

	<h2>Environment Committee</h2> <h3>11 JUNE 2015</h3>
<p>Title</p>	<p>Review of Area Committees & their relationship with the Environment Committee</p>
<p>Report of</p>	<p>Commissioning Director – Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Enclosures</p>	<p>None</p>
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Summary

A review of the Council’s three Area Committees was carried out in the first months of 2015. The review considered a number of logistical improvements to the Area Committees, as well as the relationship between Area Committees and Theme Committees – particularly the Environment Committee. A full report of this review is to be presented to the Community Leadership Committee on June 24.

This report sets out the considerations from that review which are relevant for the Environment Committee. They relate in particular to the relationship between Area Committees, Residents’ Forums and the Environment Committee, including referral routes for issues to pass from Area Committees to the Environment Committee and vice versa.

This report also gives some information about potential resources identified by the review which the Area Committees could bring to environmental projects. These include potential new funding streams such as the Community Infrastructure Levy (CIL), subject to agreement from Policy & Resources Committee, to enhance the existing £100,000 Area Committee budgets and support the role of Area Committees in delivering improvements to their local area. Full details of these will be given in the report to Community Leadership Committee on June 24.

Recommendations
1. That the Environment Committee note the report and comments on the relationship with Area Committees
2. That the Environment Committee note and comments on the potential opportunities to deliver local environmental priorities by devolving a proportion of CIL funding to Area Committee budgets, subject to agreement from Policy & Resources Committee
3. That the Environment Committee instructs the Commissioning Director for Environment to establish relevant guidance for Area Committees to follow, as outlined in section 1.18 of the report

1. WHY THIS REPORT IS NEEDED

1.1 The responsibilities of the Council's three Area Committees are set out in their terms of reference and include

- Considering issues raised at the linked Residents' Forum meetings and determining how these matters are to be taken forward
- Discharging functions delegated by Theme Committees that the Theme Committees agree are more properly discharged at a local level. These may include, but are not limited to, place-focused services such as: environmental improvements; local highways and safety schemes; and town centre management.
- Dealing with small-scale public works.
- Administering any local budget delegated by the Policy & Resources Committee

1.2 The Area Committees are a development of the three Area Environment Sub-Committees which were in place under the executive system of governance. The Sub-Committees had some executive powers delegated to them in relation to local highways and other environmental issues. Most significantly, the Area Environment Sub-Committees approved the highways planned works maintenance programme for each parliamentary constituency area. Under the committee system this is no longer the case as Environment Committee agrees the borough-wide highways planned works maintenance programme annually.

1.3 Because individual Members are no longer able to exercise delegated authority and the highways planned works maintenance programme is now approved by the Environment Committee, Area Committees have, in effect,

lost some of their decision-making powers over local 'environmental' schemes. The majority of issues raised through the Residents' Forums and at Area Committees are environmental (as these tend to be the issues which are most visible to the public), but functional responsibilities for these now rest with the Environment Committee.

- 1.4 Area Committees have continued to make resolutions since they were formed in June 2014, but without an obvious referral route for action, these have not progressed. This has created confusion for Members sitting on Area Committees and for the public, who are unclear about the reasons why decisions taken by the three Committees have not been acted on. It is necessary to ensure that the Area Committees are given clear information about their powers and the resources available to them to support decisions about what should happen in their local area, as well as information about the results of the decisions they make.
- 1.5 These resources include a budget of £100,000, which was delegated to each Area Committee for each of the four years 2014/15-2017/18 by Policy & Resources Committee in June of 2014. This provides an opportunity for Area Committees to fund some issues which arise locally, though this is limited by the level of funding available. In the first year these budgets were allocated through an open public grants process which is now under review. The results of the review will be set out in the wider paper being considered by the Community Leadership Committee on June 24 2015.
- 1.6 The rest of this report therefore examines how the relationship between the three Area Committees and the Environment Committee should operate to achieve the following objectives:
 - That issues raised at a local level (i.e. through Residents' Forums) can inform the Environment Committee in setting priorities and programmes if they affect the Environment portfolio;
 - That regular feedback is provided to the Area Committees on progress of priority works, schemes and projects that affect their parliamentary constituency area as determined by the Environment Committee; and
 - That a suitable level of capital funding is available to each Area Committee to determine a programme of 'minor works' where local issues and priorities do not align with the borough-wide priorities as determined by the Environment Committee.

Managing the relationship between Area Committee priorities and the Environment Committee programmes

- 1.7 Broadly speaking, the intention of the Area Committees is to identify where local need differs from the needs of the Borough as a whole.

- 1.8 Through their relationships with the Residents' Forums, Area Committees will take on an engagement/consultative role – ensuring Environment Committee is aware of any relevant issues raised by residents and/or Ward Members when it is engaged in business planning and setting priorities for the next financial year. To achieve this, we need to ensure Area Committees can make Environment Committee aware of such issues at the right point in the business planning cycle.
- 1.9 Part of the relationship between Area Committees and the Environment Committee should therefore be consultative – Area Committees should feed priorities and issues raised through their meetings and the Residents' Forums into the Environment Committee, and Environment Committees should where relevant pass issues (such as strategies, plans and scheme designs) down to Area Committees and Residents' Forums for their input at an early stage.
- 1.10 As Area Committees decide how they wish to spend their budgets each year, they may also wish to review the projects which have been approved each year by the Environment Committee and by other Theme Committees, using this to identify any additional works in their local area which has not been prioritised by Environment Committee and which they think would be valuable. They may choose to fund these works through their delegated budgets.
- 1.11 Area Committees may also want to consider funding environmental projects which have come forward through other routes (such as the Residents' Forums or Ward Tours) rather than referring these on to Environment Committee.
- 1.12 This could involve setting up a new project or enhancing an existing service – for example, providing an additional CCTV camera to monitor ASB – as well as dealing with the range of highways and parking issues that have dominated Area Committee agendas recently.
- 1.13 In each case, review/progress reporting links will be established to ensure issues raised by Area Committees can be monitored by them and the results fed back to residents. Progress reports should be scheduled in Area Committee work programmes from July 2015 onwards, including local reviews of planned highways works and information relating to accident “hot spots”, vehicle access issues in local residential streets, and insurance claims.
- 1.14 To make sure this is practical and workable, an appropriate threshold for works to be referred through the Area Committee will need to be established, to avoid a mechanism that means simple works take a disproportionate amount of time to implement because they can only be approved through a formal process – for example, the TfL Local Implementation Plan (LIP) programme.

- 1.15 If an Area Committee raised an issue which would need a large-scale highways infrastructure project to resolve it, this would need to be coordinated with an external funding cycle such as the LIP programme, which funds such improvements and which does not work to the same schedule as the Council's business planning cycle. Area Committees will need to identify issues which would need LIP funding to resolve them before September each year, as this is when the Council submits proposals to the LIP programme.
- 1.16 Area Committees will need to have a realistic view of how much activity they can expect to resource through their own budgets and the cost and timescales associated with larger projects. For this reason it is proposed that there is a 'cap' on any single project implemented using Area Committee funding and that this is set at £25,000 (per project) – applied to the costs of implementing the scheme. This means that the proposed cap would apply to the estimated costs of a project's final "scheme" as the final costs cannot be determined until detailed design and consultation has taken place. (Feasibility and early design costs will need to be accounted for separately and would not be part of the £25,000 cap, but would still also need to be funded from the Area Committee budget.) Other schemes with larger costs would be referred on, to be implemented either through the Environment Committee programme or through other routes such as the LIP programme.
- 1.17 It is proposed that 'backlog' issues from previous years for each Area Committee are treated as a priority for decision and potential implementation in 2015/16.
- 1.18 An important element of this proposal is that regular 'dialogue', potentially through Committee Chairs, is established between the Environment Committee (as a main Theme Committee) and each Area Committee. The Theme Committee has an obligation to take a borough-wide view of priorities and it is reasonable to expect occasions when local and borough-wide priorities are not aligned. Area Committees will need to be able to balance these local priorities and ensure that they are getting good value from their budgets and to support them in doing this, the Environment Committee should establish relevant guidance for Area Committees to follow. As part of the commissioning process this guidance should be developed in consultation with Area Committees in order to ensure that there is transparency at all levels of the process. This guidance will be prepared and submitted to the July round of theme and area committees for consideration and approval.

Funding of Area Committee local priorities

- 1.19 Proposals are currently under discussion, subject to agreement from Policy & Resources Committee, to look at how the existing Area Committee budgets of £100,000 per annum could be augmented using the Community Infrastructure

Levy (CIL). The purpose of CIL is to provide, improve, replace, operate or maintain infrastructure which will help to address the impact of growth and development in a local area. CIL income varies year to year and area to area, depending on the number and size of developments which come forward in that area.

- 1.20 There is a regulatory requirement, in parished local authority areas, for ‘a meaningful proportion of CIL income to be allocated to neighbourhoods’, met by allocating 15% of the CIL income for each parish to the parish council. The purpose of this requirement is to bring some of the capital income derived from growth and development closer to the communities affected by it.
- 1.21 Because Barnet has no parish councils, the Council is not required to delegate CIL income. However, it is proposed – subject to agreement from Policy & Resources Committee – that to fulfil the spirit of the CIL regulations, Area Committees should be treated in the same way as parish councils and allocated 15% of the CIL receipts for their local area, to be capped at £150,000 per year and ring-fenced for spend on environmental schemes. The CIL income for each financial year is spent a year in arrears, so the 2014/15 income is not known until 2015/16.
- 1.22 In 2015/16 officers have also proposed that we amalgamate the CIL allocations for 2013/14 and 2014/15. This would support a more even distribution across Committees, with Chipping Barnet and Hendon both reaching their capped total and Finchley & Golders Green receiving over £100,000.

CIL allocations by Area Committee

	<i>2013/14 Income (actual)</i>	<i>2014/15 Income (projected)</i>	<i>15% net total</i>	<i>Capped Expenditure Budget</i>
<i>Chipping Barnet</i>	£97,352.97	£125,000	£222,352.97	£150,000
<i>Finchley & Golders Green</i>	£31,905.04	£80,000	£111,905.04	£111,905.04
<i>Hendon</i>	£2,877.93	£200,000	£202,877.93	£150,000

- 1.23 To put these figures into context, each Area Committee has developed a provisional work programme for 2015/16 (consisting mainly of highways and parking related issues) developed on the basis of all outstanding issues considered by each of the Area Committees not funded by core revenue budgets or by third parties (such as the LIP programme). For each Area Committee the value of the outstanding works has been estimated as follows:

Chipping Barnet	£312,000
Finchley & Golders Green	£400,000
Hendon	£50,000 (but likely to increase as a number of minor works are still subject to further design and consultation)

2. REASONS FOR RECOMMENDATIONS

- 2.1 Area Committees (and their predecessors) have played an important role in determining priorities as they affect the environment portfolio. Working in tandem with Residents' Forums, they also provide a mechanism for articulating ward-based issues that may not warrant consideration if viewed from a borough-wide perspective. However, after a year's experience of the new Committee system and working arrangements with new delivery partners (e.g. Re), a review of how issues are managed between the Environment Committee and each of the Area Committees is timely.
- 2.2 Furthermore, the recent experience of Members of Area Committees is that local issues appear to have been 'lost' within the complex process of determining priority funding from third party organisations like TfL for infrastructure improvements.
- 2.3 By reviewing and refreshing the process that govern local (Area Committee) and borough-wide (Environment Committee) service delivery, it is expected that a new relationship can be formed that enhances the Council's ability to deliver more locally focused programmes of work in response to local priorities.
- 2.4 For such work to be successful it is important that there is a process in place that engages local communities in a positive way and can demonstrate that local issues can be addressed quickly and effectively. This has not been the case in recent months and is one of the reasons that a review of Area Committees has been commissioned.
- 2.5 Given that many of the issues considered by Residents' Forums and Area Committees come under the jurisdiction of the Environment Committee, it is important that the relationship between each is clear, transparent and provides for two-way dialogue. Again, in recent months the perception is that the objectives, priorities of these locally focused meetings are not clearly aligned with programmes and initiatives being led by the Environment Committee.
- 2.6 Constitutionally, the Environment Committee retains overall responsibility for all aspects of environmental policy. However, the proposals set out in this report seek to redress the perceived imbalance between centrally-driven programmes (based on clear needs-based assessments) and more locally-

driven priorities (that may not score highly when considered across the range of borough priorities).

3. ALTERNATIVE OPTIONS CONSIDERED & NOT RECOMMENDED

- 3.1 The option to continue without any fundamental changes has been considered and discounted. The Area Committees play a vital role in ensuring that local priorities are discussed and inform the overall priorities of the Council. However, the current arrangements have led to a situation where the alignment between area-based and borough-wide programmes have become somewhat disjointed at best. This relationship needs to be resolved to ensure that the Committee system retains strong links with Ward Councillors and makes the most of opportunities to represent local views and opinions.

4. POST DECISION IMPLEMENTATION

- 4.1 Following consideration of this report by the Environment Committee at its meeting of the 11th June, any formal recommendations relating to the funding of the Committee will be submitted to the Community Leadership Committee on 24th June for discussion. This is because when Policy & Resources Committee approved the allocation of £100,000 a year for the subsequent four year to each of the three Area Committees, on June 10 2014, they also agreed that responsibility for deciding the governance arrangements for these budgets should be delegated to the Community Leadership Committee.
- 4.2 The processes described in section 1 of this report will be able to be implemented from July 2015 onwards and the tracking of progress on Area Committee issues referred to Environment Committee will feature as a standing item at each meeting of that Committee thereafter.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities & Performance

The effectiveness of the environment portfolio closely correlates with public perception about the quality and responsiveness of council services as a whole, and so will impact on the successful delivery of the Corporate Plan 2015 - 2020. For this reason ensuring locally based input into deciding and managing council priorities is important.

Public satisfaction with a range of environment and place-based services are tracked twice a year through the annual public satisfaction survey (conducted

each spring and autumn) and will provide detailed evidence of how well the new arrangements are working in addressing local priorities.

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

Area Committees have a budget of £100,000 per Committee per year for the four years 2014/15 to 2017/18, to improve their local areas. In the first year this funding was allocated through an open public grants process, predominantly to local community groups and projects. This report, in paragraphs 1.19-1.23, sets out proposals for these monies to be added to by a further sum of up to £150,000 per Committee per year, to be funded from the Community Infrastructure Levy (CIL) and spent with due regard to the conditions which surround CIL, subject to agreement from the Policy & Resources Committee. These proposals will be taken to Policy & Resources Committee in July 2015.

In relation to the potential highways projects, Re will need to work closely with relevant delivery partners to ensure that items referred to Environment Committee and/or delivered through the Area Committee as discretionary projects can be implemented without significantly affecting relevant planned / programmed works.

5.3 Legal & Constitutional References

Council Constitution, Responsibility for Functions, Annex A – sets out the terms of reference of the Residents' Forums, Area Committees and Environment Committee.

5.4 Risk Management Issues

The lack of action in regard to outstanding highways schemes has the potential to damage the reputation of the Area Committees and the Council as a whole, as local expectations have been raised and have not been followed by either the delivery of local schemes or clear communication in regard to the status of the proposals. The proposals set out in this report and in the linked report to the Community Leadership Committee are designed to mitigate this risk.

5.5 Equalities and Diversity

The local allocation of funding and delivery of projects and initiatives based on local need will support the Council's principles of fairness, responsibility and opportunity. Equality Impact Assessments will be carried out on any relevant decisions made by the Area Committees.

5.6 Consultation & Engagement

The relationship between Area Committees and Residents' Forums is a critical part of the Council's commitment to public engagement. If the process is perceived as being 'clumsy' or not relevant because local priorities cannot be discussed and actions progressed then it will become moribund. The proposal to create a process for area committees to determine and prioritise local projects will go a long way to build more effective links between the Council's decision-making processes and the needs of local communities.

6 BACKGROUND PAPERS

- 6.1 [Area Environment Sub-Committees - Draft Funding Arrangements](#) (Policy & Resources Committee, 10 June 2014).
- 6.2 [Area Sub-Committees - Budget Allocation Draft Framework](#) (Community Leadership Committee, 25 June 2014).
- 6.3 [Developing a Community Participation Strategy for Barnet](#) (Community Leadership Committee, 25 June 2014).
- 6.4 [Community Participation Strategy: Area Committee Budget Arrangements and Wider Community Funding](#) (Community Leadership Committee, 11 September 2014).
- 6.5 [Community Participation Strategy: Implementation Plan](#) (Community Leadership Committee, 11 March 2015).