270	Hartley Avenue	NW7	Mill Hill	£11,550.96
C687	Holcombe Hill	NW7	Mill Hill	£7,737.24
C235	Goodwyn Avenue	NW7	Mill Hill	£18,182.88
C027	Austell Gardens	NW7	Mill Hill	£7,825.08
C102	Chandos Avenue	N20	Oakleigh	£42,368.16
C026	Athenaeum Road	N20	Oakleigh	£40,604.04

Appendix A: Proposed Carriageway and Footway Works by Wards for Year 3 of the Network Recovery Programme - 2017/2018

C714a	Woodside Lane	N12	Totteridge	£21,901.44
C762	Woodside Avenue	N12	Totteridge	£18,512.28
C379	Mays Lane	EN5	Underhill	£74,232.12
C136	Connaught Road	EN5	Underhill	£15,686.76
C123	Claverley Grove	N3	West Finchley	£14,061.72
C625	Wentworth Park	N3	West Finchley	£20,130.00
C469	Princes Avenue	N3	West Finchley	£14,149.56
C584	The Ridgeway	N3	West Finchley	£13,629.84
C455	Percy Road	N12	West Finchley	£15,496.44
C201	Falkland Avenue	N3	West Finchley	£7,729.92
C210	Foscote Road	NW4	West Hendon	£22,143.00
C237	Graham Road	NW4	West Hendon	£6,851.52
C739	Graham Road	NW4	West Hendon	£4,289.52
C150	Crespigny Road	NW4	West Hendon	£20,876.64
C112	Cheyne Walk	NW4	West Hendon	£26,754.60
C512	Russell Road	NW9	West Hendon	£11,975.52
C097	Castle Road	N12	Woodhouse	£13,827.48
C724	Buxted Road	N12	Woodhouse	£9,523.32
C714b	Woodside Lane	N12	Woodhouse	£7,729.92
C456	Petworth Road	N12	Woodhouse	£22,289.40
C061	Bramber Road	N12	Woodhouse	£18,483.00
C658	Woodberry Way	N12	Woodhouse	£12,429.36
C212	Friary Way	N12	Woodhouse	£7,188.24
C753	Squires Lane	N3	Woodhouse	£30,451.20
C599b	Torrington Park	N12	Woodhouse	£22,662.72
C679	Glenhurst Road	N12	Woodhouse	£6,390.36

Carriageway Resurfacing – Year 3

Ref	Road Name	Post Code	Ward	Estimated Cost
C386	Monkfrith Way	N14	Brunswick Park	£40,748.60
C434	Orange Hill Road	HA8	Burnt Oak	£150,714.00
C001	West Heath Road	NW3	Childs Hill	£153,024.30
C735	Elm Grove	NW2	Childs Hill	£38,152.97
C442	Lichfield Road	NW2	Childs Hill	£97,070.98
C700	Greenfield Gardens	NW2	Childs Hill	£152,807.25
C769	Horsham Avenue	N12	Coppetts	£75,440.73
C301	Hollyfield Avenue	N11	Coppetts	£31,705.76
C766	Bedford Road	N2	East Finchley	£79,403.95
C065	Cherry Tree Road	N2	East Finchley	£27,351.80
C336	Leopold Road	N2	East Finchley	£59,587.85
C300	Holly Park	N3	Finchley Church End	£69,523.81
C070	Briarfield Avenue	N3	Finchley Church End	£65,616.41

Appendix A: Proposed Carriageway and Footway Works by Wards for Year 3 of the Network Recovery Programme - 2017/2018

C654	Wildwood Road	NW11	Garden Suburb	£79,710.96
C338	Limes Avenue	NW11	Golders Green	£48,423.85
C702	Ashbourne Avenue	NW11	Golders Green	£87,944.41
C249	Green Lane	NW4	Hendon	£136,563.63
C463	Potters Road	EN5	High Barnet	£34,943.32
C706	Potters Road		High Barnet	£73,319.57
C652	Wise Lane	NW7	Mill Hill	£125,399.63
C779	Friern Barnet Lane (B550)	N20	Oakleigh	£222,532.66
C693	Rasper Road	N20	Totteridge	£30,226.53
C293	Holden Road	N12	Totteridge	£154,900.50
C780	Nether Street	N3	West Finchley	£121,092.40
C561	Summers Lane	N12	Woodhouse	£83,925.37

Footways – Year 3

Ref	Road Name	Post Code	Ward	Treatment Type	Estimated Cost
F254	Burnt Oak Broadway	HA8	Burnt Oak	Type 3	£80,000.00
F156	Barnfield Road	HA8	Burnt Oak	Type 1 (all paving)	£24,888.00
F208	Hermitage Lane	NW2	Childs Hill	Type 3	£131,584.00
F398ab	Armitage Road	NW11	Childs Hill	Part Type 3, Part Type 1	£216,576.00
F323	Lyndale Avenue	NW2	Childs Hill	Type 3	£47,104.00
F192	West Heath Road	NW3	Childs Hill	Type 3	£11,264.00
F358	Greenfield Gardens	EN4	Childs Hill	Type 3	£236,288.00
F247	The Hyde	NW9	Colindale	Type 3	£0.00
F134	Woodleigh Avenue	N12	Coppetts	Type 3	£73,920.00
F079	Woodhouse Road FBTC	N12	Coppetts	Type 3	£77,888.00
F140	Brookside	EN4	East Barnet	Type 3	£166,208.00
F142	East Barnet Road	EN4	East Barnet	Type 3	£57,792.00
F132ab	Huntingdon Road	N2	East Finchley	Part Type 3, Part Type 1	£107,520.00
F117	Cherry Tree Road	N2	East Finchley	Type 3	£47,680.00
F251	Manor Park Crescent	HA8	Edgware	Type 1 (all paving)	£13,192.00
F248	The Drive	HA8	Edgware	Type 3	£117,184.00
F131	Dollis Park	N3	Finchley Church End	Type 1 (all paving)	£51,204.00
F138	Alyth Gardens	NW11	Garden Suburb	Type 1 (all paving)	£24,888.00
F081	Finchley Road CHTC	NW11	Garden Suburb	Type 1 (all paving)	£128,452.00
F341	The Bishops Avenue	N2	Garden Suburb	Type 1 (all paving)	£105,672.00
F147b	Portsdown Avenue	NW11	Garden Suburb	Type 1 (all paving)	£7,480.00
F372	Denman Drive South	NW11	Garden Suburb	Type 1 (all paving)	£22,848.00
F180	Temple Fortune Lane	NW11	Garden Suburb	Type 1 (all paving)	£25,296.00

Appendix A: Proposed Carriageway and Footway Works by Wards for Year 3 of the Network Recovery Programme - 2017/2018

F177bd	Finchley Road	NW11	Garden Suburb	Part Type 3, Part Type 1	£97,728.00
F396	Golders Green Road	NW11	Golders Green	Type 1 (all paving)	£71,546.00
F147ac	Portsdown Avenue	NW11	Golders Green	Part Type 3, Part Type 1	£78,656.00
F318	Highfield Avenue	NW11	Golders Green	Type 3	£209,792.00
F187	Church End	NW4	Hendon	Type 1 (all paving)	£66,844.00
F383	Second Avenue	NW4	Hendon	Type 3	£35,584.00
F366	Alexandra Road	NW4	Hendon	Type 3	£95,296.00
F103	Union Street	EN5	High Barnet	Type 3	£69,568.00
F181	St Albans Road	EN5	High Barnet	Type 1 (all paving)	£105,060.00
F200	Friern Barnet Lane	N20	Oakleigh	Type 3	£146,688.00
F175	Chandos Avenue	N20	Oakleigh	Type 1 (all paving)	£26,384.00
F174	Green Road	N20	Totteridge	Type 3	£41,152.00
F212	Holden Road	N12	Totteridge	Type 3	£265,920.00
F144ab	Fitzjohn Avenue	EN5	Underhill	Part Type 3, Part Type 1	£241,024.00
F128	Albert Place	N3	West Finchley	Type 1 (all paving)	£21,828.00
F196ab	Nether Street	N3	West Finchley	Part Type 3, Part Type 1	£118,208.00
F130	Redbourne Avenue	N3	West Finchley	Type 1 (all paving)	£107,100.00
F152	The Ridgeway	N3	West Finchley	Type 3	£95,360.00
F135	Cornwall Avenue	N3	West Finchley	Type 1 (all paving)	£69,088.00
F104	Ballards Lane	N12	West Finchley	Type 1 (all paving)	£23,936.00
F377	Hutton Grove	N12	West Finchley	Type 3	£129,792.00
F336	Station Road	NW4	West Hendon	Type 3	£158,400.00
F337	Station Road	NW4	West Hendon	Type 3	£155,584.00
F133	Woodhouse Road	N12	Woodhouse	Type 3	£187,520.00
F146	Petworth Road	N12	Woodhouse	Type 3	£131,520.00

	<p>Environment Committee</p> <p>15 March 2017</p>
<p style="text-align: right;">Title</p>	<p>Adoption of Section 16 of London Local Authorities and Transport for London Act 2003</p>
<p>Report of</p>	<p>Commissioning Director for Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>No</p>
<p>Enclosures</p>	<p>None</p>
<p>Officer Contact Details</p>	<p>Jamie Blake – E-mail – jamie.blake@barnet.gov.uk Gangan Pillai – E-mail – gangan.pillai@barnet.gov.uk</p>

<p>Summary</p>
<p>This report seeks approval to recommend 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</p>

<p>Recommendations</p>
<p>1. That the Environment Committee approve:</p> <p style="margin-left: 40px;">1. To Recommend 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;</p>

2. To Recommend 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.

1. WHY THIS REPORT IS NEEDED

1.1 The report outlines enhanced enforcement powers available to the Council as Highway Authority under Section 16 of the London Local Authorities and Transport for London Act 2003, concerning unauthorised vehicle crossovers and vehicles driving over the footway or verge. These enhanced enforcement powers are an addition to existing powers contained in Section 184 of the Highways Act 1980. In Barnet, there are number of instances whereby unauthorised crossing of the footway is taking place without having made the necessary arrangements to have the kerb dropped. This unauthorised use also presents problems with regards to potential damage to the footway and verge including any underground services placed beneath the highway, as well as creating risk to pedestrians and other road users. The proposals within this report, if adopted by the Council, will enable the Council to take action against drivers who habitually drive across footways without proper arrangements being made.

1.2 BACKGROUND

1.2.1 Section 16 of the London Local Authorities and Transport for London Act 2003 grants additional enforcement powers to the Highway Authority to serve a notice on an occupier, who takes or allows someone else to take a motor vehicle across a verge or footway where no vehicle crossing (crossover) has been constructed and requiring them to cease this activity. If they do not comply with the notice, this section allows the Authority to take preventative steps to stop it being possible to take a vehicle across the footway (e.g. erect bollards) and to charge the owner or occupier of the premises for the works.

1.2.2 In order for this part of the legislation to be used by the London Borough of Barnet it is necessary for a resolution to be passed by Full Council and for a date to be published for implementation. The date of implementation can not be less than 3 months from the date of publication of the passing of such a resolution.

1.2.3 Most provisions of the London Local Authorities and Transport for London Act

2003 came into effect from 1st January 2004. Sections 4, 5, 7 and 16 of the Act were expressly excluded from the general commencement and, instead, provision was made for local authorities to determine individually whether the sections should come into effect in their areas and, if so, to fix the date or dates on which the sections would come into operation.

- 1.2.4 The current legislative powers under the Highways Act 1980 are limited with regard to enforcement provision and the expanded powers under the London Local Authorities and Transport for London Act 2003 will allow more robust enforcement and ensure the protection of our highways and highway users. The lack of an effective enforcement provision has also created an additional financial cost to the Council due to consequential repairs that must be undertaken by the authority as a result of vehicles accessing the frontages of premises in this manner. This part of the legislation cannot be used until a resolution has been passed by the Council.
- 1.2.5 Section 3 of the Act allows each authority to introduce the sections of the Act specified in Section 1 of the Act on different dates, subject to the necessary notification and publication requirement. The 'appointed day' has to be set by a resolution of the Full Council and the making of the resolution and the day chosen have to be advertised in the London Gazette and in a local newspaper with a gap of at least 3 months between publication and the day itself.
- 1.2.6 The current powers under the Highways Act 1980 (S.184) empowers the local authority to serve notice upon the occupier of any premises adjoining or having access to a highway maintainable at the public expense who habitually takes or permits to be taken a mechanically propelled vehicle across a kerbed footway or a verge in the highway to or from those premises. The notice allows the local authority to either execute such works for the construction of a vehicle crossing over the footway or verge as may be specified in the notice or impose such reasonable conditions on the use of the footway or verge as a crossing as may be so specified. However the Act does not allow for the local authority to undertake any preventative works to physically stop any vehicles using the footway or verge.
- 1.2.7 The additional powers under the London Local Authorities and Transport for London Act 2003 (S.16) if introduced will expand powers with regard to the cessation of taking or permitting to be taken mechanically propelled vehicles across the kerbed footway or verge. The notice that can be served under this legislation allows for the execution of works by the local authority to prevent such vehicles being taken across the footway or verge. Section 16 of the Act introduced expanded powers with regard to the cessation of taking of vehicles across the kerbed footway or verge. It makes provision for the service of a notice which allows for the execution of works by the local authority to prevent vehicles being taken across the footway or verge through for example the erection of bollards or other physical works. In many cases prevention of use of the footway or verge would be the preferred option because the likelihood of damages to the asset is reduced.
- 1.2.8 This differs from the Highways Act notice with regard to the preventative measures, which in many cases would be the preferred option, but all works

are still able to be recharged to the occupier without the need to take the matter to court.

1.2.9 Vehicles crossing the footway without the benefit of a duly constructed vehicle crossover can cause a safety hazard to pedestrians and vehicles as sight lines may be inadequate, pedestrians and other vehicle users will have no visual references to prompt an expectation that a vehicle may emerge from the premises and it can also damage to the public highway. This damage also results in risk to pedestrians and vehicles and is an additional cost burden on residents of the Borough as it has to be repaired.

1.2.10 Under Section 41 of the Highways Act 1980 the Highway Authority has a duty to maintain the highway. If the Council is aware of vehicles crossing the footway without a duly constructed vehicle crossover and an accident occurs to someone due to damage caused by such action, then the Council could be deemed at least partially liable if it had not acted.

1.2.11 The adoption of this legislation would ensure that more effective enforcement can take place regarding vehicles crossing the footway or verge, the reducing risk to residents and other road users by allowing preventative action and reducing incidents of damage to our highways. It is therefore proposed that the London Local Authorities and Transport for London Act 2003 (S.16) be resolved to be adopted.

2. REASONS FOR RECOMMENDATION

2.1.1 Amending the current policy is necessary in order to mitigate all future maintenance liabilities to the Council as a result of vehicles driving over the footway without authorised vehicle crossovers. The enhanced enforcement powers are an addition to existing powers contained in section 184 of the Highways Act 1980. Adoption of the Section 16 powers will result in an enhanced and better managed streetscape. It will improve safety for pedestrians both from illegal vehicle movements and from the damage that is caused by them. The powers are simply a change to the process that would be used to achieve the required result. As such there is no change to current impact on the community from adoption of these powers.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDATION

3.1 If the policy is not adopted then the majority of all on-going maintenance costs will need to be met from the Council's resource which is not ideal due to on-going budget constraints. The proposal is to adopt Section 16 of the London Local Authorities and Transport for London Act 2003 to enhance the Council's enforcement options in relation to habitual crossings across kerbed footways or verges to access the highway. The alternative is to do nothing and continue to use the powers and penalties under the Highways Act 1980. If the Highways Act notice is ignored, this gives the Council powers to install a vehicle crossover and recover its costs, either by taking the resident to Court or putting a land charge against the property. The downside to this course of action is that it can tie up a significant amount of Council resources, either in

terms of money or officer time and if the matter is putting pedestrians or other highway users at risk the delays may be put lives at risk. Section 16 offers the opportunity to issue a notice requiring the crossings to cease and to back that up with prosecution.

4 POST DECISION IMPLEMENTATION

- 4.1 If the Committee is so minded to approve the recommendations set out in this report, arrangements will be made to report to Full Council and implement the adoption of additional enforcement powers under Section 16 of the London Local Authorities and Transport for London Act 2003.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan 2015 – 2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared fairly
- Where services are delivered efficiently to get value for money for the tax payer

- 5.1.2 Manage demand for services through efficiency savings and delivering services differently (“Fairness” principle)

- 5.1.3 Driving out inefficiencies to deliver more with less (“Responsibility” principle)

- 5.1.4 The adoption of Section 16 of London Local Authorities and Transport for London Act 2003 across the borough will assist with making the highway safer by providing additional enforcement powers to take action against unauthorised vehicle crossings in the borough.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 **Benefits** – The new enforcement power would have benefits including:

- Reduced risk to residents and road users (see paragraph 1.2.11)
- Mitigate future maintenance liabilities for managed budgets (see paragraph 2.1.1). The adoption has a lead in time and this maintenance cost savings has not currently been estimated, though it is viewed as not insubstantial.

- 5.2.2 **Costs of Enforcement** – If adopted, the enforcement power will incur costs within the Highways Service. These costs are outside the scope of the current core contract with Regional Enterprise Limited. The adoption has a lead in

time, and therefore the proposal is being brought before the Committee in advance of full resolution of the cost issue. Officers would agree the appropriate method of funding these costs within existing budgets.

5.2.3 Costs of Prevention - If prevention of use activity is undertaken then any additional costs to the service in erecting the barriers will be fully recharged to the owner or occupier and that income is netted off against costs. There is a risk of non-payment of any recharged works and in this event there will be an additional cost to the Council in writing off any unpaid debts. The service will look to minimize this risk by:

- A robust system of recharging and payment reconciliation in place
- Legal processes to reclaim the monies owed, including the securing of debts as a charge to the property.

5.3 Social Value

5.3.1 Not applicable as this report does not relate to the procurement of services. The implementation of S16 of the Act will impact upon those persons who are crossing the footway or verge where no legitimate vehicle crossing is present. There are no specific negative impacts for this characteristic. A positive impact may be a reduction in obstructions / access issues on the highway for older residents who have mobility problems. It will be enforceable within the borough wherever a contravention is detected.

5.4 Legal and Constitutional References

5.4.1 Article 15A of the Constitution (responsibility for Functions, June 2016) empowers the Environment Committee to consider for approval of policy for those areas under the remit of the Committee.

5.4.2 The report correctly identifies the need for a council resolution in order for Section 16 of the London Local Authorities and Transport for London Act 2003 ("**the Act**") to come into effect. Following such resolution, the Council must cause a notice of the resolution to be published in a local newspaper circulating in Barnet and in the London Gazette, specifying the day fixed as the day on which the resolution will take effect. The commencement day must not be earlier than three months from publication of the notice

5.4.3 When in operation, Section 16 of the 2003 Act will enable the Council to take action to prevent an occupier of premises from habitually taking or permitting a mechanically propelled vehicle to be taken across a kerbed footway or a verge in the highway to or from the premises. The Section 16 power will apply in circumstances where the Council has not, as highway authority, constructed a vehicle crossing for the premises or served a notice under Section 184 of the Highways Act 1980

5.4.4 Section 16 of the 2003 Act permits the Council to serve a notice on the occupier of the premises - to cease taking or permitting mechanically propelled

vehicles to be taken across the kerbed footway or verge. Before issuing a notice, the council must have regard to specified matters, namely –

- The need to prevent damage to a footway or verge.
- The need to ensure safe access to and egress from premises (so far as practicable)
- The need to facilitate passage of vehicular traffic in and parking of vehicles on the highway (so far as practicable)
- The need to prevent obstruction of the highway or verge.

5.4.5 A notice served by the Council under Section 16 of the 2003 Act must give at least 28 days before it takes effect. The occupier has two opportunities to challenge a notice. First, the occupier may object in writing to the notice and the Council is required to consider whether it will maintain or withdraw the notice. Secondly, if the Council does not withdraw the notice, the occupier may appeal against the notice to the county court.

5.4.6 If a Section 16 notice takes effect, then two consequences follow. First, the Council may carry out works to prevent vehicles crossing the highway or verge. Secondly, the Act imposes criminal sanctions relating to contravention of the notice or interference with the Council's works. Section 16 of the 2003 Act creates three specific offences –

- Knowingly permitting a footway or verge to be used as a crossing in contravention of a notice served under Section 16.
- Knowingly using a footway or verge as a crossing in contravention of a notice served under Section 16.
- Removing, damaging, altering or defacing works executed by the Council, following a notice becoming effective, to prevent mechanically propelled vehicles from crossing (without reasonable excuse).

5.4.7 The Council may take criminal proceedings against not only the recipient of the Notice but also the driver of a mechanically propelled vehicle or a person who interferes with works.

5.4.8 As the service of a Section 16 notice is classed as enforcement action, then the decision to serve the Notice and any subsequent action taken in breach of the Notice should be undertaken in accordance with the Council's Enforcement Policy.

5.4.9 Section 16(5) provides the occupier with an opportunity to object to the notice in writing and request the council to withdraw the notice. The council must determine this objection within 21 days of receipt and confirm if the notice will be withdrawn or maintained. In the event that the council determines not to withdraw the notice, the occupier may appeal to the county court within 28 days of receipt of the council's objection response.

5.4.10 Section 16 (2) (a-c) of the Act provides that a notice issued by the council cannot prohibit an occupier from enjoying the benefit of a planning permission (made at least 8 weeks prior to Section 16 becoming operative), works

covered by a certificate of lawfulness under Section 191 or 192 of the Town and Country Planning Act 1990, or any permitted development under the Town and Country Planning (General Permitted Development) Order 1995.

5.4.11 The adoption of this statutory provision will provide the council with robust enforcement powers to reduce the risk to pedestrians and other users of the highway through the use of preventative measures and the incidents of damage to the public highway. Before making a resolution to appoint a day for commencement of Section 16 of the Act, the council must have due regard to the Public Sector Equality Duty (PSED) in accordance with S149 Equality Act 2010.

5.4.12 This duty requires public authorities to consider the aims of the general equality duty to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not to take prejudice and promote understanding when making decisions and setting policies. The protected characteristics specified under the Equality Act are age, disability, gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

5.5 Risk Management

5.5.1 The risks of damage to the highway, accidents and associated financial costs may be reduced if the Council is able to take effective action against crossings of kerbed footways and verges. By utilising the full powers contained in Section 16 of the London Local Authorities and Transport for London Act 2003, the Council will increase its options for taking action.

5.5.2 The adoption of Section 16 of the London Local Authorities and Transport for London Act 2003 will allow the Council more options for enforcement. Potential offenders should be discouraged by the fines that can be handed down by a magistrate under the London Local Authorities and Transport for London Act.

5.5.3 Those that persist on breaking the law can be prevented from doing so through the ability to put in preventative measures.

5.6 Equalities and Diversity

5.6.1 Street design should be inclusive, providing for all people regardless of age or ability. There is a general duty for public authorities to promote equality under the 2010 Equality Act. There is also a specific obligation for those who design, manage and maintain buildings and public spaces to ensure that disabled people play a full part in benefiting from, and shaping, an inclusive built environment.

5.6.2 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

1. eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010

2. advance equality of opportunity between people from different groups
3. foster good relations between people from different groups

5.6.3 The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services. As part of the consultation development a separate stakeholder management plan is being developed to ensure that equalities issues are incorporated into the policy development, consultation and implementation.

5.7 Consultation and Engagement

5.7.1 If the Environment Committee is minded to approve the recommendations, then any proposal to implement will be consulted upon as required by the Act. The proposal to implement the Section 16 powers responds to concerns expressed about residents crossing the footway without having made the necessary arrangements to have the kerb dropped. Implementation of the powers is an administrative process and does not require prior consultation to take place. However, the Council is required to publish a notice of its decision in a local newspaper and in the London Gazette, specifying the day fixed as the 'appointed day' on which the resolution will take effect.

6 BACKGROUND PAPERS

6.1 None

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London Borough of Barnet
Environment Committee Work Programme
May 2017 – May 2018

Title of Report	Overview of decision	Report Of (officer)	Issue Type (Non key/Key/Urgent)
Title of Report	Overview of decision	Report Of (officer)	Issue Type (Non key/Key/Urgent)
11 May 2017			
Parks and Open Spaces Strategy update	Committee to comment on the progress of the action plan for Parks and Open Spaces	Commissioning Director Environment	Non-key
Govia Thameslink Railway	To provide a verbal presentation	N/A	Non-Key
Footway Damage	Committee to comment on proposals regarding the protection of councils footways	Commissioning Director Environment	Non-key
Schools Parking Pilot Scheme	Committee to comment on the findings from the schools parking pilot and discuss future role out of the pilot if required	Commissioning Director Environment	Non-key
Highway Adoption Policy / Criteria	This report seeks approval to formalise the existing highway adoption criteria for the adoption of highway made under the Highways Act 1980 ("the 1980 Act")	Commissioning Director Environment	Non-key
13 July 2017 – Items to be allocated			
Recycling and Waste Strategy Update	Committee to comment on the progress of the action plan for the Recycling and Waste Strategy	Commissioning Director Environment	Non-key
Annual Parking Report 2016/17	Committee to comment on annual Parking Report 2016/17	Commissioning Director Environment	Non-key

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
Annual Regulatory Services Report 2016/17	Committee to comment on annual Regulatory Services Report 2016/17	Commissioning Director Environment	Non-key
Public Realm arboriculture strategy	To note and comment on the development of an arboriculture policy for new and established trees	Commissioning Director Environment	Non-key
Transport Strategy update	Committee to comment on the progress of the Transport Strategy	Commissioning Director Environment	Non-key
Collingdale Parks Regeneration Plans	This report will update the Committee on plans for refurbishment of Collingdale Parks	Commissioning Director Environment	Non-key
26 September 2017 – Items to be allocated			
7 November 2017 – Items to be allocated			
11 January 2018 – Items to be allocated			
14 March 2018 – Items to be allocated			
10 May 2018 – Items to be allocated			

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