Minutes of the Sustainable Development Select Committee
Tuesday, 30 June 2015 at 7.00pm

Present: Councillors Liam Curran (Chair), James-J Walsh (Vice-Chair), Amanda De Ryk, Carl Handley, Mark Ingleby, Olurotimi Ogunbadewa, and Paul Upex.

Apologies: Bill Brown, Suzannah Clarke and Eva Stamirowski.

Also present: Rob Holmans (Director of Regeneration and Asset Management), Kplom Lotsu (Project Manager, Asset Strategy and Development), Bernard Ofori-Atta (Service Manager, Technology and Change), Martin O'Brien (Sustainable Resources Group Manager), Vince Buchanan (Green Spaces Contracts Manager) and Roger Raymond (Scrutiny Manager).

1.   Minutes of the meeting held on 11 May 2015

1.1   RESOLVED: That:

       The minutes of the meeting held on 11 May 2015 be signed as an accurate record of the meeting.

2.   Declarations of Interest

2.1   There were no declarations of interest.

3.   Mayoral Response (Asset Management Strategy - Highways)

3.1   The Chair informed the Committee that a Mayoral Response to their comments had been received. Mayor and Cabinet agreed to endorse the Committee's recommendation in full, as the Council was committed to reviewing the Asset Management Strategy (Highways) to ensure that it was aligned with Lewisham's commercial revenue from shop front licensing and income was maximised where appropriate.

3.2   RESOLVED: That the Committee note the response from Mayor and Cabinet.

4.   Asset Register - SharePoint Demonstration

4.1   Rob Holmans (Director of Regeneration and Asset Management), Kplom Lotsu (Project Manager, Asset Strategy and Development) and Bernard Ofori-Atta (Service Manager, Technology and Change) gave a presentation to the Committee. The key points to note were:

   •   In order for the Council to make good business decisions regarding its assets, it must have accurate data, a fit-for-purpose asset management system and effective support structures, systems and processes in place.

- In order to mitigate risks and to support the division in maximising the use of the estate, it was proposed that a single integrated asset management system (AMS) to consolidate all asset-related information, and which could be used by both the Council and its partners/contractors to proactively maintain and manage our assets, should be developed.
- The AMS was originally created on MS Access, but as this is generally used for small systems, a larger management system had to be developed, and had to receive corporate 'buy-in' to ensure that it could be supported properly by a dedicated team. This is the system which is now operated via SharePoint.
- The AMS has a number of modules as outlined in the report, including Properties, Projects & Programmes, Reactive Maintenance and Planned Maintenance.
- An audit of IT capacity will be carried out, so that the AMS can retain more information, and thus be more effective.
- Officers are developing a colour-coded mapping system for assets in the borough.
- The visual demonstration of the AMS showed the level of information that could be stored in the system once it is at full capacity.
- Officers hope to complete the transfer of all the information from the MS Access database by the end of July 2015. Once they have run a 'test system' to ensure that all parts of the new system is fully functional, it will be rolled-out module by module.
- The intention is that the AMS will be operational by Autumn 2015.

4.2   In response to questions from the Committee, the following was noted:

- All assets that were on the Asset Register presented to Mayor and Cabinet last year would be on the new AMS.
- Some aspects of ICT-support for AMS will be affected by the new partnership arrangement with the London Borough of Brent in respect of ICT. However, the AMS is incorporated into the overall SharePoint strategy.
- The old MS Access system was just a Departmental-led system, but now the Council has decided to develop a fully functional AMS, it has complete corporate support.
- Most of the AMS is fully integrated. However, some areas like the Council's financial management system would need to be looked at to come up with the best solution to 'interface' them with the AMS.
- The new AMS should be able to flag up issues such as lease renewals for example, and produce management information reports so that senior officers can take a strategic overview in respect of the assets the council owns.
- Asset Management officers will talk to Planning officers about the Planning Directorate's ideas to update its ICT management systems.
- The AMS provides users with a text box that can allow the system to use keywords to search for the relevant information.
- Officers hope to recruit a full quota of staff that will allow for the AMS to be regularly updated and managed.
- Officers will look to provide Councillors with restricted access to the AMS for references and queries.
- The AMS does have an 'Urban File' category, as defined in the Council's Strategic Asset Management Plan, but more work needs to be done to populate

this information on the system. The AMS will also help the Council achieve some of the objectives in the Strategic Asset Management Plan by producing better management information to help the Council carry out its duties.

4.3   RESOLVED: That the Committee:

a) Is pleased with the progress that has been made by officers in creating a corporate AMS.
b) Envisage that the Asset Register will help the Council manage the public realm and help with enforcement by using the information created by the Asset Register.
c) Hope that the Council is able to use the AMS to create more revenue and resources to help deliver its services.

5.   Sustainable Consultancy

5.1   Martin O'Brien (Sustainable Resources Group Manager) presented the report to the Committee. The key points to note were:

- Reorganisation across the Council has led to a reduction in the number of posts directly involved in sustainability, climate change and fuel poverty, while at the same time increasing the grade of the main post with responsibility for this work. It was also led to a new income budget of £50,000 has been established from 2015/16.
- Council officers in sustainability, climate change and fuel poverty are developing a proposal to reach their new income target, which would consist of creating a new consultancy service on sustainability, climate change and energy.
- In terms of the legal structure for the proposed sustainability consultancy, there are four main options being considered:
    o use of existing powers: case law has determined that the Local Government (Goods and Services) Act, 1970 allows local authorities to trade for profit under this Act, but limits this trading to other public sector bodies
    o a joint venture, shared service or joint commissioning: is potentially time-consuming and only provides a mechanism to work with specific organisations and so limits the scope of the service
    o wholly-owned company: the General Power of Competence introduced in the Localism Act 2011 enables local authorities to trade in relation to non-statutory functions and outside of their administrative boundaries, albeit they have to trade through a corporate medium
    o purely commercial consultancy, entirely separate from the Council: this would mean the loss of the dedicated resource for the borough.
- The initial view is that setting up a wholly owned company would enable the function to provide services to any organisation and would also allow charging rates to be set at a level which could generate a profit regardless of the customer.
- Officers will put together a Business Case, and the Business Case would need to cover a number of issues that could have a significant bearing in relation to the choice of appropriate legal structure. These issues consist of:

   o scoping out all potential set up costs for the proposed service and identify how these will be met

   o a clarification of the position in relation to internal charging (for example in relation to communications, legal, financial, property services, HR and other support)

   o clarifying the situation with regards to VAT.

- Officers propose presenting their findings and business case to Mayor and Cabinet later in 2015 for decision.

5.2 In response to questions from the Committee, the following was noted:

- The proposal being envisaged would be a consultancy delivering services for Lewisham residents and meeting the borough's needs, as well as bidding for other projects/funding that would consist of work outside of the borough. The Council already carries out work in the areas of sustainability, climate change and fuel poverty in other London boroughs, and the creation of a sustainability consultancy will allow this work to be developed further.

- The Council already looks to access European Union (EU) funding for projects. This is usually provided on a 'matched funding' basis; however the bidding process does take up a significant amount of officer time.

- The logistics of how the consultancy would work in respect of Transfer of Undertakings (Protection of Employment) (TUPE) rules etc. still need to be finalised with Human Resources/Legal.

- The Consultancy would operate under current Council's initiatives such as paying the Living Wage to its employees.

- The consultancy would set up a system to resolve potential 'conflicts of interest' when bidding for work outside the borough. The consultancy would look to ensure that it always looks for the best deal for Lewisham's residents.

- Lewisham works with a number of partner organisations to tackle fuel poverty through a number of initiatives such as retrograde fittings.

- Council officers have liaised with South East London Community Energy about some of their initiatives, such as installing renewable energy, specifically solar arrays, on the roofs of community buildings and schools.

5.3 RESOLVED:

That the Committee recommend to Mayor and Cabinet (once the proposal has been agreed) that they support the proposal in principle to set up a Sustainability Consultancy.

6. **Street Lighting**

6.1 Martin O'Brien (Sustainable Resources Group Manager) presented the report to the Committee. The key points to note were:

- The ability to vary lighting intensity and times creates an opportunity to mitigate the pressures on Council budgets from rising energy costs. It is also an opportunity to reduce the carbon emissions associated with energy consumption. Dimming lighting levels will also reduce light pollution levels and consequently may have potentially beneficial effects for biodiversity.

- There are three variables that need to be considered in determining the approach to dimming. These are:
  - The characteristics of the locality
  - The timing of varying the lighting levels
  - The degree to which lighting levels are dimmed.
- The report outlined how localities have been classified to show levels of expected night-time activity.
- The report lists various options for varying the lighting, as the Central Management System allows limitless options in terms of setting the timings for variable lighting and the level of dimming that can be achieved.
- The report sets out three potential options for dimming:
  - Dim down from 100% by 25%
  - Dim down from 100% by 50%
  - Dim down by 100% (switch off) (turning lights off completely for a defined period, is not considered to be a viable option for any of the lit areas)
- Based on the considerations outlined in the report, the following options are proposed:

Use	Option 1		Option 2		Option 3	
	9-12pm	12-5:30am	9-12pm	12-5:30am	9-12pm	12-5:30am
Low	25%	25%	25%	50%	50%	50%
Medium	25%	25%	25%	50%	50%	50%
High	0%	25%	0%	50%	25%	50%

- Before finalising a proposal for Mayor and Cabinet it is proposed that the dimming is trialled. Officers will come back to the Committee to update on the findings of the trials.

6.2 In response to questions from the Committee, the following was noted:

- Officers are looking at the best way to communicate the work to residents, with an announcement on the Council website most likely.
- The Central Management System is managed individually on a lamp-to-lamp basis, but too much differentials in lighting across a number of lamps will make the task more labour intensive and also prone to error.
- Officers are liaising with the Emergency Services to ensure that their main artery roads are unaltered.
- Officers will look to provide some analysis to show the cost reduction from dimming the lights, and the cost reduction when you compare the new lights with the old lights they replaced.
- Officers should also be able to provide the carbon savings figures from the different options proposed.
- Officers would inform the Committee on the standard procedure for the replacement of lampposts under the Skanska contract, and whether there are any exemptions apart from 'heritage' lampposts.

6.3 RESOLVED:

That the Committee note the report.

7.   Borough Parks – Byelaws

7.1   Vince Buchanan (Green Spaces Contracts Manager) presented the report to the Committee. The key points to note were:

- The Council's Legal Department has chosen the 'model set' of Department of Communities and Local Government (DCLG) byelaws which best fit Lewisham's Parks in general and the Department for Environment Food & Rural Affairs (DEFRA) 'model set' of byelaws for Blackheath. No changes to the wording of the of the Model byelaws is permitted by the Government departments.
- The Council's Legal Department have selected the DFRA set for Blackheath due to its status pursuant to the Metropolitan Commons Supplemental Act 1871 and section 15 of the Open Spaces Act 1906.
- Where there is a more authoritative piece of legislation is in place, for example the Environmental Protection Act and the Clean Neighbourhood and Environment Act, these matters are not dealt with under byelaws; therefore there is no mention of litter or dogs within the model bylaws. The maximum fine for breach of a byelaw is £500, however, in most cases a written caution will be given by Council officer or a trained member of Glendale's parks services team.
- The DCLG and DEFRA have given their provisional approval to the revised byelaws. The next stage in the process is for the byelaw to receive Mayor and Cabinet and Full Council approval. Once they have been approved, the Council must advertise the byelaws in the local press and hold them on deposit for one calendar month from the date of the publication in the press.
- Members of the public may offer an objection to the application for confirmation of the byelaws with objections going directly to DCLG/DEFRA. Should any objections be received they would be forwarded to the Council for comment before a decision is taken to formally confirm by the Secretary of State for DCLG. The newly adopted byelaws would come into force one month from the date of its confirmation.

7.2   In response to questions from the Committee, the following was noted:

- The park byelaws are generally used as 'a last resort'; the objective is to be reasonable with park users unless they are uncooperative, such as when making excessive noise as to annoy other park users or when they may ignore or dispute an approach by Glendale staff or a council officer, for example. Glendale provides a parks services team and they can be contacted to make a complaint in the first instance. More serious complaints should be made direct to the police.
- The prohibition of BBQs and tree climbing in the borough's parks are covered in the byelaws. Both these matters are included in the model byelaws for health and safety and environmental reasons.
- Where the existing criminal law deals with a problem, the Council is unable to duplicate that in a byelaw. The existing criminal law covers issues such as dog fouling, littering and fly-tipping and in most cases imposes a higher maximum penalty than would apply under the byelaws.
- The Horniman Play Park (Triangle) is covered by the byelaws.
- Officers will check the byelaws to clarify whether it covers unauthorised car parking on the Blackheath.

- The byelaws would be reviewed after a number of years to ensure that they are still 'fit-for-purpose'.

7.3   RESOLVED:

That the Committee note the report.

8.   Modern Roads Report

8.1   The Chair reported that the report would be deferred to allow more time for the Chair to evaluate its findings before being re-submitted to the Committee at the next meeting to allow recommendations to Mayor and Cabinet to be discussed.

9.   Select Committee Work Programme

5.1   Roger Raymond (Scrutiny Manager) introduced the report. The key points to note were:

- The items scheduled for the September meeting were as follows:

    o   Lewisham Future Programme
    o   High Streets Review – Report
    o   Planning obligations/regulations
    o   Progress of neighbourhood forums and Neighbourhood planning
    o   Community Budget - work with Lambeth and Southwark to support our vulnerable residents into work
    o   Bakerloo Line consultation

9.2   In response to questions the Committee agreed to have the following items at the September and October meetings:

    15 September 2015:

    o   Lewisham Future Programme
    o   High Streets Review Report
    o   Modern Roads Review Report
    o   Progress of neighbourhood forums and Neighbourhood planning
    o   Bakerloo Line consultation Update – Information Item

    22 October 2015

    o   Planning obligations/regulations Update
    o   Community Budget - work with Lambeth and Southwark to support our vulnerable residents into work (Now to be called 'Working Skills Strategy')
    o   Catford Regeneration Programme Review Scoping Paper
    o   Progress on Pubs and register of assets of community value
    o   Borough-wide 20mph zone implementation

10.   Items to be referred to Mayor and Cabinet

10.1   The Committee made a referral to Mayor and Cabinet at 5.3.

The meeting ended at 9.20pm

Chair:

Date: