



ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE AGENDA

7.30 pm

Tuesday
30 October 2012

Town Hall, Main Road,
Romford

Members 7: Quorum 3

COUNCILLORS:

Jeffrey Brace (Chairman)
Dennis Bull
Linda Trew
Billy Taylor

John Mylod (Vice-Chair)
Barbara Matthews
David Durant

For information about the meeting please contact:
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AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) – received.

2 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting of the Committee held on 2 October 2012 and authorise the Chairman to sign them.

5 HAVERING FRIENDS OF THE EARTH (Pages 7 - 8)

The Committee will receive a briefing from representatives of Havering Friends of the Earth on their concerns.

6 UPDATE ON THE CARBON REDUCTION COMMITMENT AND ENERGY SAVING MEASURES (Pages 9 - 12)

The Committee will receive a report with an update on the Carbon Reduction Commitment and other Energy Saving Measures that have been put in place.

7 BLUE BADGE ENFORCEMENT

The Committee will receive a verbal report on the Blue Badge Enforcement process together with update on the assessment progress.

8 RIVER ROM MAINTENANCE

The Committee will receive a verbal brief on the maintenance of the River Rom.

9 SERVICE PERFORMANCE INFORMATION (Pages 13 - 30)

The Committee will receive performance information for services within its remit.

10 FUTURE AGENDAS

Committee Members are invited to indicate to the Chairman, items within this Committee's terms of reference they would like to see discussed at a future meeting. Note: it is not considered appropriate for issues relating to individuals to be discussed under this provision.

11 URGENT BUSINESS

To consider any other items in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Ian Buckmaster
Committee Administration and
Member Support Manager**

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Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
Town Hall, Main Road, Romford
2 October 2012 (7.30 - 9.50 pm)**

Present:

Councillors Jeffrey Brace (Chairman), John Mylod (Vice-Chair), Linda Trew, Billy Taylor and Nic Dodin (In place of Barbara Matthews)

Apologies for absence were received from Councillor Dennis Bull, Councillor David Durant and Councillor Barbara Matthews

4 MINUTES

The minutes of the meeting of the Committee held on 12 June 2012 were agreed and signed by the Chairman.

5 SCORES ON THE DOORS UPDATE

The Committee received a presentation on the National Food Hygiene Rating Scheme. This was an update on the previous scheme called "Scores on the Doors" which the Committee had been briefed on in the previous year. Since this was not an award scheme it had been agreed to join the national scheme.

The scheme comprised six tiers from 0 – 5, with 0 being urgent improvement necessary and 5 being very good. The criteria on the rating was based on three areas; hygiene and safety procedures, structure and cleaning and confidence in management. The Committee noted that 3 was classed as broadly compliant and anything below 3 meant there was serious non-compliance in some areas of food law. This meant that further action from the food safety division would always follow. Premises that fell below 3 would not automatically be re-rated on these follow up visits. The brand standard requires a standstill period of three months before a re-rating inspection can be requested to ensure that any improvements are sustained.

The Committee were shown the website and informed that there was an Ipad/Iphone app which could be used to check the rating of any business. The live system launched in June 2012, and the Food Standards Agency had paid for a central mail out of letters informing businesses of the change together with new certificates and stickers in the week before the launch.

Officers explained that the display of stickers and certificates stating what rating the business had been given was voluntary.

Members asked if the scheme was compulsory and as the display of stickers and certificates was voluntary, how could customers check the business was compliant. The officer explained that inspections were compulsory as Environmental Health were obliged by the FSA to inspect all businesses. Both the FSA and Environmental Health were encouraging businesses to display their stickers and certificates. Wales had already moved to mandatory display of stickers and certificates.

If a business is not happy with the rating they have been given, they can appeal within a 14 day period or ask to be revisited after 3 months.

Members asked what happened if a good restaurant was to fail? Officers explained that the rating is removed at each inspection ready for the new one to be sent. Risks could include lack of staff training, failure to implement management systems and controls as well as poor maintenance and cleaning. These types of issues can affect the overall rating. If there was no documented management system, then the score has to be 20 under confidence in management which brings the rating down to 1. The Committee noted that the score ratings were from 0-25 for Hygiene and Safety, 0-25 for Structure and Safety and 0-30 for Confidence in Management. The latter included looking at previous history and completing a mapping exercise to come to the final score.

The officer explained that inspections are carried out unannounced, often in the evening and at weekends. It is important to inspect the business during its busiest time as well as at quiet times.

The Committee noted that there were only 3 businesses in the borough that had a rating of 0 and 139 on a rating of 1. The officer explained that those businesses rated 0 were at the point of prosecution or closure. The businesses with a rating of 1 had been inspected and revisited and had taken steps towards food law compliance but the rating could not be changed until after the standstill period and only then if the business requested the visit. A number of premises were awaiting inspection as newly registered businesses or had changed hands and required a re-inspection. The officer stated that if businesses are non-compliant then officers would work with them to put measures in place and help them comply. The enforcement policy allowed escalating action to ensure compliance. It was the responsibility of the food business to comply with food law.

A member raised concern about the rating of Queens Hospital. The officer explained that Queens Hospital had been rated as 5, and had stringent guidelines issued by the NHS on the standard of food served. The officer explained that, as with all inspections, the quality of the produce is inspected to ensure it is fit for human consumption, but there are differing levels of quality based upon cost. The food served to patients at the hospital

is produced elsewhere, chilled and frozen and reheated at the hospital. There were strict cook-chill guidelines issued by the food standards agency which the hospital observed for this type of food production and service. As with large businesses like Queens Hospital an industrial microwave is used to ensure consistency.

Food sampling is carried out in the Borough in accordance with regional and national programmes. The officer mentioned a recent scam which involved substitution of a cheaper grade of rice and mixing it with basmati rice and although this was not unsafe, it was misleading and illegal.

The officer explained the difference between Best Before Dates and Use by Dates. Food should not be consumed after the use by date had expired. Notice should also be taken of the explanation on the packet detailing how long the food should be kept once opened. Best before dates are only an indication of quality so food can be consumed after the best before has expired unless it is obviously mouldy or unfit.

Members enquired as to whether a charge can be made to the business for the inspections. The officer informed the Committee that charging was not allowed by law. The Officer stated that if the law changed they would wish to possibly charge businesses rated 0,1 or 2 as they were the ones that created the work for the department as they were not compliant with food law.

The Committee thanked the officer for an informative presentation.

6 BLUE BADGE CRITERIA

The Committee received a brief update on the Blue Badge Assessment process. The issuing of Blue Badges was outsourced by TfL to Northgate. There are two criteria for obtaining a blue badge, one by automatic qualification and the other by assessment. The Committee were informed that between 70 and 100 applications were received a week. Given the change due to the outsourcing there had been backlogs due to the high demand. A second assessor had been employed bringing those that were awaiting assessments down to 10%

The Committee raised concerns about badges being issued wrongly in the past. The Officer stated that as this was now a national system the badges would not be issued wrongly as checks were in place.

The Committee asked for information on the percentage of badges that had not been reissued and the reasons why. It was agreed that a full update would be given at the next Committee meeting.

7 HIGHWAY CLAIMS

The Committee received a presentation on Highway Claims. The Committee noted that under section 41 of the Highways Act 1980 the Highway Authority is responsible for “highways maintainable at the public expense” and has a statutory duty to maintain that highway. For Havering this includes all roads and pavements currently defined in the Highways Register, which is updated by Legal Services, and is a graphical representation of the adopted highway.

The Committee noted that if someone wishes to make a claim, they have up to 3 years from the incident date in the case of personal injury, and up to 6 years for property damage.

The Committee were informed that a Highway Incident Report Form (HIRF) was introduced some years ago to aid residents in submitting a claim for compensation. This included detail such as national insurance number and date of birth. Assistance could be given in completing the form however it was down to the claimant to explain how the incident happened. It was noted that if the claimant had a solicitor then the HIRF was not used. The Committee were given details of the number of HIRF forms sent out and those returned over the last 5 years. The Committee noted that there were more sent out than were returned.

Details of how a claim is investigated were explained to the Committee from the receipt of the HIRF or Solicitor’s letter of claim, through to the review of outcome. As soon as a defect or claim is reported officers go out and check the location. The location has to be agreed by both parties through a joint meeting if necessary.

There were 6 officers who carried out 6400 planned inspections along with 4800 ad hoc inspections, with approximately 6000 works orders raised per annum. All defects identified for repair must be repaired within strict timescales.

Members asked about damage caused by contractors. Officers explained that whilst this did not fall within the subject of highway claims, it did fall under reclaiming costs. The Committee were informed that the Council would endeavour to reclaim the cost of any repairs necessary, where

damage had been caused to the public highway, by either contractors or private residents.

Officers explained that there was always ongoing maintenance of the public highway. Accidents could happen at any time, whether these are due to actionable defects or not. Due to the planned and ad-hoc inspections that were carried out, the Council had a section 58 defence in Court against third party claims, but also prevented accidents occurring in the first place.

Where an actionable defect had been identified, this was repaired within the strict timescales. If an accident occurred on an identified actionable defect which had not been repaired within the appropriate timescale, then the Council may be deemed to be liable, but this is not always necessarily so as there may be justifiable reasons why the defect had not been repaired. The Committee requested that an estimate of the mileage of scheduled inspections be made available. Officers agreed to provide this to Committee Members.

The Committee were informed of the number of tripping claims attributed to footways and carriageway and claims of damage to vehicles caused by defective carriageways over the last 6 years, together with the cost of the claims and the potential cost savings.

The Committee were informed of future threats and challenges that may affect the service including reduction in the number of officers which could have a detrimental effect on the number of accidents that occur, the authority's ability to successfully defend claims and the budget spend on reactive maintenance. There were a number of IT systems that could assist but all current system had issues and would have a knock on effect in the Council's ability to successfully defend claims.

8 SERVICE PERFORMANCE INFORMATION

The Head of Streetcare tabled the Performance Information to the Committee, however due to the time taken on previous items, the Chairman stated that if members of the Committee had any questions they should be directed to the officer after the meeting.

9 FUTURE AGENDAS

A member of the Committee requested that a written quarterly report be given on the budget information appertaining to the Committee. The Chairman stated that budgetary information could only be sought through the Value OSC, and suggested that members write with their requests to the Chairman of the Value OSC.

The Committee discussed a letter which had been sent to all members of the Council from the Havering Friends of the Earth stating that they wished to speak with members about their concerns and campaigns. It was agreed to invite representatives to the next meeting.

Chairman

HAVERING FRIENDS OF THE EARTH

NOTES FOR THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

OCTOBER 30TH, 2012

1. Energy - Renewables

According to the recent Ofgem Report, by the winter of 2015 Britain runs the risk of not having sufficient power generating capacity. This will mean power cuts and rises in energy bills.

We think - the council should be making more capital investment in renewable energy. More council buildings need to be targeted for PV panels. Chafford and Whybridge Infant Schools should act as a template for the whole school estate in the borough.

2. Energy – Savings

In many low and high rise council blocks communal lighting is often left on for 24 hours a day with 28 watt fluorescent bulbs. LED lighting makes use of 15 or 11 watt bulbs.

We think - the council should be replacing all lighting in communal areas with LED lighting. TMOs can use match funding to ease the financial burden.

3. Recycling in Low and High Rise blocks.

Landfill Tax is now £64 per tonne. Opportunities for recycling need to be maximised if the council is going to reduce this penalty. Yet on one estate Orange Euro bins are overflowing on a daily basis. New schemes need to evolve to create the right ethos with tenants and housing officers.

We think - recycling needs to target high and low rise blocks, beginning with training for council officers who then need to reach out to TMOs and tenants via newsletters and meetings. A significant amount of tonnage is being wasted and this means greater financial penalties for the Havering council tax payer.

OVERVIEW AND SCRUTINY COMMITTEE

Subject Heading:	Update on the Carbon Reduction Commitment and Energy Saving Measures
CMT Lead:	Cynthia Griffin, Group Director Culture & Community
Report Author and contact details:	Claire Thompson, Corporate Policy and Community Manager Claire.thompson@havering.gov.uk 01708 431003
Policy context:	<p>The Carbon Reduction Commitment is a statutory obligation placed upon the council as part of the Climate Change Act (2008) and subsequent CRC Energy Efficiency Scheme (2010) to reduce carbon emissions and improve energy efficiency.</p> <p>The council has a climate change strategy to save energy and reduce its carbon footprint and in turn the amount of carbon credits it needs to purchase.</p>

SUMMARY

The Council is complying with the CRC Energy Efficiency Scheme obligation to report its energy usage to the Department for Energy and Climate Change. Its total carbon allowance bill for 2011/12, which was paid for from the Council's 2012/13 budget, was £280k.

The Council has made good progress over the last year in the delivery of its climate change strategy and action plan, which will help to reduce the cost to the Council in purchasing CRC allowances in the future, as well as reducing our overall 'carbon footprint'.

RECOMMENDATIONS

There are no recommendations arising from this report, it is for noting only.

REPORT DETAIL

1. Background

- 1.1 This report provides Members with an update on the Carbon Reduction Commitment and the actions which the council has taken to improve its energy efficiency this year.

2. Carbon Reduction Commitment

- 2.1. The Carbon Reduction Commitment (CRC) is a mandatory scheme aimed at improving energy efficiency and cutting emissions in large public and private sector organisations. Together, these organisations are responsible for around 10% of the UK's emissions. Organisations with energy usage of over 6 million kWh are obliged by law to report their energy consumption figures back to the Department for Energy and Climate Change. They are then required to purchase 'carbon credits', the charge for which is calculated according to their consumption.

The scheme features a range of reputational, behavioural and financial drivers, which aim to encourage organisations to develop energy management strategies that promote a better understanding of energy usage.

A performance league table, prepared by the Department for Energy and Climate Change, ranks the council alongside all the other public and private sector organisations required to partake in the CRC.

2.2 Carbon credits purchased by LBH

- 2.2.1 The scheme places an obligation on local authorities to purchase allowances to cover their 2011/12 emissions at the end of the 2011/12 compliance year. For LBH, our total emissions in 2011/12 was **23000 tonnes**. The total carbon allowances paid by the council for 2011/12, which came out of the 2012/13 budget, was £280k.

- 2.2.2 Of this 60%, £168k, was related to carbon emissions from schools. Under the current scheme the local authority is responsible for purchasing the carbon allowance for schools in their area, this includes academies. The schools element is paid for from the Delegated Schools Grant (DSG).

- 2.2.3 It is worth noting that the Council's carbon emissions (excluding schools) for 2011/12 were down by 10% compared to 2010/11. This has been achieved through the reduction of buildings through the Corporate Office Property Strategy, which saw the discontinued use of Scimitar house, Whitworth Centre etc, and a range of energy efficiency measures implemented.
- 2.2.4 The CRC is under review by the Government as part of a consultation into simplifying the scheme. However it is very likely to be still in place for next year with a few simplification changes. How schools are dealt with, including who is responsible for their CRC charges, may change following this consultation.

3. Energy Efficiency measures update

- 3.1 In line with its commitment to reduce its carbon footprint set out in the climate change strategy, as well as the need to reduce the financial cost of having to purchase carbon credits, the Council has delivered a range of energy saving measures over the last year.
- 3.2 The main focus has been on lighting (buildings and street lighting), which accounts for approximately 45% of the Council's total electricity consumption.
- Energy efficient Light Emitting Diodes (LED) have been installed in the Town Hall and all subways also now have LED lighting installed. LED lights use up to 75% less energy than conventional light sources and last up to ten times longer. LED lighting are an excellent 'invest to save' investment, and have an average simple payback of 5.5 years.
 - All road signs under the control of the Council (but not those controlled by the Highways Agency) are now lit by LEDs and operate only dawn to dusk, instead of a 24 hour operation, which is a more efficient use of energy.
 - The Angel Way multi-storey car park is now lit completely by LED lighting.
 - Four schools/academies have also undertaken lighting conversion to LEDs
- 3.3 Of the £486k that the Council has spent on energy efficiency projects (paid for through the Climate Change earmarked reserve) between 2010 and 2012, an saving of £88k per annum in energy costs has already been realised.
4. The Energy Strategy Team are now developing a business case to reduce the costs of street lighting by investing in new LED technology, which will also make street lights brighter, helping to make people feel safer in the dark.

IMPLICATIONS AND RISKS

Financial implications and risks:

Carbon Reduction Commitment

The Council's CRC 'charge' for 2011/12 amounted to £280k. This was budgeted for corporately. It is anticipated that this figure may rise next year due to changes in the calculation of the charge, which this year did not include street lighting, and this is being budgeted for.

The Government is currently consulting on the CRC scheme, and this may also have an impact on the total amount the council is liable for, including provision for schools. Officers are monitoring this situation closely.

Energy Efficiency

In 2009, the Cabinet allocated £880k to a dedicated capital reserve to support the implementation of the climate change action plan. This was also accompanied by £50k as an earmarked revenue reserve to support the Council's proactive energy efficiency programme on an invest-to-save basis. The provision of capital funds has enabled the council to obtain a further £250k external funding from Department of Energy and Climate Change's Salix fund. The Council's own budget and that of Salix are used as a recycled pot of funding, by which energy savings are recycled back into the capital pot to enable further projects to be carried out.

To date, £486k has been spent, with £394k remaining. From this, at least £88k annual savings have so far been generated.

Legal implications and risks:

The Council must comply with statutory Carbon Reduction Commitment Energy Efficiency Scheme (2010), and purchase CRC allowances depending on the Council's total energy consumption for that year, or face significant financial penalties.

Human Resources implications and risks:

There are no HR implications or risks arising from this report.

Equalities implications and risks:

There are no equalities implications or risks arising from this report.

BACKGROUND PAPERS

**Environment Overview & Scrutiny Committee
Performance Report
Period: September 2012**

































