

	<p style="text-align: center;">Executive 14th November 2005</p> <p style="text-align: center;">Report from the Director of Environment and Culture</p>
For Action	Wards Affected: ALL
Corporate Environmental Policy 2005	

Forward Plan Ref: E&C-05/06-005

1.0 Summary

- 1.1 The Council has had a formally adopted Environmental Policy since 1998 and this has in part been a driver for some of the innovative and proactive environmental initiatives undertaken across the Council. It was also instrumental in supporting Environment and Culture in managing its environmental impacts through the development of its department-wide ISO14001 external certification.
- 1.2 Nevertheless, with new legislation, additional requirements on local authorities and the increasing attention being paid to emerging environmental issues such as climate change and renewable energy, it is now time to review this policy and assess the methods used for delivering its objectives.
- 1.3 This report proposes a revised Environmental Policy and a new method for its implementation via the Corporate Standards Framework. This will bring the Council up-to-date in relation to its role as environmental steward for the area and ensure the Policy objectives are delivered effectively and consistently across the Council.

2.0 Recommendations

- 2.1 Members of the Executive are recommended to:
- Adopt the revised Corporate Environmental Policy at Appendix A.

- Note the CMT decision that certain environmental additions and amendments be made to the Council's Corporate Standards (as outlined in Appendix B) to further enable the effective delivery of the Policy.
- Agree that in order to encourage improved environmental performance within the Council itself a 'best value' guideline be piloted with regard to environmental premiums attributed to certain goods and services, as outlined in paragraph 3.5.5 to 3.5.9.

3.0 Detail

3.1 Introduction

3.1.1 This report proposes a revised Corporate Environmental Policy for Brent (Appendix A) and a new method of implementation for the policy through Corporate Standards (see section 3.5 below and Appendix B). It highlights the strategic and specific benefits to the Council of adopting this policy and outlines the next steps to be taken should the Executive agree the above recommendations.

3.2 Policy Objectives

3.2.1 The objectives behind the proposed policy include:

- To facilitate the shared ownership of environmental impacts and improvement initiatives across the whole Council.
- To reduce the Council's negative environmental impact by integrating environmental considerations into the Council's key plans, policies, and programmes.
- To prevent the Council from working in easily avoidable and unnecessary ways that may harm the environment.
- To provide additional clarity with regard to how Brent is delivering on the suggested environmental stewardship measures outlined within the CPA.
- To consolidate and increase the effectiveness of the Council's environmental strategy work by requiring a more structured approach to environmental decision-making from within the Council.
- To provide the necessary corporate environmental policy statement to enable other service units and areas to seek ISO14001 accreditation.

3.3 History

- 3.3.1 The Council adopted the Corporate Environmental Policy in 1998 following recommendations made by the Audit Commission and in 1999 began to pilot an environmental management system in Environment Services in accordance with ISO14001 guidelines. Environmental Services (now Environment and Culture) has held this external certification since September 2001.
- 3.3.2 Since 1998, the awareness and delivery of the policy objectives outside of Environment and Culture has been mixed, with significant initiatives such as the South Kilburn NDC demonstration homes and the Fawood Children's Centre counterbalanced by only marginal progress on relatively straightforward measures such as using recycled paper.

3.4 A revised Corporate Environmental Policy

- 3.4.1 The actual changes proposed to the existing policy are slight however they do have the following benefits and rationale:
- provide more proactive and clear cut statements to the public e.g. 'We will....' rather than 'We aim to...'
 - reduce unnecessary or confusing duplication of actions e.g. now 'enforce and comply with all relevant legislation'
 - include mention of 'responding and adapting to climate change'
 - amend the primary method of implementation to refer to Corporate Standards as opposed to an environmental management system which is not currently a Council-wide approach, however it,
 - include mention of 'continual improvement' as required to be ISO14001 compliant should other units decide to adopt this approach
- 3.4.2 The changes will help clarify the Council's position with regard to the CPA Corporate Governance 'Key Lines of Enquiry' (KLOE). Paragraphs 1.2.4 and 1.3.3 of the KLOE require local authorities to effectively integrate environmental issues within decision-making in order to show a proper translation of the Council's vision through planning and resource allocation. The move to support this integration with new Corporate Standards covering environmental issues is also vital.
- 3.4.3 The change to ensure ISO14001 compliance is particularly important because although the previous policy was a driver for taking action in Environmental Services a departmental policy had to be added to cover certain aspects not fully covered under the old wording. Under the new Policy any units seeking accreditation would avoid such duplication.
- 3.4.4 The intention is that the revised policy be on display, where relevant, to staff and the public and that the policy is periodically reviewed (at least in line with Corporate Strategy reviews) to ensure it continues to reflect good practice and its delivery is monitored.

- 3.4.5 In addition, it is intended that implementation will also be reported through a new annual corporate environmental performance report linked to the Policy. This will highlight good practice examples of action and initiatives being taken in support of the Policy and will act as a review mechanism to identify any weaknesses in its delivery. A draft for 2004/5 is currently being compiled by Environment and Culture with input from a range of service units from across the Council.
- 3.4.6 This renewed focus on such matters will also boost the further implementation of existing policies and plans, in particular the Council's Travel Plan, which the Council agreed in 2001.

3.5 Environmental Corporate Standards

- 3.5.1 At the CMT meeting on 20th October 2005 it was agreed that certain areas of the revised Policy would be delivered most effectively by amending and adding to the Council's Corporate Standards. The term Corporate Standards is used to describe the rules and regulations which together make up the internal regulatory framework for the operation of the Council. These currently cover issues such as procurement, property, information technology and health and safety.
- 3.5.2 The areas currently under consideration, both with regard to amending existing standards and adding new ones include:
- Environmental assessment of key plans and policies
 - Contract procurement environmental standards
 - Communications material environmental standards
 - Acquisition of council vehicles and transport standards
 - Energy and water procurement procedures
 - Internal waste management procedures
 - Storage of hazardous liquids procedures
 - Environmental health and safety standards
- 3.5.3 Appendix B outlines these in more detail. Supporting guidance documents will also be produced where necessary in a similar way to existing corporate standards.
- 3.5.4 These 'Environmental Management Standards' and any associated guidance will be reviewed periodically to ensure they are up-to-date, that they are easy to understand, and in order to monitor compliance.
- 3.5.5 A key element of the new standards will be to pilot a new 'best value' guideline with regard to environmental premiums attributed to certain goods and services. Whilst the concept of Best Value allows for judgements of 'quality' to include issues such as environmental impacts, in practice it has been difficult for officers to assess what level of additional cost over a less environmentally suitable alternative might still represent best value.

3.5.6 Whilst many environmentally preferable decisions will not entail any additional cost, or even bring a cost saving, others may do so. In order therefore to support the wider delivery of corporate environmental objectives it is proposed that a simple 'allowable percentage premium' be used to guide procurement decisions which bring an additional cost due to improved environmental performance. This will of course be subject to the transaction representing best value.

3.5.7 In the first instance, as part of a pilot for 2005/6 CMT agreed that this should be limited to only the procurement of council energy and water, vehicles, street furniture, office furniture and stationary, and within the following cost bands:

- £1 - £1,000 15% allowable percentage premium
- £1,000 - 10,000 10% allowable percentage premium
- £10,000 - £100,000 5% allowable percentage premium
- above £100,000 not included in the pilot programme

3.5.8 As stated previously, this 'allowable premium' is there to provide greater guidance for procurement decisions and any premiums should be seen as an option 'of last resort' and must still represent best value. The Director of Finance and Corporate Resources will then lead a review of the pilot and agree with CMT how such an initiative can be extended and expanded if deemed successful. In view of the financial cap outlined in 3.5.7, the specific requirements under the EU Regulations referred to in the legal implications section are unlikely to apply to transactions specifically covered by the pilot.

3.5.9 Examples of the use of such a premium are included in Appendix B. To ensure it is not utilised unnecessarily the Standards will assign the use of such a mechanism to Service Unit heads in the first instance. This means Service Unit Heads will be responsible for assessing whether the potential additional cost of improved environmental performance (provided it does not exceed the "allowable premium") represents best value for the Council.

3.5.10 It is also of note that many of the amendments and additions are likely to generate cost savings (e.g. a standard to reduce unnecessary printing) and so the premium needs to be viewed as part of a wider set of standards to drive greater resource efficiency.

4.0 Financial Implications

4.1 As noted above in section 3.5 the concept of best value allows for procurement decisions to be made which are not least cost and many environmentally preferable decisions can also bring a cost saving. In this regard the revised Environmental Policy and the new environmental Corporate Standards do not have an additional cost associated with their delivery.

- 4.2 In addition, the National Procurement Strategy and other guidance promote the inclusion of sustainability, the assessment of whole life costs and the exploitation of opportunities for spend-to-save investments.
- 4.3 Nevertheless, by providing greater clarity to decision making through the pilot 'allowable premium' some additional costs may accrue albeit potentially offset by greater resource efficiency derived from implementing the new corporate standards.
- 4.4 By way of example, renewable energy electricity was recently offered to the Council at a 1.8% premium. If this was utilised across the six main Wembley council office buildings the additional cost would have been approximately £2800 on a total bill of £157,000 for 2004/5. When set against the potential for energy savings derived from specifying high efficiency new electronic equipment and encouraging green staff behaviours the financial implications taking these initiatives together are considered marginal. Other Council's, such as Lewisham have been adopting similar practices for some time now.
- 4.5 Nevertheless, it should be noted that any net costs arising from the new standards would need to be contained within existing service area budgets.

5.0 Legal Implications

- 5.1 The Council is required to identify a legal power to carry out all activities it undertakes. Legal Services will be advising on the implementation of the policy and the revisions to Corporate Standards to ensure that legal constraints are taken into account as necessary.
- 5.2 The Council has power under section 2 of the Local Government Act 2000 to do anything which it considers likely to promote the environmental well-being of its area. In exercising this power the Council is required to have regard to its Community Strategy (known in Brent as the Community Plan). This power will be relevant to a number of the initiatives likely to arise following the adoption of the proposed new policy in so far as they affect the local environment.
- 5.3 Furthermore, ODPM Circular 03/2003 on Best Value and Performance Improvement reiterates that sustainable development and equity are fundamental to the Best Value regime. It states that "the Government's definition of Best value is "the optimum combination of whole life costs and benefits to meet the customer's requirement". This approach enables sustainability and quality to be taken into account when service delivery options are being considered. Service Unit Heads will need to keep this guidance in mind when considering whether any "environment premium" represents Best Value
- 5.4 Integrating environmental considerations into Council Procurement, including contracts, will involve amendments to the procurement process

to incorporate environmental considerations in the PQQ assessment and tender evaluation stages where permissible under EU Procurement law.

5.5 EU Procurement law provides that environmental considerations may only be considered at PQQ/Short listing stage of the procurement process in the case of works and services contracts and only where they are relevant to the technical capacity of the contractor. Environmental considerations may form part of the evaluation criteria for tenders for all types of contract where they are linked to the subject matter of the contract. Additionally, EU law prescribes that any requirements in relation to environmental considerations or standards must not discriminate against tenderers from other EU member states.

5.6 In the case of *R v Lewisham LBC Ex p. Shell UK [1988]* the court considered a decision by Lewisham to not purchase from Shell where goods were available elsewhere on reasonable terms on the basis that Shell had trading links with South Africa. The court found that the policy had been influenced by the desire to put pressure on Shell to cease its trading links with South Africa. The court held that this was an extraneous and impermissible purpose. The court did not make it entirely clear what secondary considerations are prohibited. However, Local Authorities have the power to use procurement for policies likely to promote or develop the economic, social or environmental well being of their local area pursuant to the 'well-being' power (s2 Local Government Act 2000). But it is not clear that a policy relating to somewhere outside the local area as in the Shell case would be permissible.

6.0 Diversity Implications

6.1 There are felt to be no direct negative implications for diversity and if anything the benefits of the new Policy may be most apparent in areas with significant ethnic populations due to a general correlation across London between poorer environmental quality, deprivation indices and diverse communities. An INRA form has been completed for this proposal.

7.0 Staffing Implications

7.1 No additional staff will be required to implement this revised policy. The changes to its implementation methods are part of general service improvement and should be integrated within existing plans and work programmes.

7.2 The implementation of the Policy will require the targeted training of key staff, general awareness raising, and the continued support, management, and guidance from the existing staff from within Environment and Culture.

8.0 Background Papers

- a. Minutes of the Environment Committee, Tuesday 10th November 1998
- b. Environment Committee Report and meeting minutes (1999) 'Environmental Management Systems and Corporate Environmental Policies'. 26th January 1999.

Contact Officers

Any person wishing to inspect the above papers, or for more detail on the above initiatives should contact Keith Tallentire, Projects and Policy Unit, 3rd Floor, Brent House, 349-357 High Road, Wembley, Middlesex HA9 6BZ.

Telephone: 020 8937 2273

Email: keith.tallentire@brent.gov.uk

Richard Saunders
Director of Environment and Culture

Corporate Environmental Policy Statement 2005:

We in the London Borough of Brent Council are committed to improving the environmental well-being of Brent through the services that we provide and by reducing the adverse effects of our own actions. We do this at a Council wide level by delivering our Corporate Strategy and by supporting initiatives such as the Energy Policy and the adoption of a Sustainable Procurement Strategy. We recognise that we can enhance the quality of the environment through our Services and improve Brent in a way that allows us to live today and use resources so as to allow future generations our quality of life. By acting locally we will play our part in improving the global environment and we will ensure that we continually improve our environmental performance.

To improve the environment we will:

- a. enforce and comply with all relevant legislation and other obligations;
- b. raise awareness of, and provide information on, issues affecting the environment;
- c. work with Partners to promote the sustainable development agenda
- d. deliver a sustainable transport system;
- e. improve resource use and waste management by encouraging minimisation, re-use, recycling, composting, and other recovery techniques;
- f. control development in the Borough in consultation with stakeholders, to protect and improve the quality of the environment and improve access for all;
- g. prevent, control, and reduce the release of pollutants to the environment;
- h. enhance the ecological value of land for which the Council is responsible;
- i. maintain and continually improve the environmental wellbeing of Brent; and
- j. address the environmental impact of how we deliver our Services by:
 - integrating environmental considerations into all Council procurement;
 - improving resource use and waste management by encouraging waste minimisation, reuse, and recycling;
 - responding to Climate Change by cutting emissions from our buildings and vehicles, by promoting the use of renewable energy, and by adapting our services;
 - motivating and training our staff, especially through our Going Green campaign.
 - Integrating environmental considerations into all decision making considered to have significant environmental implications.

These commitments will be integrated into our Corporate Standards and our performance will be subject to audit. Our performance will be published in our annual Environmental Performance Report. This Policy will be reviewed once every 3 years and will be displayed throughout the Council and distributed to all members of staff and relevant parties. Copies will be available on the internet, intranet, and upon request from Environment and Culture, Tel: 020 8937 5324.

The Executive

Date

Corporate Environmental Policy Statement 1998:

We, in Brent Council, are committed to protecting and enhancing the environment through the services we provide and by reducing the adverse impacts of our own actions. We will conform to the principles of sustainable development by recognising the ecological limits within which we must operate. We affirm that by acting locally, we can play our part in improving the global environment. We will seek to integrate environmental considerations into all our decision-making and will strive to continuously improve our environmental performance.

In managing our own operations, we aim to:

- Comply with all relevant environmental legislation
- Minimise energy use and maximise the use of renewable energy
- Reduce waste by reusing where possible, and recycling
- Identify, reduce and control sources of pollution to air, land and water
- Minimise the environmental impact of transport usage in carrying out Council business
- Manage land for which the Council is responsible so as to maintain and enhance its bio-diversity and conservation value
- Raise awareness of environmental issues within the Council
- Integrate environmental considerations into all Council purchasing and contracts.

In our statutory and influencing roles, we aim to:

- Enforce all relevant environmental legislation
- Promote the minimisation of energy use and encourage the use of renewable energy.
- Promote Sustainable Waste Management by encouraging the reduction in the amount of waste generated and the increased re-use and recycling of waste and by adopting sustainable forms of waste disposal and treatment
- Identify and reduce pollution of air, water and land by monitoring, raising awareness and imposing control measures where available
- Promote an efficient, sustainable transport system which meets community needs to travel, maximises safety and minimises consumption of fossil fuels, traffic congestion and pollution
- Conserve and increase bio-diversity throughout the borough
- Raise awareness of environmental issues throughout the community, and co-ordinate environmental action.
- Control development in the Borough in consultation with the community to protect and improve the quality of the environment and to provide access to services for all.

The aims of this policy will be put into place by the implementation of an Environmental Management System, which will be audited on a regular basis. The Environmental Policy is the framework for setting and reviewing ISO14001 environmental objectives and targets. The environmental policy will be reviewed each year and any changes deemed appropriate will be made. The policy will be distributed to all members of staff and will be available to the public and other interested parties upon request.

Proposed Environmental Management Corporate Standards:

The following is a list of potential 'Environmental Corporate Standards', which are being considered for incorporation into rules or standards, for staff to follow when relevant to their activities.

- Environmental assessment of key plans and policies
- Contract procurement environmental standards
- Communications material environmental standards
- Acquisition of council vehicles standards
- Energy and water procurement procedures
- Internal waste management procedures
- Storage of hazardous liquids procedures
- Environmental health and safety standards

1. The Environmental Assessment of Plans, Policies, and Programmes (new Standard)

It is recommended that this standard include an assessment process somewhat similar to that undertaken for diversity issues (i.e. Impact Needs/Requirements Assessments). In some instances this will be necessary anyway to comply with the Environmental Assessment of Plans and Programmes Regulations 2004.

- A list of key service plans, policies and programmes with a Council wide influence (beyond the requirements of the Environmental Assessment of plans and programmes regulations 2004) that will require an environmental assessment. For example:
 - The Corporate Strategy
 - The Community Plan
 - The Contract Procurement and Management Guidance (Blue Book)
 - The Corporate Asset Plan
 - The Local Improvement Plan
 - All key Environment and Culture Plans
 - The Risk Management Framework
 - The Improving Brent Programme
- the procedure will describe how an environmental assessment conducted of a plan, policy, or programme will be carried out; and
- a requirement that the respective service area provide a rationale against each of the findings/recommendations arising from the environmental assessment that will not then be included within the plan, policy, or programme.

2. Procurement Standards – The Contract Procurement and Management Guidelines (amended Standards)

Revisions to the Contract Procurement and Management Guidelines would include:

- a recommendation that service units consider using the allowable premium mechanism for procuring goods and service that exhibit higher environmental criteria where this meets best value requirements.
- a recommendation that all high and medium level contracts undergo an environmental screening process to assess their potential impacts, and then where these are significant an more detailed assessment process looking at environmental considerations which are relevant to the subject matter of the contract;
- a recommendation that suggestions made from the assessment process are incorporated into the procurement project where permissible under EU Procurement Law and the requirements of Best Value;
- a recommendation that where environmental considerations are linked to the subject matter of the contract being tendered they are incorporated in the evaluation criteria for the contract with an appropriate weighting subject to the expected level of environmental impact and legal constraints;

3. Communications Material Standards (amended and new Standard)

It is recommended that this standard include:

- a requirement that all staff follow a simple checklist approach when specifying communications materials to minimise unnecessary printing options (i.e. does the document need to be on glossy paper/card, single sided, using solvent based ink, can it take on a more natural appearance without compromising its appeal);
- a requirement that all internal documents contain a minimum percentage of recycled substrate like the letter head paper and business cards;
- a mechanism be agreed to allow staff, and potentially service users/residents of the Borough to be given the option to view publications via email (i.e. a link is sent out each month to the email subscribers) such as the Environment and Culture News, Insight, Brent Magazine, and so on, rather than receive a hard copy;
- a recommendation that teams are given the option of a 'team copy' of such publications, say, the Brent Magazine, rather than a copy each:

- a requirement that all staff compare the cost and quality of printing on substrates with recycled content versus printing on virgin substrates before undertaking printing jobs of 1000 or more documents; and
- a recommendation that service units consider using the allowable premium for publications with higher environmental criteria where this is consistent with obtaining Best Value.

4. The Acquisition of Council Vehicles (new Standards)

It is recommended that this standard include:

- a requirement that as a minimum general purpose vehicles purchased fall within the UK vehicle Excise Duty band 'A' or 'B'
- a recommendation that advice be sought before a purchase/rental agreement is entered into on the current availability and suitability of various alternative fuelled vehicles; and
- a recommendation that service units consider using the allowable premium mechanism for procuring vehicles that exhibit higher environmental criteria where this is consistent with obtaining Best Value.
- other options for progressing internal sustainable transport plan objectives and linking to the current vehicle management system in the Council. E.g. car park management principles, mileage allowance incentives/disincentives, etc

5. Energy and Water Standards (new and amended Standards)

It is recommended that this standard include:

- i. a requirement to specify certain standard items with internal refurbishment work to bring energy and water savings e.g. CFL lighting, low-flush toilets, spray taps, water coolers, etc)
- ii. a recommendation that service units consider using the allowable premium mechanism for procuring energy and water services and/or devices that exhibit higher environmental criteria where this is consistent with obtaining Best Value.

6. Internal Waste Management procedure (new Standard)

It is recommended that this standard include:

- direction on the set up and use of the internal waste recycling receptacles;

- information on what practice is acceptable for waste disposal;
- roles and responsibilities throughout the council for waste; and
- a procedure for the retention and management of legal documents relating to waste disposal and recycling which will include the waste carriers licenses of contractors, waste transfer notes, and discharge consents.

7. Site Preparation/Storage of Hazardous Liquids (new Standard)

- This standard will simply state the industry standard required, such as from the pollution prevention and control guidelines.

8. Health and Safety Standards (amended Standards)

- There are strong links between environmental protection and health and safety and where it may be beneficial to do so links may be made to the environment in this standard and these activities. These links include the following:
 - Hazardous chemicals
 - Engine exhaust emissions
 - LPG fuelled vehicles
 - Pesticides
 - Irritant, toxic, corrosive, and harmful substances
 - Biocidal products
 - Asbestos
 - Chemicals (Hazard Information and Packaging for Supply) (CHIP)
 - Control of Substances Hazardous to Health (COSHH)
 - Risk Assessment

The above areas and explanations provide the context for further discussions with officers from relevant service units to develop finalised standards in a phased programme during 2005/6.

The additions and amendments to the corporate standards will be overseen by the Director of Finance and Corporate Resources and the results reported back to relevant corporate groupings e.g. strategic finance group, procurement forum, efficiency board, etc