

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**CABINET SCRUTINY COMMITTEE**

Minutes from the Meeting of the Cabinet Scrutiny Committee held on Thursday, 16th April, 2015 at 6.00 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX

PRESENT: Councillor
Councillors

An apology for absence was received from Councillor

1 **PRESENT**

PRESENT:

Councillors C Joyce (Chairman), J Collop, P Foster, I Gourlay, J Loveless, A Lovett, G McGuinness (substitute for J Collop), Mrs K Mellish, Miss S Sandell, J M Tilbury and D Whitby

Portfolio Holders:

Councillor A Beales – Portfolio Holder for Regeneration and Industrial Assets

Councillor N Daubney – Leader of the Council and Portfolio Holder for Resources

Councillor B Long – Deputy Leader and Portfolio Holder for Environment

Management Team/Officers:

Ray Harding – Chief Executive

Matthew Henry – Property Services Manager

Debbie Gates – Executive Director, Central and Community Services

Dave Robson – Environmental Health Manager (Commercial)

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Collop and T Manley.

3 **MINUTES**

The Minutes of the Meeting held on 19 March 2015 were agreed as a correct record and signed by the Chairman.

4 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

5 **DECLARATIONS OF INTEREST**

There was none.

6 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There was none.

7 **CHAIRMAN'S CORRESPONDENCE**

There was none.

8 **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

At the meeting on 19 March 2015 the Cabinet Scrutiny Committee made the following recommendations to Cabinet with regard to the proposed Members ICT Solution:

(1) That recommendation 2) should be amended to read that 'a 3G card would be provided on request' rather than on an exceptions basis.

(2) That the Health and Safety impact on Councillors be examined.

(3) That the tax and benefit implications for Members on the proposals as a whole be examined.

CABINET RESPONSE: The Cabinet accepted the recommendations.

9 **MATTERS CALLED IN PURSUANT TO STANDING ORDER 12**

There was none.

10 **SCRUTINY OF CABINET/PORTFOLIO HOLDERS' DECISIONS**

CABINET REPORT – AIR QUALITY ACTION PLAN

The Chairman informed the Committee that he had invited M J Rae to the meeting as a witness. M J Rae was a representative of the Bicycle Users

Group.

At the request of the Chairman the Portfolio Holder for Environment explained that the production of an Air Quality Action Plan was a statutory duty for Local Authorities which had declared an Air Quality Management Area and the Action Plan suggested measures which could assist in improving the air quality in the Management Area.

The Chairman invited M J Rae to address the Committee. M J Rae explained that he had attended the meeting on behalf of the Bicycle Users Group, who had responded to the consultation. The Bicycle Users Group's response to the consultation was included within the Cabinet report. M J Rae commented that individual responses and group responses were given equal weight. He explained that there were over one hundred members of the Bicycle Users Group.

M J Rae referred to the Air Quality Action Plan Summary which set out the measures which could be implemented to assist with improving air quality. He referred to the suggestion that the Hardings Way bus route could be opened up to Taxis and Private Hire Vehicles to remove traffic from London Road. M J Rae stated that the report indicated that this measure would have a medium impact and be cost neutral.

The Chairman invited questions from Members of the Committee to the Portfolio Holder.

Councillor McGuinness referred to the suggested measure to open up the bus route to Taxi and Private Hire Vehicles and felt that South Lynn residents who used the route as pedestrians and cyclists would be unhappy with the additional vehicles to contend with. He also raised concern that it was easy to see a bus coming, but it would be more difficult to see smaller vehicles approaching and they would be obscured around corners.

The Portfolio Holder for Environment explained that the Air Quality Action Plan set out measures which could be implemented to improve air quality in the future and further testing and consultation on the measures would be carried out to see if they were feasible and would have a measurable effect on air quality. He confirmed that no decisions had been made on the possible future use of Hardings Way. The Portfolio Holder for Environment referred to the consultation responses and explained that no adverse comments had been received from the Taxi trade on the suggested measure. The Portfolio Holder referred to other Bus Lanes in the Country which were already opened up to Taxis and Private Hire Vehicles. Councillor McGuinness commented that Hardings Way did have a pinch point and was a single lane, unlike some other bus routes. He asked if

further consultation would take place if the measure was progressed. The Portfolio Holder explained that a consultation exercise had taken place on the Action Plan as a whole and further work would be carried out to assess the value, impact and feasibility of implementing specific measures and this could include a consultation exercise if required. He explained that modelling would take place in the first instance with Norfolk County Council which could prove that the measure was not worth progressing, if however, a significant reduction in emissions was likely then a lot of other things needed to be taken into account and investigated before implementation was considered.

In response to a further question from Councillor McGuinness, the Portfolio Holder for Environment explained that some of the measures outlined in the Action Plan had already been implemented or were ongoing, for example the King's Lynn Transport Interchange Project.

The Environmental Health Manager acknowledged that the measure regarding opening up the bus route had received the most responses through the consultation exercise, positive and negative. He reminded those present that the bus route had been initially funded by the Community Infrastructure Fund because of the impact it would have on improving air quality. The action plan set out how the Council would monitor the impact of the installation of new bus route and consider ways in which air quality could be improved further, one possible solution could be to open up the bus route to Taxi and Private Hire Vehicles. The Environmental Health Manager explained that there were over 200 Taxis and Private Hire Vehicles licensed in the Borough of King's Lynn and West Norfolk, but not all would necessarily want to make use of the bus route as they would have to purchase a transponder so that the barriers on the bus route would lift for them.

The Portfolio Holder responded to a question from Councillor Gourlay and clarified that Taxis and Private Hire Vehicles would not be required to pay to use the bus route, but would be required to purchase a transponder to allow for the barrier to lift for access.

M J Rae commented that the Action Plan stated that the measure being discussed had been assessed as medium impact and cost neutral. The Environmental Health Manager clarified that the measure assessed as being medium impact and cost neutral referred to the installation of the bus lane, not the suggestion to open it up to other vehicles, which would be additionally assessed.

M J Rae referred to data within the report regarding Nitrogen Dioxide levels and explained that the Bicycle Users Group had also carried out an analysis which concluded that there was no disturbance when buses started using the bus lane. He explained that he had plotted Nitrogen Dioxide levels at measuring points against Department for Transport traffic counts for Norfolk. He explained that as the traffic level went up and down there was no difference in air quality. M J Rae explained that the biggest change to air quality would be to change the level of traffic on the road.

The Portfolio Holder for Environment explained that monitoring equipment recorded real time information and also recorded a rolling annual mean. The diffusion tubes recorded data which was compared against live monitoring data. The live data would show when traffic levels were high. The Portfolio Holder for Environment explained that levels had been reducing because of the measures which had already been implemented to try and improve air quality.

The Chairman asked if the monitoring carried out close to the Southgates roundabout could be hindered or influenced by idling traffic at the roundabout. The Portfolio Holder explained that the difference in air quality could be noticed over a small area, for example air quality could be worse on one side of the road compared to the other, dependant on the traffic flow. He explained that the diffusion tubes were located near residents or people which could potentially be affected by air quality, so they were usually located close to residential properties, or where people were likely to congregate for a long period of time, for example the bus station. The Portfolio Holder for Environment explained that the monitoring station was located on the town centre side of the Southgates roundabout.

M J Rae explained that a response to the consultation had been received from the Bicycle Users Group regarding information included in the plan which stated that fuel efficiency at 20mph was lower than at higher speeds, leading to increased emissions. M J Rae stated that this contradicted the Department for Transport Circular 01/13 – Setting Local Speed Limits – which stated that in general, driving more slowly at a steady pace would save fuel and reduce pollution, unless an unnecessarily low gear was used. The Portfolio Holder for Environment explained that cars usually performed at the best miles per gallon in between 50 and 60mph and fuel efficiency was often lower at a slower speed.

M J Rae commented that when traffic was at capacity it often caused pinch points and bottlenecks which resulted in traffic accelerating and decelerating which had an effect on emissions.

M J Rae referred to the fact that the Air Quality Action Plan had been submitted to DEFRA for approval and DEFRA had commented that they felt the Plan would benefit from revisions. M J Rae explained that he could not see that any revisions had been made to the plan following the response from DEFRA and the consultation. The Portfolio Holder reminded those present that the plan had been submitted to DEFRA who had determined it to be sound.

The Environmental Health Manager explained that to improve air quality, traffic flow would need to be improved. Consideration had been given to 20mph speed limits but other options such as reviewing traffic controls to improve traffic flow would be investigated. The Portfolio Holder explained that although traffic was congested during busy periods, outside of the busy periods traffic was able to reach 30mph down London Road and if this was to be reduced to 20mph it would have a negative impact on air quality.

Councillor Loveless addressed the Committee and explained that the Air Quality Action Plan only focussed on a certain type of pollution and he felt that consideration should be given to measuring other types of pollution caused by traffic including noise pollution, safety and the impact on the environment and landscape. Councillor Loveless explained that he had no objections to the Air Quality Action Plan but sought assurance that the Council were looking at other aspects of the environment. The Portfolio Holder explained that the Air Quality Action Plan was a statutory duty. The Regeneration, Environment and Community Panel did receive regular updates on Air Quality in the Borough and other measures were looked at by Norfolk County Council as the statutory body for transport.

Councillor Tilbury explained that he accepted that at peak times there was too much traffic, but at quieter times traffic still had a number of traffic lights to contend with resulting in a lot of accelerating and decelerating. He asked if the traffic lights were linked so that traffic could go straight through during quieter periods. The Environmental Health Manager explained that a lot of the traffic lights were linked through the SCOOT system. He explained that measures within the Air Quality Action Plan included the need to look at the current traffic management and investigate if improvements could be made to the traffic flow. The Chief Executive commented that as part of the King's Lynn Transport Interchange Project at least three more sets of lights would be added to the computerised control system.

Councillor Gourlay asked if DEFRA had approved all of the measures included in the Action Plan. The Portfolio Holder explained that DEFRA had determined that all of the measures

could potentially be progressed and implemented but they would all be assessed for feasibility before they were progressed.

In response to a question from the Chairman regarding the County Council's view of Hardings Pits, in that its use was for public transport, pedestrians and cyclists and was not safe for any other use, the Portfolio Holder for Environment explained that Norfolk County Council, as the responsible Authority, was obligated to assist with improving air quality. The Borough Council carried out monitoring and Norfolk County Council would assist with providing solutions and improvements.

The Chairman asked M J Rae if he had any further questions which had not been answered. M J Rae explained that presently Hardings Way was limited to buses. He felt that bus drivers were trained to very high standards and had specific training on dealing with pinch points etc. He asked if Taxi and Private Hire Vehicle drivers would be required to undertake additional training if they used the bus lane. The Portfolio Holder for Environment explained that Taxi and Private Hire Vehicle drivers already went through stringent checks before they were granted a Licence to operate in the Borough. Councillor Tilbury commented that HGV and PSV drivers were tested to a high standard before they were issued a Driving Licence.

The Chairman thanked M J Rae for attending the meeting.

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act.

EXEMPT CABINET REPORT – ASSET MANAGEMENT ACQUISITION – FORMER GRAIN SILO SITE – KING'S LYNN

The Chairman invited the Portfolio Holder for Regeneration and Industrial Assets, Councillor Beales to present the report. The Portfolio Holder explained that the report proposed that the Council acquire the former Grain Silo Site on the Waterfront in King's Lynn. He explained that the Silo site had been available for development since 2005, however the site remained undeveloped.

The Portfolio Holder for Regeneration and Industrial Assets referred to the report which outlined the risks and mitigating factors.

Councillor Tilbury commented that he accepted that there were some risks and unknowns, but in reality the site was in need of regeneration and he was delighted that the Council was in the process of making progress with the site.

Councillor Mrs Mellish agreed with Councillor Tilbury's comments and although she was not keen on 'land-banking' she felt that the opportunity to regenerate the site should not be turned down. The Portfolio Holder for Regeneration explained that the site would not be 'land banked' it would be acquired to deliver a regeneration project.

In response to a question the Property Services Manager explained that he believed that the site could be purchased and risks could be mitigated. He acknowledged that there were some unknowns on the site but development could be sympathetic to the area and could be scaled down if required. In response to a question from the Chairman, the Property Services Manager explained that he was unaware of any tannery waste deposits in the area.

11 **SCHEDULE OF PORTFOLIO HOLDERS' DECISIONS**

(i) EXEMPT – Car Park at the rear of the Princess Theatre

(ii) EXEMPT – NORA – Land at Wisbech Road

RETURN TO OPEN SESSION

(iii) Draft Memorandum of Agreement for Wash and North Norfolk Coast European Marine Site Management Scheme

The Committee noted the above Portfolio Holder's Delegated Decisions.

12 **DATE OF NEXT MEETING**

The next meeting of the Committee was scheduled to be held on Thursday 18 June 2015 at 6.00pm in the Committee Suite.

The meeting closed at 7.13 pm