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DATE: 9 January 2012

To: Members of the
ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Councillor William Huntington-Thresher (Chairman)
Councillor Ellie Harmer (Vice-Chairman)
Councillors Reg Adams, Kathy Bance, Julian Grainger, David Hastings,
Samaris Huntington-Thresher, David Jefferys, Nick Milner, Ian F. Payne and
Stephen Wells

A meeting of the Environment Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **WEDNESDAY 18 JANUARY 2012 AT 7.30 PM**

MARK BOWEN
Director of Resources

Copies of the documents referred to below can be obtained from
www.bromley.gov.uk/meetings

A G E N D A

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

2 DECLARATIONS OF INTEREST

**3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC
ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to this Committee must be received in writing four working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 12th January 2012.

**4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 15TH
NOVEMBER 2011 (Pages 5 - 18)**

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

5 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

In accordance with the Council's Constitution, questions to the Portfolio Holder must be received in writing four working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 12th January 2012.

6 ENVIRONMENT PORTFOLIO - PREVIOUS DECISIONS (Pages 19 - 28)

To note decisions of the Portfolio Holder made since the previous meeting of the Committee.

7 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER

The Environment Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where he is minded to make decisions.

a BUDGET MONITORING 2011/12 (Pages 29 - 36)

b ENFORCEMENT POLICY FOR ENVIRONMENTAL SERVICES (Pages 37 - 68)

c TRADE WASTE COLLECTION SERVICE ANNUAL PRICE INCREASE (Pages 69 - 76)

d PARKING STRATEGY (Pages 77 - 152)

e CRITERIA FOR APPROVAL OF FOOTWAY CROSSOVERS (Pages 153 - 170)

f SOUTHEND ROAD LOCAL SAFETY SCHEME (Pages 171 - 180)

8 QUESTIONS ON ENVIRONMENT PORTFOLIO BRIEFING

This information briefing comprises the following reports:

- *Parking Blue Badges – Tackling Fraud and Abuse* (considered by the Executive and Resources PDS Committee on 14th November 2011);
- *Carbon Reduction Commitment (CRC) scheme: 2010/11 Annual Report* (for consideration by the Executive on 1st February 2012 and for scrutiny by the Executive and Resources PDS Committee on 25th January 2012); and
- *Carbon Management Programme: Progress Report 2010/2011* (for consideration by the Executive on 1st February 2012 and for scrutiny by the Executive and Resources PDS Committee on 25th January 2012).

Members have been provided with copies of the briefing by email which is also available at the Council's website via the following link:

<http://cde.bromley.gov.uk/mgConvert2PDF.aspx?ID=4061&T=10>

Printed copies of the briefing are available upon request by contacting Keith Pringle on 020 8313 4508 or by email at keith.pringle@bromley.gov.uk.

If there are any questions on the briefing, Members are asked to contact the relevant officer in the first instance.

9 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

a STREET LIGHTING INVEST TO SAVE (Pages 181 - 188)

POLICY DEVELOPMENT AND OTHER ITEMS

10 FUTURE RAIL AND TRAM LINKS TO BROMLEY (Pages 189 - 194)

11 CHILDREN'S TRAVEL TO SCHOOL (Pages 195 - 208)

12 DRAFT 2012/13 BUDGET (Pages 209 - 228)

13 FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS, AND CONTRACTS REGISTER (Pages 229 - 236)

PART 2 AGENDA

14 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

15 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 15TH NOVEMBER 2011 (Pages 237 - 238)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

DATES OF FUTURE ENVIRONMENT PDS COMMITTEE MEETINGS

28th February 2012
17th April 2012

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ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 15 November 2011

Present:

Councillor William Huntington-Thresher (Chairman)
Councillor Ellie Harmer (Vice-Chairman)
Councillors Reg Adams, Kathy Bance, Julian Grainger,
Samaris Huntington-Thresher, Jefferys, Nick Milner,
Ian F. Payne and Stephen Wells

Also Present:

Councillor Colin Smith and Councillor Peter Fortune

43 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

There were no apologies and the Chairman welcomed Councillor David Jefferys to the Committee.

44 DECLARATIONS OF INTEREST

In connection with item 7e Councillor Reg Adams declared a personal interest as he lived in one of the roads referred to in an appendix to the report.

45 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions to the Committee.

46 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 4th OCTOBER 2011

The minutes were agreed.

47 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

Three questions to the Portfolio Holder from Mr Colin Willetts had been received for written reply. Details of the questions and replies are at **Appendix A**.

48 ENVIRONMENT PORTFOLIO - PREVIOUS DECISIONS

Decisions taken by the Portfolio Holder since the Committee's previous meeting were noted.

49 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER

A) BUDGET MONITORING 2011-12

Report ES11130

Based on expenditure and activity levels to 31st August 2011, the controllable budget for the Environment Portfolio was projected to show an under spend of £164k.

Details were provided of the 2011/12 projected outturn with a forecast of projected spend for each division compared to the latest approved budget. Background to the variations was also outlined.

In discussion it was explained that a deficit in income from the sale of Green Garden Waste stickers at £15k, as referred to at Appendix 1 of the report, was an accounting error and not a real deficit.

RESOLVED that the Portfolio Holder be recommended to endorse the latest 2011/12 budget projection for the Environment Portfolio.

B) CAPITAL PROGRAMME MONITORING - Q2 2011/12

Report RES11132

At its meeting on 16th November 2011, the Executive would be asked to agree a revised Capital Programme for 2011/12 to 2014/15 and changes proposed to the Executive in respect of the Capital Programme for the Environment Portfolio were highlighted.

A revised programme for the Portfolio was provided as well as detailed comments on individual schemes and latest expenditure figures.

RESOLVED that the Portfolio Holder be recommended to endorse the changes recommended to the Executive on 16th November and confirm that the post-completion report on Environmental Improvements (funded by LPSA Reward Grant) be received later in the year.

C) CROSSINGS AND SAFETY MEASURES NEAR SCHOOLS

Report ES11119

Savings agreed by Council in February 2011 included the withdrawal of funding for the school crossing patrol service - achieving an annual saving of £233k - and in some cases physical measures might now be desirable outside schools to facilitate safe crossing by pupils. Given the tight timescale to implement measures, authority was sought to delegate such measures to the Director of Environmental Services.

A number of comments were made by Members. Use of a zebra crossing at the location of two particular schools on busy roads was advocated even though the schools were recorded as having less than 15 unaccompanied children crossing at the sites.

A view in support of school crossing patrols suggested a wider road safety concern for road users particularly with younger children having a poor perception of road safety risks. Given a previous pan-London responsibility for school crossing patrols by the Metropolitan Police, the Member felt that TfL should be urged to support the patrols.

Another view suggested that schools consider commercial sponsors for funding. There was also evidence that children used zebra crossings and it was felt important for schools to look at travel planning – earlier a Member asked whether schools could be more creative with school travel plan funding. Another Member suggested that a controlled crossing with traffic lights and a stop button provided a similar road safety effect to a School Crossing Patrol.

The Chairman referred to the importance of road safety education for children in accessing the borough's recreation and leisure facilities and that it was not being diminished under the new arrangements. A Member referred to an extra benefit for the elderly of a fixed crossing.

Members also supported a suggestion from the Chairman that an information report be provided on cases where more than £15k had been committed to measures under the proposed delegated arrangements (*Democratic Services Note - following the meeting, officers confirmed that information could be provided on all cases where more than £5k had been spent*).

RESOLVED that:

(1) the Portfolio Holder be recommended to delegate authority to the Director of Environmental Services for approving the installation of physical measures, such as a zebra crossing, near to schools where such measures are deemed necessary, after consultation with Ward Members and the Portfolio Holder - this recommendation applying to measures costing less than £25,000 and only until 31st July 2012; and

(2) an information report be provided to the Committee on cases where more than £15k had been committed to measures under the proposed delegated arrangements.

D) STREET LIGHTING ANNUAL REPORT

Report ES11127

Members considered a report which proposed a street lighting replacement programme for 2012/13; outlined a programme for future years; and additionally provided an update on issues brought forward at recent meetings of the Highway Assets Working Group.

Responding to a Member enquiry, the Highway Assets Manager confirmed that most signs removed from old lamp columns should be either refitted to replacement columns or, where the signs are old, replaced with new signs.

The Chairman enquired whether stainless steel replacement columns would offer more of a cost benefit. Members were advised that stainless steel columns are some 1½ times more expensive and a similar sum spent on stainless steel columns would provide a fewer number of replacement columns. However, the life of a stainless steel column would be in the order of 70 years compared to 50 years for galvanised steel and over the 70 year life span it was estimated that there would be a cost saving in the order of £9m.

The Chairman felt that there might be scope to look at the stainless steel option further, suggesting that the Portfolio Holder note the long term savings for the consideration of any capital spend.

A Member also highlighted that not all columns of the same original manufacturer suffered weathering at the same rate and suggested that there might be scope to replace individual columns in selected places. Concerning stainless steel columns, another Member inferring a more cautious approach, suggested that technology would change during the 70 year life span.

RESOLVED that the Environment Portfolio Holder be recommended to:

(1) agree the schemes listed at Appendix A of Report ES11127 to form the basis of the Council's programme of street lighting replacement works for 2012/13 and, subject to budgetary provision, for the works to be progressed;

(2) note the outline programme for future years, as listed at Appendix B of Report ES11127;

(3) note the issues discussed at recent meetings of the Highway Assets Working Group; and

(4) note the suggestions outlined above.

E) PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13

Report ES11126

Members considered a report highlighting the planned highway maintenance programme for 2012/13 and future years. The report also brought forward items from the Highway Assets Working Group in respect of footway level of service and treatment of crossovers.

In discussion a concern was highlighted for the quality of work carried out by a utility company in making good roads after maintenance work and the Member cautioned against such quality of work adversely impacting on completed carriageway work as part of the Planned Highway Maintenance Programme.

In commenting that some Priority 1 schemes had not come to his attention as a Ward Councillor and referring to a road not listed, a Member requested an opportunity to consult with the Highway Assets Manager for a change in some priorities. The Chairman also highlighted that Repton Road was not included in the listed roads.

Reference was also made to three roads each having speed humps where the road surface had become rutted and it was felt that a better quality of tarmac was necessary. The Chairman also referred to rutting having occurred elsewhere.

A Member suggested that better value for money could be achieved and more roads covered if necessary sections of longer roads were treated rather than the whole length of roads. Such partial treatment, he felt, should then leave funds available to treat other roads in poor condition.

It was agreed to support the recommendations subject to any additional comments from Ward Members concerning roads to be included for Planned Highway Maintenance.

RESOLVED that:

- (1) subject to any additional Ward Member comments on roads to be included for Planned Highway Maintenance, the Portfolio Holder be recommended to agree that -**
 - (i) the schemes listed at Appendix A of Report ES11126 form the basis of the Council's programme of highway maintenance for 2012/13 and, subject to budgetary provision, that the works be progressed;**
 - (ii) the additional schemes listed at Appendix F are included in the highway maintenance programme for 2011/12;**

- (iii) the outline programmes for future years, as listed in Appendices B and C be noted;**
- (iv) the proposed TfL funded programme of works at Appendix D be noted;**

(2) the Portfolio Holder be recommended to endorse recommendations of the Highway Assets Working Group that –

- (i) an amended footway level of service and an amended funding bias be adopted to help reduce the backlog of planned maintenance on the Council's unclassified road network;**
- (ii) an option for residents be provided to upgrade crossovers to a blockwork finish at their expense in connection with the planned maintenance of crossovers and that all requests for new crossovers be built in blockwork.**

F) REVIEW OF WINTER SERVICE POLICY

Report ES11125

Members considered a report highlighting changes to the winter service policy following the extreme weather conditions encountered during the winter of 2010/11. The changes were proposed to achieve an efficient, effective and proportionate response to winter conditions.

Concerning the Snow Friends initiative it was reported that there were now more than 3,000 Snow Friends in 138 groups and the Portfolio Executive Assistant, Councillor Peter Fortune, updated Members on the initiative. Snow Friends had received bags of salt and scoops and a Snow Conference was held in June with another conference planned. The Executive Assistant was encouraged by the way that people, schools and businesses had taken the Snow Friends initiative forward.

As an extension of the Snow Friends scheme and where there were willing volunteers, the Portfolio Holder referred to consideration of salt bins being securely located on private properties. A Member supporting such an approach suggested that smaller salt bins be considered e.g. similar in size to kerbside recycling boxes. Another Member commented that some salt bins were located by the carriageway in difficult locations and it might not be possible for residents to clear a road if the bins were securely located on private premises. The Executive Assistant spoke of control being in the hands of local people and carriageway salt bins being external to the salt provided for Snow Friends.

It was explained that schools wanted to remain open during times of severe weather and were keen for support such as scoops and salt to be rolled out faster. Members were advised that there was a plentiful stock of salt and some could be available for schools. A letter had been sent to schools but

response had been slow and it was necessary to have details of schools wanting salt.

For shaded locations where snow and ice would lay e.g. hill locations, it was suggested that these locations needed to be recorded. This would benefit not just the Council. The Executive Assistant explained that a map showed the location of Snow Friends units and residents could indicate to other residents any areas that required particular attention. The Highways Network Manager also indicated that salt bins located alongside routes which might be considered dangerous in severe weather were included on a map available via the Council's website.

Responding to an enquiry about private roads, the Executive Assistant clarified that salt and scoops were delivered to Snow Friends Groups and not roads and private roads could therefore be covered in any arrangements by Snow Friends.

The Chairman suggested that Adult and Community Services be asked to explore links with the third sector for any voluntary offer in severe weather using 4x4 vehicle(s) to assist elderly or vulnerable residents particularly in remoter areas. The Chairman also referred to contracted employees at schools (e.g. caretakers) who would need to take account of employment considerations in how they contributed to measures for clearing paths/playground etc. He suggested that a one Council approach was needed on this.

Concerning the fourth recommendation at paragraph 2.1 of Report ES11125, it was agreed that the recommendation should also reflect that existing salt bins be considered for replacement as and when there is a viable alternative such as residents being able to take over the storage of salt stocks – this to avoid issues concerning the unwarranted removal of salt from existing salt bins. It was felt that the recommendation should also refer to keeping Ward Members fully informed on such proposals in their locality.

RESOLVED that the Environment Portfolio Holder be recommended to approve the following proposed changes to the winter service policy and plan:

- (1) establish a tertiary carriageway network for snow clearance;**
- (2) restrict carriageway snow clearance during a snow event to the primary, secondary and tertiary routes;**
- (3) restrict footway snow clearance during a snow event to the three main areas of priority (i.e. main retail centres, approaches to transport interchanges and outside schools);**
- (4) retain all existing salt bins - with no further salt bins installed – but to avoid unwarranted removal of salt from existing salt bins and in consultation with Ward Members, the bins be considered for**

replacement as and when a viable alternative is available e.g. residents being able to securely store salt stocks.

G) INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS

Report ES11108

Members considered a report seeking approval to:

- (i) introduce a trial scheme with a chargeable wheelie-bin system to supplement the current Green Garden Waste (GGW) Sticker Service; and
- (ii) finalise negotiations on options for textile collections in the borough and to appoint a contractor.

A revised page 1 and 2 of the report had been tabled to replace the published pages. The replacement pages reflected a re-ordering of Options 1 and 2 at paragraph 2.2 of the recommendations so that the ordering of the options reflected the correct ordering at paragraph 5.3 of the report.

Expressions of support were given for the GGW trial. The Head of Waste Services explained the general thinking behind areas selected for the trial namely that: (i) there are a high number of properties with gardens; (ii) the properties are a suitable distance away from satellite sites; and (iii) libraries in the areas have a high sale of stickers for the collection of garden waste sacks. Details were outlined of the ten wards proposed for the trial.

A Member thought that Option 2 with a service running over a period of nine months at a price of £55 per household was preferable as little grew between December to February. Another Member favoured option 1 with a service running over 12 months at a price of £65 per household. This option she felt would take account of used Christmas trees and she was aware that the spring growing season could sometimes start early. With Option 2 she also felt that residents might ask why they were paying for a service from December to February if there were no collections. The Chairman also favoured Option 1 but also acknowledged that there was a £10 saving to residents with Option 2. There was also a difference on break even point between the two options – fewer customers would be necessary for the service to break even with Option 2.

A vote was taken on preferences for either Option 1 or Option 2 with four Members expressing their support for Option 1 and four Members expressing support for Option 2.

Concerning textiles, it was confirmed that a contractor would provide bins at collection banks and would be expected to supply equivalent bins to those already provided. A kerbside collection of textiles was also proposed each

month where textiles would be collected with other kerbside collections of materials for recycling.

The Chairman supported notice being given to the current operators for negotiations to progress. It was recommended that charitable organisations be included amongst those approached to carry out the service so that any offers from charities could also be considered.

RESOLVED that:

- (1) the Environment Portfolio Holder be recommended to -**
- (i) approve the introduction of a trial of a fixed price fortnightly wheelie bin collection service for Green Garden Waste in specified geographical areas;**
 - (ii) decide which of the following options to adopt for the new service relating to the length and price of the service provided -**
 - Option 1 - 12 month service at a price of £65 per property**
 - Or**
 - Option 2 - 9 month service at a price of £55 per property;**
 - (iii) refer the proposal to the Executive as an 'Invest to Save' scheme to part fund the wheelie bin containers at a cost of £220k using £140k of the current projected underspend for the Environment Portfolio with a contribution from the Invest to Save fund, estimated to be £80k;**
 - (iv) approve the replacement of current arrangements for the provision of and collection from textile banks in the borough as set out in paragraphs 3.13 – 3.17 of Report ES11108;**
- (2) the Executive be recommended to approve the utilisation of the current projected underspend for the Environment Portfolio to part fund the wheelie bin containers to facilitate the introduction of this trial service, with the balance being met from the Invest to Save fund.**

H) ENVIRONMENT PORTFOLIO PLAN 2012-13

Report ES11132

Members agreed to support the recommended structure for the 2012/13 Environment Portfolio Plan.

RESOLVED that the Portfolio Holder be recommended to approve the proposed structure of the Environment Portfolio Plan 2012/13.

50 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

A) FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - STREET LIGHTING MAINTENANCE AND IMPROVEMENTS CONTRACT

Report ES11111

The Contract for the maintenance and improvements of street lighting, currently let to May Gurney, will expire on 31st March 2013. As the Contract falls within the EU procurement regulations, it was necessary to consider options for the future of the service at an early stage.

Members supported the recommendation to the Executive.

RESOLVED that the Executive be recommended to endorse the proposal that a new Contractor is appointed to undertake the maintenance and improvements of street lighting from 1st April 2013 following a competitive tendering process and comparison with the London Highways Alliance Contract.

51 ENVIRONMENT PORTFOLIO PLAN 2011-12 - HALF-YEAR PROGRESS REPORT

Report ES11131

Members considered progress at the half year stage against commitments made in the 2011/12 Environment Portfolio Plan.

A Member commended work associated with proposals for Anaerobic Digestion facilities and he hoped the proposals would be moved forward as quickly as possible.

RESOLVED that progress against the 2011/12 Environment Portfolio Plan be noted.

52 FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS AND CONTRACTS REGISTER

Report ES11129

Concerning the Committee's work programme, the Chairman advised that a report on Cator Estate Roads, scheduled for the Committee's next meeting, need only be brought to the Committee if there was an intention to acquire the roads. Councillor Wells reported that he had consulted fellow Copers Cope Ward Councillors and no advantage could be seen in the Council acquiring the roads. The Director highlighted that legal advice has indicated that the roads would potentially be a significant liability if acquired and accordingly a

written response would be sent declining transfer of the roads' ownership to the Council.

For the Committee's next meeting a presentation could be made by TfL representatives on tram links and rail options into Bromley and the Chairman suggested that the Transport Statement Working Group meet on a date subsequent to this to develop an updated LBB transport policy statement.

RESOLVED that:

(1) the work programme be agreed subject to the proposed item on Cator Estate Roads being withdrawn and a presentation on tram links and rail options into Bromley being added to items for the Committee's next meeting;

(2) progress related to previous Committee requests be noted; and

(3) a summary of contracts related to the Environment Portfolio be noted.

53 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

54 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE
A) EXTENSION OF WASTE MANAGEMENT CONTRACT

Report ES11128

Members considered a report concerning the Waste Management Contract prior to decision by the Executive at its meeting on 16th November 2011.

B) STREET ENVIRONMENT CONTRACT 2012-2017/19; STREET CLEANSING; GRAFFITI REMOVAL; PUBLIC CONVENIENCES; & HIGHWAY DRAINAGE CLEANING

Report ES11123

Members considered a Part 2 report to the Executive which: (i) provided details of tenders received for the Street Environment Contract (street cleaning, graffiti removal, cleansing of public conveniences and highway drainage cleaning) and (ii) made recommendations for the award of contract(s).

APPENDIX A

QUESTIONS FROM MR COLIN WILLETTS TO THE PORTFOLIO HOLDER FOR WRITTEN REPLY

1. Thank you for your reply dated 4/10/11 regarding crossing guards at Leeson's Primary School, however, as an Association we'd much prefer any conclusions are impartially relayed to us via our council questions. That said, i) could the Portfolio Holder now confirm whether or not the Leeson's Primary school crossing guard will remain in situ (Leeson's Hill) until the completion of the Chislehurst Road bridge construction works? ii) should the Chislehurst Road bridge works overrun past November 2012 would the Council continue to fund a school crossing guard at this location? Prior to the forthcoming public meetings on 'Tough Choices', iii) can we as an Association 'count on your commitment' to stop these cuts and seek continued funding (by whatever means) for school crossing patrols in Cray Valley West?

Reply

i) As I've tried to previously explain -

All crossing patrols currently remain under review and alternative arrangements are being considered for each of them Borough-wide.

That said, Cllr John Ince has already drawn his own concerns about the extra volume of traffic which will be generated locally by the diversion to my attention, and his comments are currently being very carefully considered by the road safety team.

As soon as they have reached a conclusion, I know he can be counted on to relay their findings to you.

ii) Please refer to my answer above.

iii) You can count on both my own, as well as the Department's enduring efforts to work with schools to find alternative solutions to this unhappy problem. I cannot 'commit' to spending money which no longer exists.

2. With regard to your reply 4/10/11 re crossing guards, could the Portfolio Holder tell me i) when the Borough wide review will be completed? and ii) what specific alternative arrangements (for example) are being considered for each Borough wide site?

Reply

i) No, I'm afraid I can't at this point in time.

ii) Examples include one off Traffic engineering solutions (Zebra crossings,

Traffic Islands, Vehicle Activated signs) any local sponsorship opportunities which might present themselves, volunteers stepping in to take the role on themselves, retention of existing lollipop people through parental contributions (either directly or via PTA fundraising events), schools adopting responsibility for the service themselves, or the Council itself accessing third party funding and/or sponsorship.

3. Having inspected both Leasons Hill and Station Approach this morning regarding traffic diversions(Chislehurst Road bridge closure), would the Portfolio Holder consider temporary parking restrictions along the frontage of Murray House in Leasons Hill (parked vehicles) ? and due to nose to tail traffic build up coming down from the top of Station Approach to the bottom at junction with Cray Avenue (impeding traffic flow going up towards St Mary Cray Station), ii) would the Portfolio Holder consider temporary parking restrictions from the entrance up to the exit point of the Norris Skip yard? and iii) slightly extend existing waiting restriction by 6 metres near the 'in' entrance to Norris Skips?

Reply

The Council is already and will continue to monitor both traffic flows and parking patterns very closely for the duration of the bridge's closure.

Possible changes, including those detailed within your question(s) will be considered more closely over the course of coming days, as any necessary longer term local change(s) identify themselves as the diversion fully beds in.

The Meeting ended at 10.20 pm

Chairman

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Agenda Item 6

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

BUDGET MONITORING 2011-12

Reference Report (ES11130):

BUDGET MONITORING 2011-12

BUDGET MONITORING 2011-12 APPENDIX 1

Decision:

The latest 2011/12 budget projection for the Environment Portfolio be endorsed.

Reasons:

Based on expenditure and activity levels to 31st August 2011, the controllable budget for the Environment Portfolio is projected to show an underspend of £164k.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011

Implementation Date (subject to call-in): 14 Dec 2011

Decision Reference: ENV11019

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

CAPITAL PROGRAMME MONITORING - Q2 2011/12

Reference Report (RES11132):

CAPITAL PROGRAMME MONITORING - Q2 2011/12

CAPITAL PROGRAMME MONITORING - Q2 2011/12 APPENDICES

Decision:

(1) Changes recommended to the Executive on 16th November be endorsed for the Environment Portfolio.

(2) The post-completion report on Environmental Improvements (funded by LPSA Reward Grant) be received later in the year.

Reasons:

At its meeting on 16th November 2011, the Executive considered a revised Capital Programme for 2011/12 to 2014/15.

Changes in respect of the Capital Programme for the Environment Portfolio are highlighted in Report RES11132 which includes a revised programme for the Portfolio as well as detailed comments on individual schemes and latest expenditure figures.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal.

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Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011

Implementation Date (subject to call-in): 14 Dec 2011

Decision Reference: ENV11020

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

CROSSINGS AND SAFETY MEASURES NEAR SCHOOLS

Reference Report (ES11119):

CROSSINGS AND SAFETY MEASURES NEAR SCHOOLS

Decision:

Authority be delegated to the Director of Environmental Services for approving the installation of physical measures, such as a zebra crossing, near to schools where such measures are deemed necessary, after consultation with Ward Members and the Portfolio Holder - this decision applying to measures costing less than £25,000 and only until 31st July 2012.

Reasons:

Savings agreed by Council in February 2011 included the withdrawal of funding for the school crossing patrol service achieving an annual saving of £233k.

In some cases physical measures might now be desirable outside of schools to facilitate safe crossing by pupils. Given the tight timescale to implement measures, this decision gives authority to delegate such measures to the Director of Environmental Services.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011

Implementation Date (subject to call-in): 14 Dec 2011

Decision Reference: ENV11021

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

STREET LIGHTING ANNUAL REPORT

Reference Report (ES11127):

STREET LIGHTING ANNUAL REPORT

Decision:

- (1) The schemes listed at Appendix A of Report ES11127 be agreed to form the basis of the Council's programme of street lighting replacement works for 2012/13 and, subject to budgetary provision, the works be progressed.**
- (2) The outline programme for future years, as listed at Appendix B of Report ES11127, be noted.**
- (3) The issues discussed at recent meetings of the Highway Assets Working Group also be noted along with comments made at the Environment PDS Committee meeting on 15th November 2011.**

Reasons:

Report ES11127 proposes a street lighting replacement programme for 2012/13; outlines a programme for future years; and additionally provides an update on issues brought forward at recent meetings of the Highway Assets Working Group.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011

Implementation Date (subject to call-in): 14 Dec 2011

Decision Reference: ENV11022

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13

Reference Report (ES11126):

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX Ai

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX Aii

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX Bi

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX Bii

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX C

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX D

PLANNED HIGHWAY MAINTENANCE PROGRAMME 2012-13 APPENDIX F

Decision:

- (1) Subject to any additional Ward Member comments on roads to be included for Planned Highway Maintenance, it is agreed that -**
 - (i) the schemes listed at Appendix A of Report ES11126 form the basis of the Council's programme of highway maintenance for 2012/13 and, subject to budgetary provision, the works be progressed;**
 - (ii) the additional schemes listed at Appendix F are included in the highway maintenance programme for 2011/12;**
 - (iii) the outline programmes for future years, as listed in Appendices B and C be noted;**
 - (iv) the proposed TfL funded programme of works at Appendix D be noted.**
- (2) Authority be delegated to the Director of Environmental Services to make any necessary variations to the Planned Highway Maintenance programme in consultation with the Environment Portfolio Holder and Ward Members.**

(3) The recommendations of the Highway Assets Working Group also be endorsed that –

- (i) an amended footway level of service and an amended funding bias be adopted to help reduce the backlog of planned maintenance on the Council's unclassified road network;**
- (ii) an option for residents be provided to upgrade crossovers to a blockwork finish at their expense in connection with the planned maintenance of crossovers and that all requests for new crossovers be built in blockwork.**

Reasons:

Report ES11126 highlights the planned highway maintenance programme of work for 2012/13 and future years. The report also brings forward items from the Environment PDS Highway Assets Working Group in respect of footway level of service and treatment of crossovers.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal subject to any additional comments from Ward Members concerning roads to be included for Planned Highway Maintenance.

.....
Councillor Colin Smith
Environment Portfolio Holder

**Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH**

Date of Decision: 7 Dec 2011
Implementation Date (subject to call-in): 14 Dec 2011
Decision Reference: ENV11023

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

REVIEW OF WINTER SERVICE POLICY

Reference Report (ES11125):

REVIEW OF WINTER SERVICE POLICY

Decision:

The following changes to the winter service policy and plan be approved:

- (1) A tertiary carriageway network for snow clearance be established.**
- (2) Carriageway snow clearance during a snow event be restricted to the primary, secondary and tertiary routes.**
- (3) Footway snow clearance during a snow event be restricted to the three main areas of priority (i.e. main retail centres, approaches to transport interchanges and outside schools).**

Reasons:

Report ES11125 highlights changes to the winter service policy following the extreme weather conditions encountered during the winter of 2010/11. The changes are proposed to achieve an efficient, effective and proportionate response to winter conditions.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011

Implementation Date (subject to call-in): 14 Dec 2011

Decision Reference: ENV11024

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS

Reference Report (ES11108):

INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS

INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS APPENDIX A

INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS APPENDIX B

INTRODUCTION OF TRIAL OF REVISED GREEN GARDEN WASTE COLLECTION SERVICE AND TEXTILE COLLECTIONS APPENDIX C

Decision:

- (1) The introduction of a trial of a fixed price fortnightly wheelie bin collection service for Green Garden Waste in specified geographical areas be approved.**
- (2) A 10 ½ month service, at a price of £60 per property be adopted for the new service.**
- (3) As an 'Invest to Save' scheme, the Executive be recommended to approve the part funding of the wheelie bin containers at a cost of £220k using £140k of the current projected underspend for the Environment Portfolio and a contribution from the Invest to Save fund, estimated to be £80k.**
- (4) The replacement of current arrangements for the provision of and collection from textile banks in the borough as set out in paragraphs 3.13 – 3.17 of Report ES11108 be approved.**

Reasons:

Report ES11108 proposes that a trial scheme is introduced with a chargeable wheelie-bin system to supplement the current Green Garden Waste (GGW) Sticker Service and that negotiations are finalised on options for textile collections in the borough and a contractor is appointed.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011
Implementation Date (subject to call-in): 14 Dec 2011
Decision Reference: ENV11025

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for the Environment, Councillor Colin Smith, has made the following executive decision:

ENVIRONMENT PORTFOLIO PLAN 2012-13

Reference Report (ES11132):

ENVIRONMENT PORTFOLIO PLAN 2012-13

Decision:

The proposed structure for the Environment Portfolio Plan 2012/13 be approved.

Reasons:

Report ES11132 sets out a recommended structure for the 2012/13 Environment Portfolio Plan.

The proposed decision was scrutinised by the Environment PDS Committee on 15th November 2011 and the Committee supported the proposal.

.....
Councillor Colin Smith
Environment Portfolio Holder

Mark Bowen
Director of Resources
Bromley Civic Centre
Stockwell Close
Bromley BR1 3UH

Date of Decision: 7 Dec 2011
Implementation Date (subject to call-in): 14 Dec 2011
Decision Reference: ENV11026

Report No.
ES12013

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

**For Pre-decision scrutiny by the Environment PDS
Committee on 18th January 2012**

Date: 18 January 2012

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2011/12

Contact Officer: Claire Martin, Head of Finance
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: Boroughwide

1. Reason for report

This report provides an update of the latest budget monitoring position for 2011/12 for the Environment Portfolio based on expenditure and activity levels up to 30th November 2011. This shows a projected underspend of £274k.

2. **RECOMMENDATION**

2.1 The Portfolio Holder is requested to endorse the latest 2011/12 budget projection for the Environment Portfolio.

Corporate Policy

1. Policy Status: Existing policy. Sound financial management
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: All Environment Portfolio Budgets
 4. Total current budget for this head: £43.4m
 5. Source of funding: Existing revenue budgets 2011/12
-

Staff

1. Number of staff (current and additional): 224ftes
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement. The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The services covered in this report affect all Council Taxpayers, Business Ratepayers, those who owe general income to the Council, all staff, Members and Pensioners.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The 2011/12 projected outturn is detailed in Appendix 1, with a forecast of projected spend for each division compared to the latest approved budget and identifies in full the reason for any variances.
- 3.2 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1. Budget holders have full responsibility for those budgets classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control. “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service. As such, any variations arising are shown as “non-controllable” within services but “controllable” within the Resources Portfolio. Other examples include cross departmental recharges and capital financing costs. This approach, which is reflected in financial monitoring reports to budget holders, should ensure clearer accountability by identifying variations within the service that controls financial performance. Members should specifically refer to the “controllable” budget variations relating to portfolios in considering financial performance. These variations will include the costs related to the recession.

4. POLICY IMPLICATIONS

- 4.1 The Resources Portfolio Plan includes the aim of effective monitoring and control of expenditure within budget and includes the target that each service department will spend within its own budget.
- 4.2 The four year financial forecast report highlights the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2011/12 to minimise the risk of compounding financial pressures in future years.
- 4.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

5. FINANCIAL IMPLICATIONS

- 5.1 The controllable budget for the Environment Portfolio is projected to be underspent by £279k. Some of the major variations are summarised below with more detailed explanations included in Appendix 1.
- 5.2 Parking services is projected to generate additional net income of £167k mainly from on street parking fees and an increase in the number of contraventions in bus lanes.
- 5.3 As a result of increasing trade waste collection prices by over 10% for the last two years there has been a reduction in customers of just over 11%. This has meant that income projections are £90k below budget. There has been a corresponding reduction in contract costs and waste disposal costs of Cr £71k to partly offset the shortfall. The balance of Dr £19k is being met by a reduction in disposal tonnage costs Cr £48k. Waste Services has other minor variations totalling Cr £21k.
- 5.4 The remaining variances are due to surplus income from S74 notices (Cr £60k) and staff savings from vacancies and the transfer of staffing costs to TfL funding (Cr £82k). These underspends offset additional costs £80k within Street Scene and Greenspace as a result of delays to staffing reviews as well as the recession impact on market income.

Non-Applicable Sections:	Legal, Personnel
Background Documents: (Access via Contact Officer)	2011/12 budget monitoring files within ES finance section

Environmental Services Portfolio Budget Monitoring Summary

2010/11 Actuals £'000	Division Service Areas	2011/12 Original Budget £'000	2011/12 Latest Approved £'000	2011/12 Projection £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
(5,515)	Customer & Support Services							
	Parking	(5,366)	(5,351)	(5,518)	(167)	1,2,3,4	(70)	50
1,605	Support Services	1,554	1,525	1,510	(15)	5	0	0
(3,910)		(3,812)	(3,826)	(4,008)	(182)		(70)	50
	Public Protection - ES							
112	Emergency Planning	114	114	114	0		0	0
112		114	114	114	0		0	0
	Street Scene & Green Space							
5,803	Area Management/Street Cleansing	5,975	5,971	5,971	0		0	0
2,165	Highways	0	1,937	1,931	(6)	6	(6)	0
(65)	Markets	(47)	(21)	(7)	14	7	14	0
6,225	Parks and Green Space	6,153	6,137	6,179	42	8	54	0
567	Street Regulation	519	549	579	30	9	30	0
16,091	Waste Services	16,892	16,697	16,647	(50)	10	(50)	(50)
30,786		29,492	31,270	31,300	30		42	(50)
	Transport & Highways							
7,277	Highways incl London Permit Scheme	9,236	7,272	7,172	(100)	11	(100)	0
147	Highways Planning	144	169	169	0		0	0
843	Traffic & Road Safety	790	690	663	(27)	12	(27)	0
216	Transport Strategy	235	235	235	0		0	0
8,483		10,405	8,366	8,239	(127)		(127)	0
35,471	TOTAL CONTROLLABLE	36,199	35,924	35,645	(279)		(155)	0
7,151	TOTAL NON CONTROLLABLE	(692)	5,186	5,191	5	13	12	0
2,596	TOTAL EXCLUDED RECHARGES	2,348	2,301	2,301	0		0	0
45,218	PORTFOLIO TOTAL	37,855	43,411	43,137	(274)		(143)	0

Reconciliation of latest approved budget

£'000

Original budget 2011/12

37,855

Repairs & Maintenance (Non-controllable)

348

Supplementary estimate for capital accounting adjustment relating to

Government Grants Deferred

5,670

Lead Local Flood Authorities Grant income - transferred to

Local Services Support Grant

110

Transfer of design studio to Corporate Services (Resources Portfolio)

(61)

Transfer of Post 11599 from Parks to Customer Service Centre

(16)

Rental Income budget adjustments (Non-controllable)

(34)

Transfer of NRSWRA income to central contingency

(260)

Transfer from Waste to CSC re Kitchen Waste Service - food bags etc

(15)

Property Maintenance - non-controllable virements actioned by KT

(106)

Allocation of fuel from contingency for street lighting

100

Allocation of savings from key negotiations of waste contracts

(180)

Latest Approved Budget for 2011/12

43,411

Environmental Services Portfolio - Budget Monitoring Notes - 19 December 2011**1. Bus Lane Enforcement Cr £85k**

There is a projected net surplus of £85k as follows:

- An increase in the number of contraventions has resulted in additional projected income of £78k for 2011/12 (net of the bus lane works below)
- Anticipated increase in income from PCNs issued in prior years of £7k

The above figures include the projected shortfall of income of £50k, (full-year effect £100k) as a result of the suspension of bus lane restrictions in Cray Avenue, following the diversion of traffic as a result of the bridge replacement at Chislehurst Road.

2. Off Street Car Parking Cr £30k

Off-street car parking income is projected to be £70k below budget expectation. This is mainly due to reduced demand and parking fees not having been increased to match inflation added to the budget as a result of the normal estimate process, nor the loss of income as a direct result of the increase in VAT.

This projected shortfall is from the four multi-storey car parks where income was £65k below budget for April-November, with a sizeable proportion (£23k) occurring in April, probably due to the high number of bank holidays.

Please note that there is a deficit of £8k compared to budget, at the Civic Centre car park within November alone. Officers will continue to monitor this position over the coming months.

This projected shortfall in income is offset by £50k savings as a result of management action, and a balance from a provision of £50k no longer required for contract payments following successful negotiations with the parking contractor.

3. On Street Car Parking Cr £40k

There is currently projected to be a surplus of £40k from on-street car parking income. £11k is from the Beckenham area, and £29k from elsewhere across the borough. This will be used to balance the shortfall of off street parking income for 2012/13.

4. Parking Enforcement Cr £12k

There is currently a projected shortfall of income of £68k from PCNs issued in previous years compared to what was expected.

This shortfall is more than offset by additional income of £80k for 2011/12 as a result of more efficient use of CCTV cameras for enforcement.

Summary of variations within Parking:	£'000
Surplus within Bus Routes Enforcement	(85)
Surplus within Off Street Car Parking	(30)
Surplus within On Street Car Parking	(40)
Deficit in PCN income issued in previous years	68
Additional PCN income due to more efficient use of CCTV cameras in 2011/12	(80)
Total variation for waste management	(167)

5. Support Services Cr £15k

There is an underspend within salaries of £10k due to a vacancy following retirement, and maternity leave. There is an underspend of £5k within general running expenses.

6. Highways (SS&GS) Cr £6k

There is currently a small surplus of £6k projected from Street Traders' Licences due to more businesses applying for licences.

7. Markets Dr £14k

There is a projected shortfall in income of £24k mainly due to the continuing effects of the recession, which is partly offset by underspends across supplies and services budgets of £10k, giving a net overall deficit of £14k.

8. Parks & Green Space Dr £42k

There is an overspend on staffing of £48k due to the 2011/12 budget savings relating to the ranger service review of £156k not being fully met in year. This has reduced from the previously reported figure of £60k due to the delay in appointment to the vacant Parks Project Officer post. The overspend is partly offset by an underspend of £6k due to a reduction in grant to the Chislehurst Common Conservators.

9. Street Regulation Dr £30k

There is an overspend on staffing of £30k. This is due to:
- Dr £25k 2011/12 budget savings not being fully met in year
- Dr £5k net costs incurred as cover for staff on long-term sick

10. Waste Management Cr £50k

Prices for trade waste collections were increased by 15% in April 2011 and 13% in April 2010. For 2010/11 the fall-out of customers equated to 3.8%, however in 2011/12 this percentage has nearly trebled, to currently 11.2%. When setting the new fees and budgets an assumption was made that there would be reduction of a further 5% of customers and therefore the additional reduction of 6.2% has meant that income is currently projected to be £90k below budget.

It should be noted that this is partly offset by a corresponding reduction in contract collection costs of £15k and £56k for disposal costs due to a projected reduction of 700 tonnes from the decrease in customers.

There is an additional underspend of £48k disposal costs due to a further projected reduction of 600 tonnes.

There is a small surplus of £7k from the income received within the Schools Recycling Service. This has arisen due to more schools taking up the service than originally anticipated.

There is a small surplus across the collection contract (other than trade waste) of £14k.

All variations are summarised in the table below : -

Summary of Variations:-	£'000
Shortfall of trade waste collection income due to reduction in customers	90
Corresponding reduction in trade waste collection contract costs	(15)
Reduction in disposal tonnages from trade waste collection customers	(56)
Reduction in disposal tonnages (other than trade waste collected)	(48)
Surplus within collection contract (other than trade waste)	(14)
Additional income due to increase in customers within Schools Recycling Service	(7)
Total variation for waste management	(50)

11. Highways Cr £100k

There is a projected underspend on salaries of £40k through a combination of vacancies and reduced hours following an early retirement.

There is a projected surplus of NR&SWA income from Section 74 notices of £60k.

It should be noted that Thames Water had indicated in 2010/11 that they were intending to improve their performance. Income had dropped significantly from 2010/11 by £440k compared to 2009/10 and officers anticipated a further drop of income of £350k from defect notices during 2011/12. The actual drop in 2011/12 compared to 2010/11, appears to be just under £100k, however officers feel that Thames Water will continue to improve their performance and therefore it is not expected that this surplus will continue into 2012/13.

Following the information received from Thames Water, the income budget for defect notices was reduced by £385k for 2011/12. The Executive have agreed to transfer the unexpected income of £260k projected for defect notices back to the central contingency for 2011/12 and the budget has been adjusted accordingly.

12. Traffic & Road Safety Cr £27k

There is a projected underspend of £27k through a combination of transferring staffing costs to Transport for London earlier than previously anticipated, and reduced working hours.

13. Non-controllable budgets Dr £5k

For information here, the variations relate to a net shortfall within property rental income budgets across the division. Property department are accountable for these variations.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to the Executive, the following virements have been actioned:

1) Following an underspend arising from maternity leave within Support Services, a virement of £15k has been actioned, transferring funds to Parking supplies and services budgets for the maintenance of Computer Equipment.

Report No.
ES 11142

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

**For pre-decision scrutiny by the Environment PDS
Committee on**

Date: 18 January 2012

Decision Type: Non-Urgent Executive Non-Key

Title: ENFORCEMENT POLICY FOR ENVIRONMENTAL SERVICES

Contact Officer: Paul Lehane, Head of Food Safety, Occupational Safety & Licensing
Tel: 020 8313 4216 E-mail: paul.lehane@bromley.gov.uk

Chief Officer: Nigel Davies - Director of Environmental Services

Ward: All

1. Reason for report

The Environmental Services Enforcement Policy was approved by the Public Protection and Safety Portfolio holder on 28 October 2011 who asked that the report be referred to the Environment Portfolio Holder for his consideration as it is relevant to areas for which he has responsibility.

2. **RECOMMENDATION**

The Portfolio Holder is asked to endorse the Enforcement Policy for the Environmental Services Department as set out in Appendix A.

Corporate Policy

1. Policy Status: New policy.
 2. BBB Priority: Safer Bromley. Vibrant thriving Town Centres & An Excellent Council
-

Financial

1. Cost of proposal: Estimated cost No Cost
 2. Ongoing costs: Non-recurring cost. N/A
 3. Budget head/performance centre: Environment Portfolio budget and the Public Protection budget
 4. Total current budget for this head: £355K and £2.6m
 5. Source of funding: Existing revenue budget 2011/12
-

Staff

1. Number of staff (current and additional): 10 fte and 45.6ftes
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All businesses and residents
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Government is keen to ensure that businesses are not burdened by compliance with unnecessary regulatory requirements and are pursuing a 'deregulatory approach' when appropriate.

For its part the Council wishes to reassure residents and businesses who trade within the Borough that where regulations exist which affect them, we will adopt a consistent and measured approach to enforcement.

Environmental Services Enforcement Policy

- 3.2 Regulations relating to the work of Environmental Services Department have all been introduced with a view to ensuring the health, safety or well being of people, animals or the environment, and the Council has to balance the business interests against its wider responsibilities on behalf of the residents, other local businesses and visitors.
- 3.3 Each regulatory requirement placed on a business or person is designed to provide protection against some form of harm or loss
- 3.4 Officers in the Department have a wide range of responsibilities including
1. Public Health – noise nuisance, Fly tipping and accumulations, pest control
 2. Pollution Control – air, land and water.
 3. Trading Standards – Rouge traders, underage sales and counterfeiting
 4. Food Safety, Health & Safety and Licensing
 5. Nuisance vehicles
 6. Markets and Street Trading
 7. Littering and dog control
 8. Highways matters
 9. Waste services
- 3.5 Formal enforcement activity only represents a small proportion of the total work undertaken by the Department as the vast majority is aimed at securing a resolution of a complaint or compliance with a requirement through informal approaches and it is only where these informal approaches fail to secure the desired results will the more formal approaches be considered.
- 3.6 The attached Enforcement Policy seeks to set out how the Council will approach its enforcement responsibilities.(See Appendix A Enforcement Policy)

4. POLICY IMPLICATIONS

- 4.1 The Enforcement Policy sets out how all officers in Environmental Services will approach our regulatory functions. It reflects existing practice and supports a transparent, open and consistent approach to enforcement.

5. FINANCIAL IMPLICATIONS

- 5.1 The enforcement policy is delivered using part of both the Public Protection Portfolio budget (£2.6m) and the Environment Portfolio budget (£355k).

6 LEGAL IMPLICATIONS

- 6.1 The Enforcement Policies set out the Council's approach to enforcement and guides enforcement related decisions. In establishing these it is required to follow the Regulator's Compliance Code and the regulatory principles set out in the Legislative and Regulatory Reform Act 2006. Failure to follow the policy could enable a challenge to be made to subsequent decisions or actions. Any actions taken in accordance with the Policies will take account of the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000, The Police and Criminal Evidence Act 1984 and associated Codes of Practice, the Criminal Procedure and Investigations Act 1996.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Enforcement Concordat published by DTI 2003, Regulators Compliance code, Statutory Code of Practice for Regulators BERR 2007. Appendix 2 of the draft policy relates only to Health and Safety at Work enforcement.

London Borough of Bromley
Environmental Services
Enforcement Policy

Adopted by the Council
(Date)

ENVIRONMENTAL SERVICES ENFORCEMENT POLICY

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SUMMARY

The enforcement policy provides guidance to Councilors, Officers, businesses and individuals on the range of options that are available to achieve compliance with legislation enforced by the London Borough of Bromley (The Council).

The primary objective is to achieve regulatory compliance recognising that prevention through education and advice is preferable; however there will be instances where it becomes necessary to take formal action against a business, or individual.

A wide range of enforcement mechanisms are available to Officers working in the Environmental Services Directorate, ranging from informal action such as verbal warnings to formal action such as formal notices and prosecution.

In all instances an enforcement method that is relevant and proportionate to the offence or contravention will be used and this will include taking into account an individual's or a business's past history. The policy is built around a process of escalation. Prosecutions will only take place in circumstances where a defendant has acted willfully and where their actions are likely to cause material loss or harm to others, or where they have ignored written warnings or formal notices, endangered, to a serious degree, the health, safety or well being of people, animals or the environment, or assaulted or obstructed an officer in the course of their duties.

Environmental Services covers a wide range of functions and this enforcement policy encompasses these, however a separate section has been prepared for Health & Safety enforcement to meet the expectations of the Health and Safety Executive. (See appendix ii for the Occupational Health, Safety & Welfare Enforcement Policy).

This policy is designed to help the reader understand the objectives of the council's Environmental Services, the methods for achieving compliance and the criteria that is considered when deciding what the most appropriate response is to a breach of legislation. The policy is supported by detailed procedures for enforcement officers

All decisions will have regard to current statutory guidance and codes of practice, particularly the Regulators' Compliance Code, the Code for Crown Prosecutors and the Human Rights Act 1998.

Introduction

Bromley's Environmental Services Directorate is responsible for the enforcement of a wide range of law (or statutory provisions) which is centered mostly on securing public health and safety, the regulation of the trading environment and the protection of the environment.

It is accepted that most businesses and individuals wish to comply with the law. This policy aims firstly, to help business and individuals avoid coming into conflict with the law and secondly, provides information on the application of any enforcement provisions if these are deemed necessary i.e. that it is:

- **proportionate** to the offence and risks, and mindful of any previous transgressions;
- **transparent** - in that any person affected understands what is expected of them, what they should expect from the local authority and the reasons for the action;
- **consistent** in approach, and appropriate.

Copies of this policy are available from
 Environmental Services
 Bromley Civic Centre,
 Stockwell Close BR1 3UH
 tel 0208 464 3333 during normal working hours or from the Council website
 (www.bromley.gov.uk)

Whenever possible, Environmental Services will work in partnership with other departments, agencies and authorities to achieve common goals on matters of mutual concern. These include

- Safer Bromley Partnership
- Metropolitan Police
- London Fire Brigade
- Health and Safety enforcing authorities
- Planning Dept.
- Trading Standards
- Public Health Nuisance Team
- Children's Safeguarding Board
- Veterinary Surgeons and Animal Health Inspectors
- DVLA

The following documents have been produced to ensure a high standard of compliance. These also make sure that compliance is assessed in a consistent and fair manner:

- Public Protection services inspection and complaint procedures
- The Enforcement Concordat (Summary in Appendix A)

- The Council's Statement of Licensing Policy – Licensing Act 2003
- The Councils Statement of Licensing Policy – Gambling Act 2005

General advice

The aim of this enforcement policy is to ensure compliance with legislation, in all areas covered by Environmental Services by:

1. Assisting and supporting individuals and businesses so that they do not breach legislative requirements;
2. Setting out a graduated approach to enforcement, trying wherever possible to resolve matters in an informal manner; and

The service will advise individuals and businesses directly on how to follow legislative requirements, and will promote and encourage good practice in all circumstances. Advice will be provided by:

- responding to enquiries;
- Attending informal meetings e.g. residents associations, business forums
- using media, leaflets and the internet;
- running events which could include training courses, seminars and forums

INVESTIGATIONS

Inspections and investigations will be carried out in a thorough professional and consistent manner as set out below.

Authorisations

Officers authorised by the Council under the various statutes will be responsible for undertaking investigations. They will only be authorised to deal with such investigations as they have qualifications or experience to undertake in accordance with documented procedures. Officers are issued with a personal warrant card, which will be carried with them at all times and will be shown upon request.

Targetting

Enforcement activities will be targeted towards situations which carry higher risks or where there is or could be a considerable impact as a result of the non-compliance with the law. Enforcement activities may also be targeted towards individuals who are primarily responsible, who have the greatest responsibility to ensure compliance with the law or who have been the subject of previous enforcement action. From time to time, the service may engage in enforcement initiatives which are directed towards issues where there is a need to draw attention to the existence of legislation and its enforcement.

Risk Assessments

Risk assessments are carried out according to the individual merits of a particular business regulatory area and always in conjunction with the view to protecting health and safety.

The approach of using risk assessments allows officers to carry out more frequent inspections for high risk activities and to provide advice on how to reduce any risk.

Levels of Enforcement

Business or individuals are expected to comply with legislation and ignorance of the law is no defence.

The term 'enforcement' covers a wide variety of activities, ranging from informal action such as verbal warnings to formal action such as notices and prosecution.

Minor breaches of requirements will normally be dealt with using an informal approach. More serious breaches or a continual pattern of minor breaches will normally involve a formal approach.

Where informal methods have been unsuccessful, or a serious breach of the law has occurred or is likely to occur which may endanger the health and safety of the public, formal enforcement mechanisms will be taken to ensure compliance.

General Principles

Prevention is better than cure and the role of the Service involves actively working with individuals and businesses to advise on, and assist with compliance.

Where it is considered that formal action is necessary each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy and in the Regulators' Compliance Code.

For more information about the Regulators' Compliance Code visit: http://bre.berr.gov.uk/regulation/reform/enforcement_concordat/index.asp

This enforcement policy helps to promote efficient and effective approaches to enforcement, which improve outcomes without imposing unnecessary burdens. This is in accordance with the Regulator's Compliance Code. In certain instances it may be concluded that a provision in the code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs,

political views or sexual orientation. Such decisions will not be affected by improper or undue pressure from any source.

The service will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, when considering the appropriate level of enforcement.

Notifying Alleged Offenders

If information is received (for example from a complainant) that may lead to enforcement action against a business or individual we will notify that business or individual as soon as is practicable of any intended enforcement action, unless this could impede an investigation or pose a safety risk to those concerned or the general public.

During the progression of enforcement investigations/actions, business proprietors or individuals and witnesses will be kept informed of progress. Confidentiality will be maintained and personal information about individuals will only be released to a Court when required and/or in accordance with the Data Protection Act 1998.

Levels of enforcement action:

Under normal circumstances, a process of escalation will be used until compliance is reached starting at the lowest appropriate level.

Exceptions would be where there is a serious risk to public safety, animals or the environment or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment.

Examples of the main types of action that can be considered are shown below:

Informal

- No action;
- Information, advice and guidance
- Verbal Warnings
- Written Warnings

Formal

- Fixed Penalty Notices;
- Penalty Charge Notices;
- Formal Notice;
- Forfeiture Proceedings;
- Seizure of goods/equipment;
- Injunctive Actions;
- Review of a licence (Licensing Act 2003, Gambling Act 2005)
- Refusal/revocation of a licence;

- Simple Caution;
- Prosecution;
- Proceeds of Crime Applications.

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure
- The individual or business's past performance and its current practice;
- The risks being controlled;
- Legal, official or professional guidance;
- Local priorities of the Council.

No Action

In certain circumstances, contraventions of the law may not warrant any action. This can be where the breach is of very minor nature with inconsequential risk, the cost of compliance to the offender outweighs the detrimental impact of the contravention, or the cost of the required enforcement action to the Council outweighs the detrimental impact of the contravention on the community. A decision of *no action* may also be taken where formal enforcement is inappropriate in the circumstances, such as where a trader has ceased to trade, or the offender is elderly, frail or seriously ill and formal action would seriously damage their wellbeing. In such cases we will advise the offender of the reasons for taking no action.

Informal Action and Advice

For minor breaches of the law, verbal or written advice may be given. Any contraventions of the law will be clearly identified and advice given on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance.

Sometimes offenders will be advised about 'good practice', but there will be a clear distinction between what they *must do* to comply with the law and what is advice only. Failure to comply could result in an escalation of enforcement action.

Warning

If there has been a minor incident where the law has been broken, it may be decided that the most appropriate course of action is to issue the offender with a verbal and or written warning. Previous warnings will be taken in to account when considering taking formal action.

A written warning will:

- clearly state the nature of the problem and suggest either specific remedies or a standard to achieve
- state the actions which may follow if matters do not improve

- designate a named officer as a point of contact
- clearly distinguish between legal requirement and desirable standard
- indicate any follow up action e.g. a re-visit in 14 days
- offer to work with the person(s) responsible in finding a solution
- point the way to specialist advice or additional information
- be firm, businesslike, unambiguous, polite and helpful

Fixed Penalty Notices and Penalty Charge Notices

Certain offences are subject to Fixed Penalty Notices or Penalty Charge Notices e.g. noise nuisance from licensed premises or litter. They are recognized as a low-level enforcement tool and avoid a criminal record for the defendant.

Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice or a Penalty Charge Notice this may be administered on a first occasion, without issuing a warning first.

Failure to pay the Fixed Penalty Notice will result in the offender being prosecuted for the original offence.

Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt.

Formal Notice

Certain legislation allows notices to be served requiring offenders to take specific actions or cease certain activities. Notices may require activities to cease immediately where the circumstances relating to health, safety, environmental damage or nuisance demand. In other circumstances, the time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance.

All notices issued will include details of any applicable Appeals Procedures.

Non compliance with a Formal Notice will always be considered for prosecution.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) any necessary works to satisfy the requirements of the notice may be carried out by the council. Where the law allows, a charge may be levied against the person/business served with the notice for any cost incurred in carrying out the work.

Seizure

Certain legislation enables authorised officers to seize goods, equipment or documents for example unsafe food, sound equipment that is being used to cause a statutory noise nuisance, unsafe products or any goods that may be required as evidence for possible future court proceedings. When goods are

seized the person from whom the goods are taken will be given an appropriate receipt.

Forfeiture Proceedings

This procedure may be used in conjunction with seizure and/or prosecution where there is a need to dispose of goods in order to prevent them re-entering the market place or being used to cause a further problem. In appropriate circumstances an application for forfeiture will be made to the Magistrates' Court.

Closure

Certain legislation enables authorised officers to close business activities with immediate effect in some instances or after a period of notice. For example food businesses presenting an immediate risk to health or some unlicensed activities such as selling alcohol. Action to close a business activity will only be taken where the officer is satisfied that the circumstances are such that the risk to health or breach is sufficiently serious.

Injunctive Actions

In certain circumstances, for example, where offenders are repeatedly found guilty of similar offences or where it is considered that injunctive action is the most appropriate course of enforcement, then injunctive actions may be used to deal with repeat offenders, dangerous circumstances or significant consumer detriment.

Under the Enterprise Act 2002; proceedings may be brought where an individual or organisation has acted in breach of community or domestic legislation with the effect of harming the collective interests of consumers. In most circumstances action will be considered where there have been persistent breaches or where there is significant consumer detriment. Action can range from:

- Informal undertakings;
- Formal undertakings;
- Interim Orders;
- Court Orders;
- Contempt Proceedings.

Anti Social Behavior Orders: Where non-compliance law amounts to anti-social behavior such as persistent targeting of an individual or a group of individuals in a particular area then, following liaison with the Council's Anti-Social Behavior Unit where appropriate, an ASBO will be sought to stop the activity.

Refusal, Suspension and Revocation of Licence

Where there is a requirement for a business to be licensed by the local authority, the licence may be granted unless representations or objections are received

against the application. In such cases the Licensing Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application.

The Councils scheme of delegation requires that all licensing applications where refusal, suspension or revocation are possible are decided a licensing sub committee

Under the Licensing Act 2003, where a Review of a Premises Licence is sought under Section 51 of the Act, the options available to the Licensing Committee are:-

- To modify the conditions of Licence
- To exclude a Licensable activity from the scope of the Licence
- To removed the Designated Premises Supervisor
- Suspend the Licence for a period not exceeding three months
- Revoke the Licence
- Issue a warning letter
- No action

Where a review is based on criminal activity the licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence. Where this is the case deterrence is an appropriate consideration.

Under the Gambling Act 2005, where a Review of a Premises Licence is sought under Section 202 of the Act, the options available to the Licensing Committee are:-

- Revocation of the Licence
- Suspend the Licence for a specified period not exceeding three months
- Exclude a condition attached to the Licence, under Section 168 or remove or amend an exclusion
- Add, remove or amend a condition under Section 169

Simple Caution

A Simple Caution is an admission of guilt, but is not a form of sentence, nor is it a criminal conviction.

For a Simple Caution to be issued a number of criteria must be satisfied:

- Sufficient evidence must be available to prove the case;
- The offender must admit the offence;
- It must be in the public interest to use a Simple Caution;
- The offender must be 18 years or over.

For details on the Home Office guidance (Circular 30/2005) visit:
<http://www.homeoffice.gov.uk>

We will also take into account the following when making our decision:

- The offender should not have received a simple caution for a similar offence within the last 2 years.

A record of the Caution will be kept on file for 2 years and in appropriate circumstances will be submitted to the Consumer Regulation Website.

If the offender commits a further offence, the Caution may influence our decision to take a prosecution. If during the time the Caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, the Caution may be cited in court, and this may influence the severity of the sentence that the court imposes.

Determining whether a Prosecution or Simple Caution is viable and appropriate

Two 'tests' will be applied to determine whether a Prosecution or Caution is viable and appropriate. Guidance set by the Crown Prosecution Service will be followed when applying the tests:

For more information about the 'Code for Crown Prosecutors' visit:

http://www.cps.gov.uk/victims_witnesses/code.html

A Caution or Prosecution proceedings will only be progressed if the case has passed both the evidential test and the public interest test. The principles outlined apply equally to the other types of formal enforcement action that are available.

The Evidential Test

The service must be satisfied that there is enough evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. A realistic prospect of conviction is an objective test that means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply. A jury or Magistrates' Court should only convict if it is sure of a defendant's guilt.

The Public Interest Test

The public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. Factors for and against prosecution will be balanced carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. Some factors may increase the need to prosecute but others may suggest that another course of action would be better.

Prosecution

A prosecution will normally ensue where the individual or organisation meets one or more of the following criteria:

- Deliberately, negligently or persistently breached legal obligations, which were likely to cause material loss or harm to others;
- Deliberately or persistently ignored written warnings or formal notices;
- Endangered, to a serious degree, the health, safety or well being of people, animals or the environment;
- Assaulted or obstructed an Officer in the course of their duties.

Proceeds of Crime Applications

Applications may be made under the Proceeds of Crime Act for confiscation of assets in serious 'criminal lifestyle' cases. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. Proceedings are conducted according to the civil standard of proof. Applications are made after a conviction has been secured.

Who decides what enforcement action is taken

Decisions about the most appropriate enforcement action to be taken are based upon professional judgment, legal guidelines, statutory codes of practice and priorities set by the Council and/or Central Government.

Where appropriate, decisions about enforcement will involve consultation between or approval from:

- Investigating Officer(s);
- Senior managers from Environmental Services ;
- Council Solicitors;

All enforcement related decisions will only be taken by Officers authorised under the Councils Scheme of Delegation.

Covert Surveillance

On rare occasions in the interests of public safety or to detect crime, certain officers may be authorised to carry out surveillance of individuals as part of their investigations. This may include using remote sound or video monitoring equipment as well as personal observation.

Where covert surveillance is necessary the requirements of the Regulation of Investigatory Powers Act 2000 will be complied with.

Requests for the authorisation of surveillance will be made in writing by the investigating Officer. All such requests will be accompanied by a statement which details the reason why covert surveillance is appropriate and proportionate, how it is to be undertaken, who is likely to be involved and any impact that might result from the surveillance.

Covert surveillance will only be undertaken with the express permission of an authorised manager who is not directly involved with the investigation.

A register of authorised covert surveillance operations under Regulation of Investigatory Powers Act will be held by the Council. Authorisations will not be made public whilst there is an on-going investigation.

Liaison with other regulatory bodies and enforcement agencies

Where appropriate, enforcement activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the Borough boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.

Intelligence relating to wider regulatory matters will be shared with other regulatory bodies and enforcement agencies, examples including:

- Government Agencies;
- Police Forces;
- Fire Authorities;
- Statutory undertakers;
- Other Local Authorities.

Considering the views of those affected by offences

Enforcement will be undertaken on behalf of the public at large and not just in the interests of any particular individual or group. However, when considering the public interest test, the consequences for those affected by the offence, and any views expressed by those affected will, where appropriate, be taken into account when making enforcement decision.

Protection of Human Rights

The Council recognises the rights of individuals, especially those outlined under the Human Rights Act 1998. At all times, the Human Rights of the individual will be considered. Of particular importance to the Council's enforcement policy are Article 6 (the right to a fair trial) Article 8 (the right to respect for private and family life) and Protocol 1, Article 1 (Protection of property).

Review of the Enforcement Policy

This Policy will be reviewed as necessary but at least once every three years.

Complaints about the Service

If anyone wishes to complain about enforcement action they may do so initially by contacting the

Environmental Services Directorate
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley BR 1 3UH

tel: 0208 464 3333
or by email to corporate.complaints@bromley.gov.uk

It is also possible to complete a complaint form online at: www.bromley.gov.uk

What will happen next?

The complaint will usually be investigated by the manager responsible for providing the service. They will try to sort out any problem as quickly as possible - mistakes and misunderstandings can often be sorted out on the spot. If not, the complaint will normally be responded to within five working days. If the issue is very complicated, a longer period might be necessary but nevertheless will aim to reply within 20 working days, letting the complainant know if that is the case.

If the complainant is unhappy with this response, the Chief Officer of the department can be contacted who will either investigate the complaint personally or will nominate a senior officer to carry out the investigation.

If still unhappy with this reply, the complainant can appeal to the Chief Executive, who will review the complaint

Appeals against Enforcement Action

Where we take enforcement action and there is a legal right of Appeal we will inform the individual or business about this and the timescale in which they must act. Making a complaint, as outlined above, is not the same as lodging an appeal. An individual or business may wish to do both and are advised to take independent legal advice.

Appendix i: Principles of the Enforcement Concordat

The Enforcement Concordat specifies the principles of good enforcement. The Council has decided accordingly that enforcement action will reflect the following principles;

Proportionality – Action that we may decide to take must reflect the actual risk to public health or safety.

Transparency – We will endeavour to ensure that those subjected to any form of enforcement clearly understand the reasons for action being taken and can easily recognise the difference between legal requirements and advice or guidance.

Consistency – The service will strive to achieve consistency of enforcement such that actions taken and decisions reached will be similar in similar circumstances.

Targeting – The service will prioritise scheduled inspections in order to focus on activities that represent the most serious risks or premises where hazards are least well controlled.

Equality and Fairness – We aim to demonstrate a fair and even handed approach to our enforcement activities. The Council will act in a manner that is responsive to the needs of any party that is involved in enforcement issues and will act in a manner that is especially sensitive to the needs of those that may be particularly vulnerable during the enforcement process (for example minors). Decisions will not be influenced by gender, ethnic origin, religious or political beliefs, whether or not any party has a disability or the sexual orientation of the alleged offender or those of any victims, witnesses or any other party involved in the enforcement process.

Accountability – The Council and its Officers are accountable for its enforcement actions. We will follow our published procedures and policies and ensure we follow them when making enforcement decisions. We will explain why enforcement action has been or has not been taken when requested. We will give details of how to appeal against or challenge enforcement actions.

Appendix ii: Occupational Health, Safety & Welfare Enforcement Policy

Enforcement Policy



Introduction

Bromley Council is an enforcement authority under the Health and Safety at Work etc Act 1974 (the 'Act'). This means we are responsible for ensuring that:

- The health safety and welfare of people at work are adequately protected by their employers
- The self employed protect their own health safety and welfare and
- Anyone else who may be affected by work are adequately protected

These responsibilities apply mainly to the retail, wholesale, office and leisure businesses in the Borough.

This policy sets out the general principles and approaches we will follow when carrying out our function.

The Act places duties on various people including employers, the self-employed and staff (called 'duty holders' in this policy).

We will make appropriate use of our enforcement powers, including prosecution, so that we can:

- secure compliance with health and safety law, and
- ensure that people who have duties under the Act are held to account for any failures to safeguard health, safety and welfare.

Enforcement: why, how and when we do it

Enforcement means all dealings between Bromley Council and duty holders.

We seek to ensure that duty holders effectively manage and control risks to health, safety and welfare to prevent harm. We will do this by:

- promoting and achieving substantial compliance with the law by advice and guidance whenever possible
- ensuring that duty holders take action to deal with serious risks immediately
- ensuring that duty holders who breach the Act are held to account. This may include prosecution.

We will carry out enforcement by:

- preventative action – taken before any incidents, accidents or ill health occurs – to assess, promote and enforce compliance
- reactive actions after incidents, accidents or ill health has occurred to identify the causes, take preventative actions and enforce compliance.

We will undertake our enforcement activities at the appropriate time. The majority of enforcement work will be carried out during the normal working day (between 8am and 6pm), but inspectors will work at other times when necessary.

How we co-operate with civil claims for compensation

We do not take enforcement action in all situations where those who have been affected by a work activity might wish to claim compensation in the civil courts.

We will co-operate with people making civil claims if we receive requests via the courts by way of subpoena or other orders for disclosure. You can also make a request for information under the Freedom of Information Act 2000. Please note we may charge for this type of request.



Our appointed inspectors and their powers

We appoint inspectors to enforce the Act. All inspectors carry a "warrant card" setting out their powers.

Inspectors have a range of enforcement options to ensure compliance with the law and respond to criminal offences.

Our inspectors may:

- offer information and advice to duty holders, either face to face, in writing or both
- give warnings to duty holders that they are failing to comply with the law
- serve **improvement notices** stating that an offence has been committed and requiring remedial action within a stated time
- serve **prohibition notices** stating that an offence has been committed in circumstances where a risk of serious personal injury exists.
- issue **simple cautions** (formally known as formal cautions)
- bring **prosecutions**.

Simple cautions and prosecutions are important ways to bring duty holders to account for alleged breaches of the law. Where appropriate and in accordance with this policy, we may use these and other enforcement options.

Please see Appendix A for more information about how our inspectors apply the enforcement options.

To use any of these options, inspectors have the right to:

- enter premises
- take a police officer or other person with them
- examine, investigate, measure or photograph
- take samples
- interview people

Our enforcement principles

We believe in firm but fair enforcement of the Act. Our policy will be informed by the principles of:

- **proportionality** – in applying the law and securing compliance with it
- **targeting** – of enforcement action
- **transparency** – in the way we operate and what those who are regulated can expect
- **accountability** – for our actions and those of our inspectors.

These principles are explained below.

Proportionality

This means that inspectors will take enforcement action that is appropriate to the health safety and welfare risks or breach of duty and the response to previous enforcement action.

Inspectors will take account of:

- how far the duty holder has fallen short of what the law requires, and
- the extent of the risks to people from the breach.

Some health and safety duties are specific and absolute. Others require action "so far as is reasonably practicable". Our inspectors will apply the principles of proportionality to both kinds of duty.

Deciding what is a "reasonably practicable" way to control risk involves an inspector making a judgement. He or she will balance the degree of risk against the time, cost and effort needed to control it.

Unless these factors are grossly disproportionate to the risk, the duty holder must take measures to reduce the risk. Our inspectors will expect duty holders to follow relevant good practice. If good practice is not clearly established, the Act requires duty holders to explicitly assess the significance of the risk to determine what actions they must take. Ultimately the courts decide what is "reasonably practicable" in any particular case.

Targeting

This means that inspectors will:

- concentrate their efforts on activities that give rise to the most serious risks or where hazards are least well controlled, and
- focus enforcement action on duty holders who are responsible for the risks and are best placed to control them. If several duty holders have responsibility, enforcement action may be taken against more than one where appropriate.

Inspectors will give particular attention to how competently the duty holder manages health, safety and welfare risks. A poorly managed, relatively low-risk site can present a higher risk to staff and others than a well-managed, higher-risk site.

We will target our enforcement action as follows:

1. A programme of planned inspections based on a system of risk assessment developed by the Health and Safety Executive (HSE). Details of the system are set out in Local Authority Circular 67/2 issued by HELA (HSE/LA Enforcement Liaison Committee)
2. Investigation of accident reports and the analysis of accident data
3. Investigation of complaints about health, safety or welfare.
4. The need to provide advice, guidance and information to businesses.
5. Other information from HSE or other sources which indicates that enforcement action needs to focus on particular areas.



Consistency

Consistency of approach does not mean uniformity. It means that our inspectors will take a similar approach in similar circumstances to achieve similar results.

We understand that duty holders managing similar risks expect to be dealt with consistently in the way our inspectors give advice, use enforcement notices and decide whether or not to prosecute.

Inspectors face many variables when dealing with businesses, including the degree of risk, the attitude and competence of management, the history of the business and the seriousness of the breach.

It is difficult to achieve consistency among inspectors, but we will establish internal systems and procedures that will ensure it, as far as possible. In particular we will follow the Enforcement Management Model developed for local authorities by the HSE.

We authorise all inspectors in writing, setting out the extent of their powers. They must show their authorisation when requested. We will decide their level of authorisation after assessing their competence based - qualification, training and experience.

We support the principles of the Lead Authority Partnership scheme and the Primary Authority Scheme, under which a local authority partners a business to help it comply with health and safety requirements. The businesses involved are usually national chains with outlets in many areas. When dealing with a business involved in the Lead Authority Partnership scheme or Primary Authority Scheme, our inspectors will liaise with the relevant lead authority:

- before taking formal action, except in the case of immediate danger
- after serving a prohibition notice
- when significant shortcomings have been identified which need to be dealt with at a national level
- following on-site investigation of a death, major injury or case of work-related illness or dangerous occurrence.

Transparency

Transparency means:

- helping duty holders to understand what is expected of them and what they should expect from our inspectors
- making clear to duty holders what health and safety law requires them to do and what would be desirable but not compulsory. This applies both when inspectors are dealing with businesses face to face and in writing.

We will establish procedures to ensure that employees and their representatives, complainants, victims and members of their families, and the public are informed about health, safety and welfare matters. These procedures will take into account appropriate legal requirements and restrictions.

It is important that duty holders and others affected by our enforcement decisions know what to expect from an inspector when he or she calls and what rights of complaint are open to them.

When an inspector visits premises to carry out any enforcement actions, he or she will leave written information setting out what the duty holders can expect. In particular:

- Inspectors will always identify themselves and give their name both in face to face and written communication. The name and contact details of their line managers will be given if requested and will be set out in all written communication.
- When inspectors offer duty holders information, advice or warnings, either face to face or in writing, they will tell the duty holder what to do to comply with the law and explain why. If asked, inspectors will write to confirm any advice and make a clear distinction between legal requirements and best practice.
- If an improvement notice has to be served, the inspector will discuss the notice with the duty holder and if possible resolve points of difference before serving it. The notice will say that in the inspector's opinion a breach of the law has been committed; set out what needs to be done and why; and set a date by which it should be done.
- If a prohibition notice has to be served, the inspector will explain why action is necessary.
- If notices are served, inspectors will provide information about the right of appeal to an industrial tribunal.

During our enforcement work, we receive, require or otherwise identify a range of information relating to health, safety and welfare. Its disclosure is subject to various legal requirements.

We will maintain a public register of notices that relate to matters of public safety. The register will be available from the Public Protection Department at the Civic Centre, Bromley, during normal office hours (9am – 5pm Monday to Friday).

Each year we will prepare and publish a "Service Plan" that sets out the aims and objective of our enforcement work for the year ahead and reviews our performance for the last year.

Accountability

We are accountable to businesses and the public for our actions. This is why we have:

- policies and standards against which we can be judged, and
- an effective and easily accessible way of dealing with comments and complaints.

Our complaints procedure is called "Getting it Right". This is available from all our offices and libraries. We will follow it to deal with complaints to us about our health and safety enforcement work.



A complaint may be defined as:

"An expression of dissatisfaction, however made, which alleges a failure by the Council or its inspectors to perform in line with its stated practices or policies but does not include complaints about actions by inspectors where there are statutory appeals procedures through the courts or industrial tribunals". (HELA Local Authority Circular 40/1).

Complaints may be made in face to face contact, in writing or by electronic means.

If a complaint is not resolved satisfactorily, the complainant has the right to refer the complaint to either:

The Health and Safety Executive (Local Authority Unit), Rose Court, 2 Southwark Bridge, SE1 9HS, or

The Local Government Ombudsman, whose address is in the "Getting it Right" leaflet which is available from any council office or library.



We want inspectors to view complaints as constructive and positive and as an opportunity to improve the service. We encourage inspectors to be open about recognising and recording complaints themselves as well as accepting those that come directly from service users.

We will give the HSE an annual summary of any complaints received about our enforcement work, as requested in HELA (HSE/Local Authorities Liaison Committee) Local Authority Circular 40/1.

If we have served statutory notices, we will explain that there is the right to appeal against the notice to an industrial tribunal.

Investigating accidents and complaints

Investigations try to determine the following:

1. The causes.
2. Whether action has been taken or needs to be taken to prevent a recurrence or ensure compliance with the law.
3. Lessons to be learnt, thus influencing good practice and the law.
4. The appropriate level of enforcement action.

To maintain a "proportional" approach to investigation and a balance between preventative and reactive work, our inspectors will give the most serious incidents the most attention. This means they will not investigate some accidents or complaints at all or as thoroughly as others.

To help inspectors make these decisions, they follow an Incident Investigation Selection Procedure

In general our policy is to:

1. Investigate all work-related deaths.
2. Investigate accidents, occupational ill health and dangerous occurrences based on –
 - the actual or potential severity of the event
 - the seriousness of the potential breach
 - the duty holder's previous record
 - our enforcement priorities
 - the practicalities of achieving results
 - the relevance of the event to a wider range of premises or operations
 - legal factors
 - our resource constraints (i.e., budget and staffing)
 - political factors and public expectations.
3. Investigate complaints about occupational health, safety and welfare taking into account:
 - whether the circumstances could cause death, injury, a dangerous occurrence or ill health
 - the imminence of the risk
 - the type and number of people at risk
 - the duty holder's previous record
 - the reliability of the information
 - attempts at self-resolution
 - the practicalities of investigation
 - political factors and public expectations.

Appendix A

Policy on the use of enforcement options

1. Prosecution

The main aim of our enforcement work is preventative and to ensure that duty holders manage and control risks to prevent harm, but prosecution is an essential part of our enforcement role. The Health and Safety Commission (HSC) expects a prosecution to proceed if, during their enforcement work:

- inspectors collect enough evidence to give a realistic prospect of conviction, and
- a decision to prosecute has been taken in accordance with this policy, the Enforcement Management Model and the Code for Crown Prosecutors.

We may prosecute without prior warning or use alternative enforcement options if circumstances merit this. The decision to prosecute rests with us and our inspectors.

In general, we will normally prosecute if:

- death results from a breach of health, safety or welfare legislation
- it is merited by the seriousness of the alleged offence, the seriousness of any actual or potential harm, and the general record or approach of the duty holder
- there has been reckless disregard for health, safety and welfare requirements
- there have been repeated breaches giving rise to significant risk, or persistent and significant poor compliance
- a duty holder's standard of managing health, safety and welfare is far below what is required and has created significant risk
- a duty holder has failed to comply with an improvement notice or a prohibition notice or there has been a repetition of a breach that has been subject to a simple caution
- false information has been deliberately supplied, or there has been intent to deceive over a matter that might cause significant risk
- inspectors have been deliberately obstructed.

We will also consider prosecution if:

- it is appropriate in all the circumstances as a way of drawing attention to the need for compliance with the law, and if conviction and the maintenance of standards required by the law may deter others from similar failures, or
- a breach that gives rise to significant risk has continued despite relevant warnings from employees or their representatives or others affected by a work activity.

An impartial 'instructing officer' will review all reports from inspectors recommending prosecution to ensure they are being properly brought in accordance with this policy, the Enforcement Management Model and the Code for Crown Prosecutors.

Prosecution: Crown Court or Magistrates' Court?

Certain offences under health, safety and welfare law can be heard at either a Magistrates' Court or the Crown Court.

If we consider that alleged offences are more serious and that the Crown Court's higher sentencing powers may be appropriate, we will ask the magistrates' court to commit the matter to the Crown Court for trial.

Sentencing is ultimately a matter for the courts, but the Court of Appeal has given guidance on factors that should be considered (*R v F Howe and Sons (Engineers) Ltd 1999*). If appropriate, we will draw the court's attention to factors that are relevant in sentencing.

Death at work

If a death at work occurs as a result of a possible breach of the Act, we must consider the possibility of manslaughter charges along with the police, Crown Prosecution Service (CPS) and other enforcement agencies.

The police are responsible for deciding whether to pursue a manslaughter investigation and refer the matter to the CPS for manslaughter charges. Our inspectors are responsible for investigating and prosecuting possible health, safety and welfare offences.

When investigating a work-related death, our inspectors will follow the principles in "Work Related Death – A Protocol for Liaison" and work in close co-operation with the police and CPS.

Prosecutions of individuals

If necessary, we will identify and prosecute individuals if this is in accordance with this Policy and the Enforcement Management Model.

When considering this action, we will take into account the management chain and the role played in the breach by the individual (director, manager or employee). We will consider action against them if the inspection or investigation reveals that the offence was committed with their consent or connivance or is the result of their neglect.

Following a conviction we will generally seek to publicise the case and factual information about the charges and penalties imposed by the court.

We will publish annually the names of all those convicted or issued with a simple caution for breaches of the Act during the previous year, and information about improvement and prohibition notices served. This will include passing such information to the HSE.

3. Prohibition notices

Where an Inspector believes that there is a "Risk of serious personal injury" he/she may serve a prohibition notice to stop a work activity.

The authority to serve prohibition notices will be specified in an inspector's authorisation. The decision to serve a prohibition notice lies with the inspector.

Inspectors will decide on the use of prohibition powers in accordance with the following general principles and the Enforcement Management Model:

- There is the potential to cause death, serious injury, a dangerous occurrence or serious ill health from a breach of law.
- The risk is imminent.
- The type and number of people at risk merit this.
- The duty holder's previous record indicates that alternative enforcement options are not appropriate.

In appropriate circumstances, prohibition notices are likely to be served without prior warning or the use of alternative enforcement options such as warnings or improvement notices.

Failure to comply with a prohibition notice is likely to result in prosecution.

4. Improvement notices

The authority to serve improvement notices will be specified in the inspector's authorisation. The decision to serve an improvement notice lies with the inspector.

Improvement notices are a formal way of notifying duty holders of a breach of legal requirements.

Inspectors will decide on the use of improvement notices in accordance with the following general principles and the Enforcement Management Model. Their use must be:

- proportional to the seriousness of the breach
- appropriate to the potential of the circumstances to cause death, injury, a dangerous occurrence or ill health
- appropriate to the imminence of the risk
- appropriate to the type and number of people at risk from the breach
- assessed in view of the previous record of the duty holder.

Improvement notices will not usually be the inspectors' first choice of enforcement action and we expect that improvement notices will usually be served where informal approaches (advice or letters) have failed to achieve compliance, or we have identified repeated breaches.

Failure to comply with an improvement notice is likely to result in prosecution.

5. Informal warnings

All appointed inspectors can issue warnings.

A warning is a statement by an inspector (verbally or in writing) that a breach of health, safety and welfare law has been identified.

Failure to act on a warning is not an offence but could lead to other enforcement action including the service of improvement notices or possibly prohibition notices if there has been a significant change in the situation. Prosecution following only an informal warning is unlikely, but in keeping with this policy an inspector can bring prosecution at any time without the use of other enforcement options.

Informal warnings will be the usual means of informing duty holders of breaches where circumstances do not merit other enforcement options.

6. Advice and Guidance

All inspectors can give advice and guidance.

Providing advice and guidance to duty holders is our preferred method of working with "Duty Holders" and will be used in the first instance unless the situation makes one of the other enforcement options necessary.



Report No.
ES12014

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

**For pre-decision scrutiny by the Environment PDS
Committee on**

Date: 18 January 2012

Decision Type: Non-Urgent Executive Key

Title: **TRADE WASTE COLLECTION SERVICE ANNUAL PRICE
INCREASE**

Contact Officer: John Woodruff, Head of Waste Services
Tel: 020 8313 4910 E-mail: john.woodruff@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: All

1. Reason for report

- 1.1 To maintain income targets, allowing for the annual increase in Landfill Tax, the annual inflationary increase of contractor collection and disposal payments, and the annual inflation estimate applied to all income budgets, an above inflation increase in our prices for 2012/13 may be required.
- 1.2 The government has expressed its intention to amend The Controlled Waste Regulations (1992) to allow the full costs of waste disposal to be recovered from customers who currently only pay for the collection element of the service, with effect from April 1 2012. Report ES10193 (January 2011) confirmed that such charges will be applied when and if the revised legislation is enacted, which it is anticipated will increase income by £58k above inflation. An increase of 13% on the overall TWCS prices would also be required to achieve the income targets for 2012/13.
- 1.3 However, the government has not yet confirmed the necessary revision to the CWR (1992), and if this legislation is delayed, TWCS prices would need to be uplifted by 17% to increase projected annual income by £90k above the inflation target, matching the budget option put forward.
- 1.4 To maintain income targets, allowing for the annual increase in Landfill Tax, the annual inflationary increase of contractor disposal payments, and the annual inflation estimate applied to all income budgets, an above inflation increase of 7% in our prices for non-household waste delivered to the Household Waste Recycling Centres 2012/13 is required.

2. RECOMMENDATION(S)

That the Portfolio Holder agrees the following actions

- 2.1 Should the revised legislation be agreed, the implementation of disposal charges to those Schedule 2 customers re-designated under the changes to the Controlled Waste Regulations (1992), along with an increase of 13% in the costs of both collection and container rental for customers utilising the trade waste collection service and / or renting containers from the council, with an increase of £4 for the waste transfer note.
- 2.2 Should the government fail to implement the changes to the Controlled Waste Regulations (1992), an increase of 17% in the costs of both collection and container rental for customers utilising the trade waste collection service and / or renting containers from the council, with an increase of £4 for the waste transfer note.
- 2.3 An increase of 7% in our prices for non-household waste delivered to the Household Waste Recycling Centres 20012/13.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment. Vibrant, Thriving Town Centres
-

Financial

1. Cost of proposal: Estimated cost Cr £90k
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: Trade waste collected service and trade waste delivered service
 4. Total current budget for this head: £488k Cr and £216k Cr
 5. Source of funding: Existing revenue budget for 2012/13
-

Staff

1. Number of staff (current and additional): n/a
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Statutory requirement. Environmental Protection Act 1990, Controlled Waste Regulations (1992)
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 1,400 customers
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: n/a

3. COMMENTARY

- 3.1 In 2008 as part of the IE&E Programme, extensive work was carried out on benchmarking Bromley's current charging structure for the Trade Waste Collection Service (TWCS), against both neighbouring authorities and private sector competitors within the borough.
- 3.2 Appendix 1 shows the current (2011/12) LBB TWCS charges compared with other (private sector) service providers in the borough as well as a comparison to neighbouring authorities. This demonstrates that the council charges below the average compared to other local authorities but is competitive with the private providers.
- 3.3 Based on financial analysis of the TWCS, after netting off customers lost and new customers joining (comparing customers as at 1/11/11 to those before the price increase at February 2011), customer fall-out equated to 11% of the customer base.
- 3.4 Since this is the third year of above inflation increases, a customer fallout rate of 11% has been incorporated into the financial projections, to allow for an element of the customer base finding alternative service providers.
- 3.5 Our customers tend to be Small and Medium Enterprises (SME's), and there are factors which make our service more attractive than price alone may suggest. We provide an extremely flexible service, with collections available daily. Our competitors cannot provide this level of flexibility. A proportion of our customer base is 'off the beaten track' - our competitors may be less willing to accept such jobs, and may charge a premium for them. Finally, customers regard the council service as reliable, with a rapid response to any issues, whether practical or financial.
- 3.6 If the changes to the CWR (1992) are not implemented by the government, it will be necessary to increase TWCS prices by 17% to maintain the income targets and budget options incorporated in the 2012/13 budget.
- 3.7 The issues around the trade waste delivered directly to the Household Waste Recycling Centres at Waldo Road and Churchfields are less complex. Traders simply pass over a weighbridge to determine the weight of the waste they deposit, and pay a rate per tonne for the disposal of this waste. To maintain current income levels, allowing for the annual increase in Landfill Tax, the annual inflationary increase of contractor disposal payments, and the annual inflation estimate applied to all income budgets, an above inflation increase of 7% in our prices for non-household waste delivered to the Household Waste Recycling Centres in 2012/13 is required

3.8 Schedule 2 Issues

- 3.9 As highlighted in previous reports, sections 45 & 75 of the Environmental Protection Act 1990 (EPA) and Schedules 1 and 2 of the Controlled Waste Regulations 1992 (CWR) specify instances where local authorities are only allowed to charge for the collection of waste, but not for the cost of its subsequent disposal which equates to 65% of the usual price for trade customers.
- 3.10 This legislation applies to educational establishments, charities, places of religious worship, hospitals, residential hostels, residential homes and charity shops (also Royal Palaces, prisons and Army barracks). An updated advice note from DEFRA regarding these issues was sent to all authorities in October 2008.
- 3.11 LBB is compliant with this legislation. However, this represents a 'discount' of £58k per annum provided to those organisations within our customer base falling within these definitions. This is the cost of disposing of the waste, which we are not allowed to charge for.

- 3.12 Waste Services have thus committed resource to lobbying and working with DEFRA to revise the current legislative issues surrounding 'Schedule 2' customers, with a view to including the disposal charge in their pricing structure. – following the national policy that those that create waste pay for its collection and disposal. DEFRA set up a Steering Group with representatives from national government, local authorities and Schedule 2 customers, and Bromley was represented on this Steering Group.
- 3.13 Following extensive consultation, DEFRA have proposed substantial revisions to the CWR, and the proposed legislation is currently at consultation stage. DEFRA have yet to confirm whether or not the Regulations will be updated with effect from 1st April 2012.
- 3.14 The updated CWR will allow local authorities to incorporate charges for waste disposal into their pricing structure for many customers where this is currently prohibited, including educational establishments, nursing and residential homes, hospitals, and some charitable organisations.
- 3.15 The updated CWR will continue to confirm that “waste collection authorities (WCA) have a duty under section 45(1)(b) of the EPA to arrange for the collection of commercial waste where requested to do so.”
- 3.16 It will also continue to confirm that “If a request is made of the authority to collect commercial waste, the authority must have in place arrangements to meet the request. Telling enquirers that the authority does not offer a commercial waste service or, for example, to look in Yellow Pages or providing a list of waste contractors in the area is not sufficient to comply.” This effectively precludes the option of selling the TWCS to the private sector.
- 3.17 If the revised CWR is implemented, Waste Services' additional income from implementing disposal charges to those customers currently exempt such charges would be approximately £58k. Recommendation 2.1 thus requests approval for the implementation of such charges to our customer base once the legislation is in place should the Government decide to implement it.
- 3.18 To achieve the budgeted income targets, an overall increase of 13% in TWCS prices would also be required.
- 3.19 It should be noted that, although the government proposes to introduce the revised CWR, the necessary legislative changes have not yet been implemented. Whilst DEFRA officers remain confident that the required time-scales will be achieved, this cannot be guaranteed.
- 3.20 Thus if the changes to the CWR are not able to be introduced, to achieve the budgeted income targets, the 17% increase in TWCS charges will be required to compensate for the government's failure to revise legislation as expected.

4. POLICY IMPLICATIONS

- 4.1 Bromley's policy is to provide a reasonably priced alternative to private sector TWCS operators. Waste collection authorities (WCA) have a duty under section 45(1)(b) of the EPA to arrange for the collection of commercial waste where requested to do so, and this policy thus fulfils our statutory obligation.
- 4.2 Some businesses, particularly SMEs may have operational issues with their location, volume or storage of waste, or need for high frequencies of collection. Private sector TWCS providers may be reluctant to accept such business, or may charge disproportionately high prices for their service. The purpose of the legislation is to ensure that businesses can approach their local

authority as a last resort, to ensure that they are able to obtain a TWCS. For this reason, the authority's prices are required to be 'reasonable'.

- 4.3 Appendix 1 demonstrates that Bromley's prices, although high compared to our private sector competition, are reasonable. The aim is to ensure the price increase is seen as reasonable by our existing and potential customer base, to avoid the overall income falling below projections should too high a proportion of our customers transfer their service to the available alternative service providers.

5. FINANCIAL IMPLICATIONS

- 5.1 Income is obtained by a charge for providing the collection service, based on a cost per container emptied. This incorporates a cost for the disposal of the waste collected (except in the case of Schedule 2 customers, where this element is currently omitted). Further income is obtained by implementing a charge for the rental of containers (of varying sizes) to contain the waste. A further charge is levied for the provision of an annual Waste Transfer Note (a legislative requirement).
- 5.2 Customers are billed annually in advance in March. Evidence gathered from the customer database shows a drop in customers of 11% as a result of the price increase in April 2011. It has been assumed that a further customer fallout of 11% for 2012/13 to account for the impact of an increase in prices above inflation for a third year.
- 5.3 Costs vary due to any change in tonnages collected. Currently, projected TWCS tonnages for 2011/12 are projected to be 9,000 tonnes for the year.
- 5.4 In order to maintain the current budgeted surplus, prices must be set to recover three elements to the costs incurred by the TWCS - the annual increase in Landfill Tax (£8 per tonne), inflationary increases in contractor charges (collection 3.51%, disposal 4.5%). Finally, the 2012/13 budget assumes a 4.5% increase in all income streams, which must also be allowed for.
- 5.5 Once the timescale for this change in legislation is confirmed, future adjustments in TWCS prices will be calculated to incorporate this additional income.
- 5.6 Should the Regulations be changed with effect from 1st April 2012 for the Schedule 2 customers, a price rise of 13% is recommended, with a £4 price increase for waste transfer notes assuming an 11% fallout of customers.
- 5.7 However, should the Regulations not be changed, an annual price rise of 17% is required plus a price rise of £4 for the waste transfer note in order to meet the budget option target of £90k. This has been modelled with a potential customer fall-out of 11%.

5.8 The table below shows the initial 2012/13 budget and the two price increase options: -

	Initial Draft Budget Incl £90k & inflation 2012/13 £'000	Projected Budget 17% rise & 11% fallout 2012/13 £'000	Projected Budget 13% rise & 11% fallout 2012/13 £'000
Expenditure			
Staffing & equipment	24	24	24
Collection contract costs	335	298	298
Disposal contract costs	722	642	642
	1,081	964	964
Income			
Collection income re containers	(1,119)	(1,013)	(1,029)
Bulk rental income	(145)	(145)	(140)
Waste transfer Note income	(88)	(78)	(78)
Domestic hire/collection income	(331)	(330)	(319)
	(1,683)	(1,566)	(1,566)
Total surplus income	(602)	(602)	(602)

5.9 Finally, to maintain income targets, allowing for the annual increase in Landfill Tax, the annual inflationary increase of contractor disposal payments, and the annual inflation estimate applied to all income budgets, an above inflation increase of 7% in our prices for non-household waste delivered to the Household Waste Recycling Centres in 2012/13 is required.

6. LEGAL IMPLICATIONS

6.1 None. These changes to pricing schedules maintain Bromley's compliance with the Environmental Protection Act 1990 (EPA) and Schedules 1 and 2 of the Controlled Waste Regulations 1992 (CWR)

Non-Applicable Sections:	Personnel
Background Documents: (Access via Contact Officer)	Note from Defra regarding the Environmental Protection Act 1990 (EPA) and Schedules 1 and 2 of the Controlled Waste Regulations 1992 (CWR), including Schedule 2 Customers, where the cost of disposal cannot be recharged.

APPENDIX 1 – Comparison of Current Trade Waste Collection Service prices with other local authorities and commercial companies operating with the Bromley area

Comparison of trade waste collection prices per annum (excluding vat) for 2011/12

London Boroughs	60L bag £	240L £	660L £	960L £	1100L £	WTN £
Bromley	117.25	266.21	439.30	667.93	701.56	82.00
Bexley	26.52	233.00	N/A	N/A	840.00	N/A
Croydon	266.24	447.72	1,193.92	N/A	1,343.16	40.00
Kingston	Does not offer as trade waste collection service					N/A
Lambeth	N/A	428.59	629.85	N/A	801.39	N/A
Lewisham	N/A	291.00	N/A	N/A	589.00	N/A
Merton	143.00	417.60	629.20	N/A	772.20	95.00
Richmond	183.50	340.14	N/A	N/A	1,000.75	N/A
Average	122.75	346.32	723.07	N/A	864.01	72.33

Comparison to commercial companies (incl of WTN)

	60L bag £	240L £	660L £	1100L £
Bromley	199.25	348.21	521.30	783.56
Biffa	67.17	390.00	559.00	689.00
Sita	100.40	410.80	540.80	644.80
Anywaste	147.50	420.50	537.50	615.50
Cory	40.73	N/A	N/A	455.00
Grundon	86.67	N/A	N/A	433.33
Orion	41.17	N/A	N/A	476.67
Bywaters	65.00	N/A	N/A	662.13
Company average	78.38	407.10	545.77	568.06

From the tables above, it can be seen that the council charges below the average compared to other local authorities but is competitive with the private providers. The majority (62%) of our customers use 1100L (40%) and 960L (22%) containers.

Report No.
ES12003

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

Date: For Pre-decision Scrutiny by the Environment PDS Committee on 18th January 2012

Decision Type: Non-Urgent Executive Key

Title: Parking Strategy

Contact Officer: Iain Forbes, Head of Transport Strategy
Tel: 020 8461 7595 E-mail: iain.forbes@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: All

1. Reason for report

The 2009 Parking Working Group asked for a Bromley Parking Strategy to be developed to update the Parking and Enforcement Plan agreed as part of the Council's first Local Implementation Plan (or LIP) in 2007. The Working Group's view was that, whilst continuing to meet the requirements of the London Mayor and TfL, this should be a Bromley policy document led by local needs and priorities. A proposed Parking Strategy is now recommended

2. **RECOMMENDATION(S)**

- 2.1 That the Parking Strategy included at Appendix 1 of this report be approved.
- 2.2 That the Director of Environmental Services be authorised to change the factual content of the Strategy as necessary to keep it relevant and up-to-date, with any proposed changes to the policy content or objectives being referred for Member approval in the usual way.

Corporate Policy

1. Policy Status: New policy.
 2. BBB Priority: Quality Environment. Vibrant, Thriving Town Centres
-

Financial

1. Cost of proposal: No cost The proposed strategy if agreed will be delivered using the existing revenue budget for parking 2012/13 and LIP funding of £280k
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: TfL LIP funding for 2012/13 and parking
 4. Total current budget for this head: £280k and Cr £5.6m
 5. Source of funding: TfL LIP funding for 2012/13 and existing revenue budget for 2012/13
-

Staff

1. Number of staff (current and additional): Approx. 70 FTE provide the parking service including contractors' staff
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approx. 6M parking transactions (on-and off-street) per annum plus all permit holders.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 Bromley's first Local Implementation Plan or LIP was approved by the then Mayor of London in August 2007. That document was required by formal Guidance to include a Parking and Enforcement Plan (PEP), the contents of which were also prescribed by Guidance. The Parking and Enforcement Plan was the first occasion on which an attempt had been made to bring together the Council's parking policies, statistics and working practices in a single document.
- 3.2 The Environment PDS Committee established a Parking Working Group in 2008, and the Group met five times between 5th November 2008 and 5th May 2009. There was some concern that the PEP did not appear to have a high profile, perhaps due to its origin as part of the LIP process rather than as a strategy developed in its own right. One of the Working Group's decisions was that a Bromley Parking Strategy should be developed to update the Parking and Enforcement Plan. Whilst continuing to meet the requirements of the London Mayor and TfL, this should be a Bromley policy document led by local needs and priorities.
- 3.3 Given that the Council was also committed to devoting significant resources preparing its Local Implementation Plan (LIP) for Transport, which takes an overview of the Council's transport policies and programmes, it was necessary to defer the preparation of the Parking Strategy until the LIP policies were agreed and resources were available.
- 3.4 A draft Strategy is attached to this report at Appendix 1. The Strategy is divided into six chapters, as follows:
- | | |
|---|---|
| 1. Introduction | |
| 2. The Parking Strategy in Context | This section sets out policy background and seeks to explain "why" our parking service operates as it does. |
| 3. Bromley's Parking Policies in Action |) These sections are largely factual and
) explain the "what" and "how" of our parking
) service. |
| 4. Parking Charges | |
| 5. Parking Enforcement | |
| 6. Future Challenges | This section briefly addresses some of the issues the service will face in the future. |
- 3.5 In addition to the main chapters, the Strategy has a number of purely factual Appendices.
- 3.6 The "Parking Strategy in Context" chapter contains a section which set out a list of objectives for the Strategy. These objectives, which set the context for the operation and development of the parking service, have been developed from the objectives originally listed in the 2007 PEP and from additional (and to a degree overlapping) objectives agreed by the Working Group.
- 3.7 The PEP set out the following reasons for introducing and enforcing on-street waiting and loading restrictions, although all these reasons also apply in some measure to off-street parking:
- To improve the safety of road users;
 - To assist the smooth flow of traffic and reduce traffic congestion;
 - To assist and improve bus movement;
 - To assist in providing a choice of travel mode;
 - To ensure effective loading/unloading for local businesses;
 - To provide a turnover of available parking space in areas of high demand;
 - To assist users with special requirements, such as the disabled;
 - To promote and enhance the health of the local economy; and
 - To encourage residents to park near their homes.

3.8 The Working Group agreed eight key objectives which Bromley's Parking Service should seek to address:

- Setting a level of charges which balances demand and supply for parking spaces across the borough;
- Seeking to persuade motorists to switch from unnecessary car journeys, to reduce traffic congestion and carbon emissions;
- Meeting the parking needs of residents, retailers and visitors;
- Providing the right balance between long, medium and short stay spaces in particular locations;
- Providing sufficient affordable parking spaces to support the local economy, borough-wide and in specific locations;
- Providing an efficient service which offers Best Value;
- Improving road safety; and
- Controlling the budget.

3.9 It is suggested that the following set of objectives, as set out in the draft Strategy, combines the intent of both the lists above:

Policy objectives

- To improve the safety of all road users.
- To provide sufficient affordable parking spaces in appropriate locations to promote and enhance the local economy.
- To assist in providing a choice of travel mode, and enable motorists to switch from unnecessary car journeys, to reduce traffic congestion and pollution.
- To ensure effective loading/unloading for local businesses.
- To provide the right balance between long, medium and short stay spaces in particular locations
- To provide a turnover of available parking space in areas of high demand.
- To assist the smooth flow of traffic and reduce traffic congestion.
- To enable residents to park near their homes.
- To assist users with special requirements, such as the disabled.

Operational objectives

- To set a level of charges which balances demand and supply for parking spaces across the borough.
- To provide an efficient service which offers Best Value.
- To control the budget within prescribed limits.
- To be seen as fair and responsive to customer needs.

3.10 It is intended that the Strategy will be a "living" document, which is capable of being easily changed to represent current facts and figures and working practices. It is therefore proposed that officers be authorised to make any factual changes to the Strategy which may be necessary from time to time to keep the Strategy relevant and up-to-date. Any proposals to change the policy context or objectives of the Strategy would be referred for Member consideration in the usual way.

4. POLICY IMPLICATIONS

4.1 The adoption of the Strategy, and in particular the Objectives set out in paragraph 3.8 above will represent a formal change in policy, albeit a change which reflects the Council's current approach.

5. FINANCIAL IMPLICATIONS

5.1 The parking strategy if agreed will be delivered using the 2012/13 parking revenue budget Cr £5.6m and 2012/13 TfL LIP funding of £280k allocated for parking schemes.

Non-Applicable Sections:	Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	Bromley's Approved Local Implementation Plan, December 2007. Report of the Parking Working Group, May 2009

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Bromley's Parking Strategy

1. Introduction

- 1.1 The London Borough of Bromley has a unique transport geography that influences travel patterns within and beyond the Borough. Good accessibility to Bromley for workers and visitors is important for the local economy. Well thought-out parking policies and effective enforcement can influence travel patterns, sustain the local economy, balance competing demands for road space, relieve congestion and contribute to sustainable outcomes.
- 1.2 Conversely, parking which is not properly regulated can exacerbate congestion on the road network, reduce the reliability of public transport, impact adversely on the local economy and create road safety problems. Car parking provides a highly visible service to residents, local businesses and visitors. This service needs to be seen as fair, effective and proportionate if it is to retain public support.
- 1.3 This Parking Strategy outlines the Council's parking policy as well as providing local solutions for parking problems in the area. It sets out how parking issues are currently dealt with, identifies the priorities for enforcement and for future investment, and explains how they will be taken forward in future years. This Strategy will build on existing best practice undertaken within the Borough and refine it to meet the challenges identified within it.

2. The Parking Strategy in Context

- 2.1 Bromley's geographic location as an outer London borough situated close to the M25 and to the counties of Kent & Surrey gives rise to a number of challenges:
 - Rail commuters drive into the Borough to park before they catch trains (this process is known as "railheading") ; and
 - Car- borne commuters drive through the Borough to destinations in central and southeast London.
 - The availability of a very large out-of town shopping centre at Bluewater, accessible via the M25, and which currently offers free parking, generates conflict with Bromley's role as a Metropolitan town centre.
- 2.2 The size, geography and the nature of development within the Borough dictate travel patterns:
 - Bromley is geographically the largest of all 33 Boroughs in London, and consequently many journeys are quite long. The London Travel Demand Survey for 2005-2008 indicates that the average journey length at 12.8 miles/ 20.6 km is the longest in London.
 - The Borough can be divided into three distinct areas. In the north of the Borough, the development is mainly Victorian terraced properties and the lack of off-street parking creates demand for on-street parking for residents

as well as visitors. Much of the rest of the Borough can be described as suburbia, with the majority of properties having adequate off-street parking, while the south of the Borough is rural in character and similar to the adjoining parts of Kent and Surrey.

- Bromley Town Centre is a Metropolitan shopping centre and major employment centre with a catchment area that covers a significant part of south-east London and north Kent. In addition, the Borough has a number of other shopping centres and retail parks that cater for local shopping needs and which generate their own travel patterns.

2.3 The availability, frequency and reliability of public transport also influences the way people travel:

- The rail network provides good access to central London and other destinations. However, many residents do not have local access to a railway station as the railway lines are concentrated along certain transport corridors, and the rail network does not cater well for orbital journeys around London as it connects mostly with destinations in central London.
- Many parts of the Borough are poorly served by public transport this is not just a problem in rural areas such as Downe but many residential estates also have a restricted service. Major destinations such as the Princess Royal University Hospital in Farnborough are currently poorly connected to the public transport network. As a result of public transport not being readily available in certain areas, there is a higher dependency on car transport for mobility needs.
- Increases in traffic congestion and its impact on journey times for buses and general traffic will reduce the attractiveness of Bromley as an employment location and will have an adverse impact on the environment.

Car Ownership in Bromley

2.4 Bromley has the third highest car ownership level in London. Only the boroughs of Harrow and Hillingdon have fewer households without a car. The 2001 Census indicated that car ownership in Bromley is 0.496 cars per person, compared with a figure for Greater London of 0.365 cars per person. 31% of Bromley households have two or more cars and on average there are 16% more vehicles than households. Bromley currently awaits updated figures on car ownership from the Census 2011.

Car Use

2.5 The London Area Travel Survey indicates that between 2006/07 and 2008/09, 52% of trips per day in Bromley were made by car, compared to an overall average for Greater London of 39%. Trips by mode include the second highest rail use at 5%, yet the lowest bus share at 9%. Walking represents 28% of trips which is roughly average, with cycling at 1%. (London Travel Demand Survey 2010)

- 2.6 As well as a general rise in car ownership, changes in population and the number of households in the borough will affect the number of vehicles parking locally. It is forecast that in Bromley by 2016 the number of households will have risen to 139,000 and to 149,000 in 2026. All this will generate additional parking within the borough.
- 2.7 A large proportion of households in the Borough include older people who have access to free travel on public transport through the “Freedom Pass” (The estimated proportion of 50-80 year-olds in Bromley in 2006 was 16.3% compared with a London average of 12.4%). However, many live in areas that are not well served by public transport and therefore rely on the private car for their mobility needs. In addition, as this group is likely to have more acute health problems than younger members of the community they have a higher reliance on the car for their transport needs. As such, the number of vehicle journeys and the requirement for parking at destinations, particularly health facilities, is disproportionately high when compared with other areas in Greater London.
- 2.8 The main demand for both on-street and off street parking within the Borough’s town centres occurs from Monday to Saturday across the working day between 8am and 6:30pm, and on Sundays during the retailing hours of 10am to 5pm. The night-time economy, based around pubs, club and restaurants in commercial centres places greater pressure on residential kerbside parking at later hours than has previously been the case and this is an issue that will continue to be reviewed in light of changes in local economies.
- 2.9 The majority of drivers seeking long stay parking in the Borough travel at peak periods when traffic levels are at their highest. Conversely, many drivers seeking short stay parking are shoppers, and tend to avoid travelling in peak periods.

Parking Policies

- 2.10 The Council’s parking policies are set in the context of the Council’s overall transport policies. While these are currently under review, the Council’s 2011 Local Implementation Plan or LIP, which sets out how Bromley intends to implement the Mayor of London’s Transport Strategy or MTS, includes the following objectives:
 - B1. To reduce congestion on the road and public transport networks.
 - B2. To maintain and enhance the economic and social vitality of Bromley’s town centres, and in particular to support the implementation of the Bromley Town Centre Area Action Plan over the next fifteen years.
 - B3. To enable a genuine choice of travel mode for all journeys, appropriate to the purpose and length of the journey being made.
 - B4. To promote the safe use of cycling, walking and public transport to improve access to services, facilities and employment, reduce peak time congestion, improve journey times, and limit emissions.
 - B5. To improve in-borough and orbital connectivity, and to secure extensions of the Docklands Light Railway and Tramlink into the borough.
 - B6. To enable multimodal journeys by improving integration and interchange.

- B7. To ensure that Bromley's streets and other public places are accessible, safe, clean, uncluttered and comfortable spaces for people.
- B8. To improve accessibility to all forms of transport for people whose mobility is impaired for any reason.
- B9. To reduce the number and severity of road casualties, with particular focus on collisions that lead to death or serious injury.
- B10. To improve the environment and reduce air and noise pollution.
- B11. To maintain the borough's transport assets in a safe and serviceable condition.
- 2.11 The availability and price of parking will have a direct or indirect impact on most of these objectives.
- 2.12 Both the **Mayor's Transport Strategy** (May 2010) and the **London Plan**, which was published in July 2011, contain Londonwide policies on parking, to which the Council must have regard. In particular, the London Plan sets out a framework of standards for the provision of off-street parking in new developments, including standards for cycle parking, disabled parking, and the provision of parking for electric vehicles.
- 2.13 The Council's second statutory **Unitary Development Plan** (UDP) was adopted in July 2006. It is currently in the process of being replaced by a **Local Development Framework** or LDF. The UDP/LDF is the main vehicle for ensuring that the requirements of national planning policy and of the London Plan are consistently applied in Bromley. However, the publication of the London Plan and the Government's announcement of its intention to introduce a new National Planning Policy Framework mean that the UDP's transport policies are in need of substantial revision as part of the development of the LDF.
- 2.14 In addition to the above, the adopted **Bromley Town Centre Area Action Plan** (BTCAAP), which is an LDF document, contains a specific parking policy (Policy BTC25) as follows:
- *Parking provision for non-residential development will be provided in the form of publicly available paid parking. A high standard of build quality and operational design (both for vehicles and pedestrians) will be expected for new car parks in the town centre, including personal security requirements.*
 - *The Council will seek to reduce existing non residential parking provision where this is linked to the implementation of an approved Travel Plan. The levels of non residential parking should be consistent with the targets to reduce the level of single car occupancy journeys contained within the approved Travel Plan.*
 - *The Council will further develop and expand the Controlled Parking Zones around the town centre to mitigate the impacts of commuter and shopper parking. The Council will prioritise the use of on-street parking for shorter*

stays. Residents within opportunity sites will not be eligible to acquire Resident's Parking Permits to park on-street.

- *The Council will encourage Park & Ride operations to be developed. A robust assessment of potential Park & Ride sites will be carried out by the Council and implementation of an initial Saturdays-only Park & Ride will be investigated, based on the Christmas Park & Ride operation.*
- *The Council will support a full-time Park & Ride service, triggered by development in Phase Three*, subject to further study, including identification of an acceptable permanent site with adequate environmental safeguards and a viable business case.*

* Phase 3 of the Area Action Plan

Objectives for the Parking Strategy

2.15 The structured use of parking controls, both on- and off-street is a key tool in restraining non-essential traffic, encouraging modal shift towards more sustainable modes of travel, and in helping to balance competing demands for road space, while at the same time meeting essential local needs.

2.16 The objectives listed below set the context for the operation and development of the parking service, have been developed from the objectives originally listed in the 2007 PEP and from additional objectives agreed by a Member-level Parking Working Group which met on a number of occasions in 2008-09 to consider Bromley's parking strategy, operational policy and charging structure.

Policy objectives

- To improve the safety of all road users.
- To provide sufficient affordable parking spaces in appropriate locations to promote and enhance the local economy.
- To assist in providing a choice of travel mode, and enable motorists to switch from unnecessary car journeys, to reduce traffic congestion and pollution.
- To ensure effective loading/unloading for local businesses.
- To provide the right balance between long, medium and short stay spaces in particular locations
- To provide a turnover of available parking space in areas of high demand.
- To assist the smooth flow of traffic and reduce traffic congestion.
- To enable residents to park near their homes.
- To assist users with special requirements, such as the disabled.

Operational objectives

- To set a level of charges which balances demand and supply for parking spaces across the borough.
- To provide an efficient service which offers Best Value.
- To control the budget within prescribed limits.
- To be seen as fair and responsive to customer needs.

3. Bromley's Parking Policies in Action

- 3.1 The Council's overall approach to parking and enforcement is to work with residents and other stakeholders to identify local problems and develop appropriate and proportional local solutions which support and complement the Council's wider policies and strategies. These solutions include the prohibition of parking where this would compromise safety and the free flow of traffic, providing convenient on-street parking for residents, visitors and businesses, and providing off-street parking (car parks) in areas where demand is greater than can reasonably be accommodated by the kerbside.

Waiting Restrictions (Red and Yellow Lines)

- 3.2 The majority of yellow-line waiting restrictions in Bromley are on strategic and distributor roads and have been introduced largely to promote safety, assist buses, enable servicing and aid efficient movement of traffic. Where practicable, short-stay parking bays are also provided on these roads. Red-line waiting restrictions on the Transport for London Road Network (TLRN) are the responsibility of TfL, but aim to meet similar objectives on London's busiest roads.
- 3.3 Elsewhere, waiting restrictions have been introduced to remove obstructive or unsafe parking at locations such as close to junctions, on bends, outside schools and where the visibility of other motorists is obstructed. In addition, restrictions are often placed in narrow streets where parking would otherwise take place on both sides, to assist the emergency services in obtaining access.
- 3.4 Waiting restrictions across the Borough apply over many different time bands, although many restrictions were introduced several years ago covering a standard working day from 8.30am to 6.30pm. In the last 15-20 years, with increasing traffic flows and congestion, more flexible working arrangements and evening and Sunday trading, peak traffic periods have spread. In the wake of this process, the peak times for parking demand have also changed.
- 3.5 To address this process of change, the Council regularly reviews restriction time bands as part of a wider process by which waiting restrictions are regularly reviewed and amended in order to improve safety, to continue meeting local needs, and to rationalise provision in order to reduce ambiguity or confusion for drivers.
- 3.6 The Council sees the introduction of restrictions into residential streets as a last resort, and this only takes place where safety is compromised by dangerous or obstructive parking, or where the bulk of the demand for kerbside parking is from people from outside the local area and is detrimental to residential and community activities.
- 3.7 The views of residents and other frontagers are given a significant weight in deciding whether controls should be introduced.

On-street Parking

- 3.8 Throughout Bromley, on-street visitor parking within areas of controlled parking is managed by the use of Pay and Display (P&D), which requires a valid ticket or permit to be displayed in the windscreen of the vehicle parked in a defined bay. Payment by mobile phone is also possible and is an increasingly popular method of payment.
- 3.9 The main areas of parking control also have bays reserved for local residents, or bays shared between residents and paying visitors. In some places there are also bays reserved for motorcycles, businesses, disabled people, doctors and loading.
- 3.10 The changing nature of shopping and business opening hours has resulted in very similar, and sometimes higher, levels of parking on Sundays and Bank Holidays than on “normal” weekdays or Saturdays. For this reason, parking controls apply on Sundays in Bromley town centre and parking controls throughout the borough operate on Bank Holidays (except Christmas Day and Boxing Day) to prevent obstruction and congestion.

Controlled Parking Zones

- 3.11 There are a number of formal Controlled Parking Zones (CPZs) in the borough as well as other areas where some controlled parking operates without being formal CPZs. The distinguishing feature of a formal CPZ is that the hours of operation of the restrictions are displayed on signs at the entrances to the area. The hours of control that apply to single yellow lines and to permitted parking bays are usually the same, and it is not necessary to provide signs at each separate length of yellow line.
- 3.12 The main exceptions to the uniform time restriction within a CPZ are double yellow lines, which prohibit parking “at any time” (i.e. 24 hours a day, every day) and do not require signs in addition to the lines themselves. Any other exceptions have to be specifically signed as having different hours of control to the general hours of the scheme in question.
- 3.13 The borough’s main Controlled Parking Zone (CPZ) is in Bromley Town Centre. It spans an area of 1.8 square miles and consists of an inner and two outer zones. The full list of the Council’s CPZs is set out below:
- Beckenham
 - Bromley Town Centre
 - Burnt Ash Lane North
 - Clock House, Beckenham
 - Copers Cope, Beckenham
 - Elms Estate
 - Walnuts Estate, Orpington

Town Centres

- 3.14 The borough’s main commercial centres are:
- | | |
|--------------|---|
| Bromley | Metropolitan Centre (as defined in the London Plan) |
| Orpington | Major Town Centre |
| Beckenham | District Centre |
| Penge | District Centre |
| Petts Wood | District Centre |
| West Wickham | District Centre |

- 3.15 Each of these centres has a rail connection and is well served by buses. Beckenham is also on the Tramlink network.
- 3.16 In addition to the above, the Council has designated Biggin Hill, Chislehurst, Hayes, Locksbottom and Mottingham as Local Centres. There are also more than 70 smaller centres and shopping parades serving local communities.
- 3.17 Within the larger town centres, the Council's aim has been to provide adequate off-street parking (i.e. car parks) to complement on-street parking and to accommodate those who wish to visit the area for shopping, business and leisure activities. The tariffs at these cars parks are normally set so as to favour short and medium stay parking over all-day parking, and more generally it is the Council's policy to favour short-stay and medium-stay parking over long-stay parking both on and off the street. It is, however, recognised that some long stay parking is need in town centres to support the local economy.

Orpington Restricted Zone

- 3.18 A new-style restricted parking zone has been introduced in Orpington High Street where motorists are permitted only to park in marked bays. The High Street does not have traditional yellow lines and drivers who do not park in marked bays risk receiving a Penalty Charge Notice (PCN).
- 3.19 The restricted parking zone complements the recent improvement of Orpington High Street, as fewer intrusive road markings are required. The zone itself is in operation "at any time" but charges for parking only apply during the working day, Monday to Saturday. Parking bays are marked out with time restriction signs showing motorists how long and when they can park. There are also dedicated loading bays for commercial vehicles. These are clearly marked with appropriate signs and motorists should not park in them.
- 3.20 Because Restricted Zones remain quite unusual, motorists can encounter some initial difficulties in understanding the difference between them and more conventional controls based on yellow lines. Nevertheless, Restricted Zones offer benefits in terms of reduced street clutter, and they may also be of use when controls are introduced to streets which have surfaces which are unsuitable for conventional markings. A Restricted Zone is under consideration for Bromley North Village, although no final decision has been taken. Any further use of Restricted Zones will be considered on a case-by-case basis.

Smaller Areas of Parking Control

- 3.21 In the smaller town centres and other controlled parking areas, mixed parking controls have been introduced to meet particular local needs and circumstances. These circumstances include:
- The need to control all day parking by commuters and railheaders to protect kerbside space for local usage;
 - The need to reduce long term parking around railway stations; and
 - The need to protect kerbside space for short term parkers/shoppers near to shopping centres.

The measures used include:

- The introduction of time-limited waiting restrictions to deter all-day parking and to encourage a turnover of space to support local businesses;
- Short stay free parking bays with a “no return” period;
- Provision of local car parks;
- Paid pay and display and mobile phone parking; and
- Permit areas as above.

3.22 To ensure that parking provision and availability continue to support the needs of users and the local economy, the Council is committed to reviewing these restrictions regularly.

Parking Permits

3.23 The introduction of paid parking often encourages drivers to seek free on-street parking in nearby streets. In order to preserve local parking for residents (and in a few locations, businesses), non-CPZ permit schemes have been introduced in:

- Burnt Ash Lane South
- Camden Grove, Chislehurst
- Chatterton Village, Bromley
- Farnborough Village
- Ledrington Road, Anerley
- Locksbottom
- Locksbottom business zone
- Maple Road, Penge
- Orpington
- Petts Wood

Residents' Parking Permits

3.24 The Council will issue a resident's permit on request to those people who:

- Permanently reside at an address within the Permit Parking Area and are able to provide evidence of this;
- Own a passenger or goods carrying vehicle the overall length of which does not exceed 5.25 metres, a motor cycle over 49cc, or an invalid carriage. (Mopeds 49cc and below are exempt); and
- Pay the appropriate fee.

Non-residents are not eligible for a Parking Permit.

3.25 The full criteria for issuing residents' permits are set out in **Appendix A**.

Visitor Permits

3.26 To accommodate residents' visitors in areas of controlled parking, a system of visitor permits has been developed. These permits may only be purchased by persons who permanently reside at an address within a Permit Parking Area and who are able to provide evidence of this. No more than four books of visitors' vouchers (15 vouchers per book) may be issued to each eligible applicant per year.

3.27 Residents aged 60 years or over can claim up to two books of visitor vouchers free of charge each year.

3.28 Visitors' vouchers can be purchased by residents in all zones except D

(Anerley) and LB (Locksbottom business zone) to enable friends and family to park whilst visiting.

3.29 The full criteria for issuing visitor permits are set out in **Appendix A**.

Business Permits

3.30 Business parking permits will be issued on request to qualifying organisations which:

- Have an address in the area of the parking zone where business parking permits apply;
- Are able to show that they permanently employ more than one person;
- Own a passenger or goods carrying vehicle, the overall length of which does not exceed 5.25 metres, a motor cycle over 49cc, or an invalid carriage. (Mopeds 49cc, or below are exempt).
- Provide evidence that they are either registered as a business at companies house, vat registered or pay business rates for the premise within the zone specified where business permits apply;
- Do not already hold four current business permits; and
- Pay the appropriate fee.

In addition, qualifying business users are entitled to 10 books of 15 one-day parking vouchers per year.

3.31 There is a separate business permit zone in Locksbottom and business permits are also available in Bromley zones B and C.

3.32 The full criteria for issuing business permits are set out in **Appendix A**.

General Considerations Applying to Permits

3.33 Possession of a permit issued under one of the above schemes allows the holder of the permit to park within a designated number of streets, indicated by a zone number shown on the permit. A permit does not guarantee the holder a dedicated space outside an individual address, nor is it a guarantee that there will be sufficient kerbside parking space available to cater for all those who may have permits to park in any particular road or zone at any one point in time.

Permit Prices

3.34 Permit prices are based on the cost of administration and also the cost of enforcing residents' parking controls. The differential in price reflects the different hours of control which apply in different areas.

3.35 A review of charging in April 2011 concluded that the permit charges for future resident permit schemes should be standardised at £35 where enforcement is in place for no more than four hours a day, and at £75 where enforcement is for more than four hours. The charge for future business permits was standardised at £150. These changes were not retrospectively applied to existing schemes, and some variation in charging remains.

3.36 The total numbers of resident and business permits and visitor vouchers issued between 1st April 2009 and 31st March 2010 are shown in **Appendix B**.

Shared Use Parking

3.37 In order to allow short stay paid parking for visitors in predominantly residential areas, some residents' bays have been converted to shared use. This system allows both residents with permits and visitors who park in the area for various reasons to make use of the parking space vacated by residents who take their cars out of the area during the day.

Mobile Phone Parking

3.38 After successful trials in Orpington, which started in 2006, mobile phone payment using a debit/credit card was rolled out throughout the Borough in May 2010. This service is now accessible in all Council owned pay and display parking areas, including all on-street pay and display bays and car parks (with the exception of the multi-storey car parks in Bromley Town Centre where motorists can pay by debit/credit card at the machines at the end of their stay). The contract to operate the service has been awarded to RingGo.

3.39 Paying for parking using a mobile phone has many benefits, including:

- No need to find coins.
- Avoidance of penalty charges due to lost or poorly displayed tickets.
- Motorists receive as a reminder a text message when their time is due to expire
- Reduced need for more pay and displays machines, reducing clutter and potential vandalism and crime.
- Charges are calculated by the minute, so motorists do not need to guess an estimated length of stay and only pay for the time they use.
- Motorists do not need to return to their vehicles to extended parking time.
- Accurate payment records to assist in dealing with appeals against PCNs.

Disabled Parking

3.40 There is a national scheme for issuing "Blue Badges" to disabled people, who meet national criteria. Eligibility for a Blue badge is either passported by the receipt of one of a range of benefits, or is determined locally by local authorities who assess applicants' level of mobility. The scheme allows holders of Blue Badges a range of parking concessions to improve their accessibility. These concessions include dispensations from paid on-street parking, and also allow parking in restricted areas (on yellow lines) for up to 3 hours. However, some of the on-street concessions do not apply fully in central London.

3.41 The badge is issued to the individual, not to the vehicle and can be used in any vehicle so long as the holder is travelling in it.

3.42 Legislation allows the introduction of marked on-street disabled parking bays, in which the holders of Blue Badges are entitled to park if their permit is displayed in the windscreen of the vehicle which they are using. Non-holders of a Blue Badge who park in one of these bays are liable to enforcement action through the issue of a PCN.

- 3.43 The use of disabled badges and the above concessions are only permitted if the disabled person, to whom the badge has been issued, is a driver or passenger in a vehicle at the time at which parking takes place. Any misuse of badges is an offence, and in such cases the concessionary badge may be withdrawn from the disabled person.
- 3.44 Theft and fraudulent use of badges are important issues, and the Council is actively taking measures to reduce this area of criminal abuse. These measures include a publicity campaign involving stakeholder organisations of disabled people, additional checking of blue badges where misuse is suspected, withdrawal of badges, and prosecution where there is evidence of fraudulent intent. There is a “hot line” and a page on the Council’s website where members of the public can report suspected misuse.

Provision of On-street Disabled Bays

- 3.45 Consideration is always given to the incorporation of new or additional dedicated disabled bays, based on an assessment of need, when new parking schemes are designed or existing arrangements are reviewed.
- 3.46 Outside controlled areas, on-street disabled bays are often provided near locations such as stations and health centres where there is proven demand. The Council will normally give positive consideration to the provision of marked on-street bays near residents’ homes, if requested to do so by either the disabled person or a representative who is responsible for their mobility. This process is subject to an assessment of the site for suitability (including safety considerations) and to the normal traffic order-making process which allows objections to be made, for example by neighbours or other road users. There are nearly 500 disabled bays marked on street.
- 3.47 Although the application for a disabled bay is made by an individual the bay is not specific to that person. Any holder of a “Blue Badge” is permitted to park in these bays if space is available.
- 3.48 The Council’s criteria for considering disabled bays and a summary of current on-street provision are set out at **Appendix C**.

Off-street Disabled Parking

- 3.50 The Council provides 126 dedicated disabled parking bays in all of its car parks. A detailed indication of disabled spaces by individual car park is given at **Appendix E**.
- 3.51 The Council also places requirements on developers through the planning process to provide stipulated numbers of dedicated off-street parking places for disabled staff and visitors in new developments. The UDP sets out standards for disabled parking provision in new developments, and more generally the Council applies the standards for disabled parking in developments as set out in the current London Plan, which was published in July 2011. The UDP also informs the levels of disabled parking provided in the Council’s own car parks.

Motorcycle Parking

- 3.52 In Bromley, motorcyclists can park in standard on-street parking bays by paying and displaying (or paying by phone) in the same way as a car user. However, displaying a ticket is difficult as it cannot be fastened to a secure or sealed area and the ticket can be easily lost, stolen or even blown away by the wind. Furthermore, because motorbikes take up relatively little space, other vehicles, (either another motorbike or a car) may attempt to park in the same bay and this can risk a penalty charge notice being issued to both parties.
- 3.53 The Council has also provided a number of marked, dedicated, on-street motorcycle parking bays which are well utilised. There is no charge for these on street bays, and the bays are mainly located in and around town centre locations. On street motor cycle bays can be found in the following locations across the borough:
- Ravensbourne Road, Bromley
 - Churchill Way Bromley
 - Park Road, Bromley
 - Ringers Road Bromley
 - Station Approach Hayes
 - Hayes Street Hayes
 - Berwick Way, Orpington
 - High Street Orpington
 - Homefield Rise Orpington
 - Walnuts Road Orpington
 - Beckenham Road, Beckenham
 - Petts Wood Road, Petts Wood
- 3.54 Following a review of motorcycle parking across the borough in 2010, dedicated motor cycle bays have now been provided in every Council car park.
- 3.55 Dedicated motor cycle bays are provided in every Council car park. There are 47 available over 28 car parks borough wide. There are no charges associated with these bays.
- 3.56 When introducing new parking controls or reviewing any parking scheme, the Council will always look to provide designated motor cycle bays. This process also includes a review of the siting of motorcycle bays with the aim of ensuring that the bays are not obscure or isolated, in order to improve the security of this type of parking.

Commercial Vehicles, Deliveries and Servicing

- 3.57 To ensure that businesses can continue to thrive and service their operations, stopping on yellow lines for the purpose of loading and unloading goods is normally permitted. This provision allows for up to 20 minutes for this action, so long as there is a continuous loading or unloading process taking place. However, uncontrolled loading during peak traffic periods can lead to traffic congestion and endanger pedestrians, and it is therefore often necessary to prohibit loading and unloading at times of high traffic flow. These restrictions are indicated by signs and yellow kerb “stripes”.

3.58 To assist businesses, loading bays are often provided in side streets adjacent to busy main roads so that deliveries can take place in peak time and then be trolleyed short distances to businesses in main thoroughfares.

Overnight Parking Restrictions on Commercial Vehicles

3.59 In 1985, the former Greater London Council introduced restrictions on the overnight parking, on street, of heavy goods vehicles and coaches on all roads in the Greater London area, unless a special exemption had been introduced. The regulations prohibit vehicles of a maximum gross weight which exceeds 5 tonnes from parking in any restricted street, between the hours of 6.30pm on any one day and 8am on the following day, in the whole of the Greater London Area.

3.60 While the Council provides some off-street lorry parking, there remains a problem with violation of the ban.

Lorry and Coach Parking

3.61 Because overnight on-street parking by heavy vehicles is prohibited, the Council provides three off-street lorry and/or coach parks at the following locations:

- Cotmandene Crescent, St Pauls Cray
- St Georges Road, Beckenham
- Churchill Way, Bromley (coaches).

Footway Parking

3.62 The Greater London Council (General Powers) Act 1974 introduced a ban on parking on the footway, or on footway verges, in all roads in London. This is intended to prevent damage to the footway and to provide clear passage for pedestrians, the visually impaired and wheelchair users. The ban is now a decriminalised offence under the Road Traffic Act, 1991.

3.63 Within the context of the Londonwide ban, borough Councils can introduce exemptions to prevent obstruction of the carriageway, as long as the Council's criteria regarding carriageway widths and prevention of obstruction of the footway are met. These exemptions aim to assist in reducing traffic congestion and improve community safety by reducing obstruction of emergency vehicles in residential areas.

3.64 The Council's the criteria for footway parking are set out in **Appendix D**.

Taxi Ranks

3.65 There are 23 taxi ranks in the Borough. The purpose of a taxi rank is to provide residents and visitors with a set location where they can hire a licensed taxi. Ranks are located in places where people most need a taxi, for example, railway stations and busy shopping areas. The ranks are the only places where a taxi may wait for business in a stationary position. It is an offence for any other vehicle to park in a taxi rank.

Doctors' Bays

3.66 Bromley provides, where requested, marked on-street doctor bays, at no cost to the applicant. The majority of healthcare premises within the Borough have off street parking provision for doctors. The number of on-street bays is low when compared with other London authorities, currently being four, at the following locations:

- Anerley Rd, Penge;
- Penge High Street
- St. James's Avenue, Beckenham; and
- Woodside, Chelsfield.

3.67 Doctors who use these bays display the Health Emergency Badge (see below). If it becomes apparent that there is increased demand for these bays in Bromley, then consideration could be given to the introduction of specific Doctor Permits. In the meantime, the Council will continue to respond to requests for such bays as required.

Health Emergency Badge Holders

3.68 The Londonwide Health Emergency Badge (HEB) scheme is administered by London Councils on behalf of the London Boroughs. The HEB scheme is intended to identify doctors' vehicles (and those of other qualifying health professionals) when being used on emergencies. The badge provides no immunity from parking regulations, but if a vehicle otherwise parked illegally is observed to be displaying a badge, Civil Enforcement Officers have a checklist to run through before deciding whether or not to issue a Penalty Charge Notice (PCN). If a PCN is issued, any challenge must be individually contested using the normal process.

3.69 In Bromley holders of these badges are allowed to park on yellow lines for 30 minutes, or in paid parking bays without payment for 30 minutes after the paid time has expired in the bay.

3.70 The badge must show the address being visited by the holder and be correctly displayed at all times. The dispensation does not apply if the vehicle is causing serious obstruction, left for an excessive length of time (over an hour) in the same position, or regularly seen in the same place.

3.71 The exemption does not apply in the vicinity of the holder's place of work (except in a doctor's bay as above). A vehicle displaying an HEB will not normally be penalised without an attempt made to contact the driver at the address shown on the badge.

Cycle Parking

3.72 As part of its commitment to and providing a range of travel choices within the Borough, the Council believes the provision of cycle parking plays an important role in encouraging potential users to see cycling as a practical alternative. There is a continuing programme of providing on-street cycle parking facilities in its town centres. In addition to this, off-street provision is made at health

centres, railway stations, new developments, areas of green space and other places where there is demonstrable demand.

3.73 Schools within the borough are also targeted for improved cycle parking facilities. Lack of appropriate facilities at individual schools are highlighted as part of the School Travel Plan process.

3.74 The planning process ensures that all new developments have adequate cycle parking for residents, workers and visitors, and employers who engage with our workplace travel planning process are also encouraged to improve cycle parking.

Car Clubs

3.75 Bromley currently has two on-street car club spaces (at Bromley North and Orpington High Street). Both have been secured through the planning process with free membership for residents of the associated development for the first year.

3.76 Car club growth in the borough has largely been encouraged through the development control process. Although car club growth has not been a priority for the London Borough of Bromley to date, efforts are under way to investigate potential on-street sites and develop a sustainable growth strategy over the coming years. This will be subject to Member approval and will largely be integrated into the Council's controlled parking zone reviews, and Bromley Town Centre Area Action Plan.

Electric Vehicles

3.77 The Council is generally supportive of the Mayor of London's proposal to improve the availability of electric vehicle charging points across London. However, the Mayor's strategy suggests that publicly available charging points should be no more than 1km (0.62 miles) apart, and it is not considered that this will be appropriate or achievable in practical terms in some of the more rural areas of the Borough.

3.78 Bromley currently has two publicly accessible charging points in the car park of The Glades shopping centre in Bromley town centre. Discussions with The Glades indicate that these spaces currently only receive use about once a month, and on no single occasion have both charging points been used simultaneously.

3.79 The Council's focus will be to concentrate initially on providing charging points in its car parks situated in the main town centres of Bromley, Orpington, Beckenham, Penge and West Wickham. This will be combined with a programme of promotion and advertising to residents within the borough to ensure people are aware of the facilities available to them.

Off-street Parking (Car Parks)

3.80 Public car parks in the Borough are operated both by the Council and by private operators. Car parks are the only way of providing substantial numbers of parking spaces in areas of high demand. They generally offer the opportunity to

park for longer than nearby on-street space and often offer a cheaper tariff and visible security measures.

- 3.81 A summary of the Council's off-street parking supply is given in **Appendix A**, together with information on car parks which are run by other operators. The total Council off-street parking stock in the Borough is 4,162 spaces on weekdays, increasing to 4,542 on Saturdays and 4,459 on Sundays.
- 3.82 In order to create a balance between supply and demand, various charging regimes are in place. These are set out in full at **Appendix E**. The Council carries out a review of all its off-street parking charges from time to time, as well as out a wider review of pricing policies in line with local, Londonwide and national transport priorities. This review is linked to the continuous development of a comprehensive approach to management of both off-street and on-street parking. The most recent review of off-street pricing was undertaken in 2007.

The Council's own car parks

- 3.83 At the Council's larger car parks, control is by the "pay on foot" method which allows visitors to take as long as is necessary for their visit without having to worry about whether their parking fee has expired. Payment machines at these car parks accept credit and debit cards. At smaller car parks, Pay and Display and parking is used, with the option of paying by mobile phone.

Park Mark - the Safer Parking Award

- 3.84 Park Mark is an initiative of the Association of the Chief of Police Officers (ACPO) designed to reduce crime, and more importantly the fear of crime in car parks. The award is managed by the British Parking Association and supported by the Home Office, and all the Police Forces within the UK.
- 3.85 The scheme requires car park operators to adopt an active management strategy to ensure a minimal occurrence of crime. The Park Mark is awarded to facilities that have on assessment achieved appropriate standards in the following categories:
- Surveillance
 - Lighting
 - Signage
 - Cleanliness
- 3.86 To date 33 of the 35 Council controlled car parks within Bromley borough as a whole have been awarded the Park Mark. An on-street facility in Crofton Road, Locksbottom has also received this award. A full list of car parks with a Park Mark award is set out in **Appendix E**.

Other Parking Services

- 3.87 In addition to the mainstream activities of controlling on-street parking through waiting and loading restrictions and designated parking bays, the Council provides a complementary range of associated services that regulate parking, promote safety and assist with the flow of traffic. These are detailed below.

Access Bars

- 3.88 The Council regularly receives requests from either business or residents to introduce short sections of yellow line to prevent drivers from parking across vehicular accesses, which prevents access to or from premises. However, the introduction of short sections of yellow line may not be practicable, as resources for the enforcement of waiting restrictions are limited. Nevertheless, the Council is aware of the distress that irresponsible parking can cause, and the effects that it can have on business operation.
- 3.89 The Traffic Signs Regulations and General Directions 1994 allow the provision of white access bars (carriageway markings to diagram 1026.1) across driveways where there is the potential for obstruction. The markings are to indicate to drivers that there is a vehicle access or crossover present and that they should not park. However, these markings are advisory.
- 3.90 The Council makes limited use of these markings, in the circumstances listed below:
- Across access/service roads giving access to multiple garages etc;
 - Access to blocks of flats etc;
 - Registered disabled drivers' driveways where there is no on-street disabled bay; and
 - Access to businesses / public halls / libraries etc.
- 3.91 There have been changes in legislation that may decrease the number of requests for such markings. The London Local Authorities and Transport for London Act 2003 (section 14) allows the Council to issue Penalty Charge Notices to or remove vehicles parked across dropped footways both within and outside Controlled Parking Zones.
- 3.92 However, the Act makes it clear that, in cases where the driveway is for residential premises and not shared by other premises, and the dropped footway is there to provide access to the driveway, then enforcement action can only be taken when the occupier of the premises requests the local authority to do so. This means that it is not an offence for a residential occupier to park across his or her own driveway.

Dispensations and suspensions

- 3.93 Dispensations are issued by the Council's Parking Enforcement section to permit a vehicle to park on yellow lines or within marked bays for a specific period and specified purpose where no alternative parking is reasonably available. This often happens when building works are required to take place to a property. The cost of this is currently set at £12.50: however, this is per occurrence rather than on a daily basis. In addition, where a marked parking bay is suspended this is currently charged on the basis of £25 per week. These costs represent an administrative charge rather than the full economic cost of the service or the loss of income to the Council.

3.94 Statutory undertakers are permitted to park any vehicles associated with works being carried out on the highway within the area required for the works to be carried out. This area has to be delineated by cones and/or barriers.

Special Event Parking

3.95 The Council makes use of orders under the Road Traffic Regulation Act 1984, Section 16A, for the introduction of temporary parking restrictions in association with special events such as the former Biggin Hill Air Fair. These orders are subject to the relevant statutory consultation requirement.

Procedure for introducing on-street parking schemes

3.96 As required by the provisions of the Road Traffic Regulation Act 1984, all restrictions on kerbside parking have to be introduced by making a Traffic Management Order. As part of the order-making process, local authorities are required to carry out statutory consultation with defined stakeholders. These include:

- The emergency services;
- Adjoining authorities, if affected;
- Representatives of freight transport operators; and
- Other known stakeholders who would be materially affected by measures.

3.97 In advance of the statutory order-making consultation, the Council always undertakes informal consultation with residents, frontagers and elected Ward Members. In some cases it may be appropriate to consult over a wider area before moving on to the statutory phase. Depending on the circumstances, and the scale of the proposal, consultees can also include:

- Nearby schools
- Bus operators
- Relevant residents' associations
- Disability organisations
- Bromley road safety panel
- Bromley Association of British Drivers
- Rail operators
- Business groups
- Community organisations
- Transport interest groups

3.98 A recent innovation has seen consultation available on different media such as social networking sites. This format of correspondence has allowed a greater flexibility in reaching and responding to consultees and potentially appeals to a broader spectrum of the population. Through this process, stakeholders in the community play a part in developing schemes that provide solutions which address specific local issues.

3.99 Under the Road Traffic Regulation Act 1984, authorities can either introduce experimental orders or permanent orders. The Council makes considerable use of experimental orders, as this process allows the Council the flexibility to change or modify the restrictions that have been introduced to take account of changes in circumstances before making them permanent. This process has been used for the introduction of Controlled Parking Zones borough-wide, as it allows the parking displacement to be monitored and additional roads to be added and the zones in question extended if necessary.

4. Parking Charges

- 4.1 There is a tendency for motorists to seek to park on the street as a matter of first preference. Even when an on-street space is farther from a destination than a car park, on-street parking is sometimes seen as more convenient. In order to encourage people to make use of off-street facilities, and to encourage a high turnover of customers for short-stay parking close to shops, charges in off-street car parks are generally set lower than on-street parking charges in the surrounding area.
- 4.2 The aims of the charging regime are:
- To establish and maintain parking charges which are appropriate and effective throughout the Borough.
 - To maintain the economic vitality of the Borough of Bromley.
 - To limit excessive demand for commuter and other all-day parking in places where this restricts access for other user groups in need.
 - To redistribute demand from locations where there is significant over-demand and queuing, to locations where there is spare parking capacity.
 - To achieve a good level of compliance with the regulations as an aid to fair and consistent enforcement.
 - To achieve and maintain a quality parking experience in Council-owned car parks.
 - To meet the costs of the service including progressive improvements.
 - To maintain price competitiveness with other shopping / business centres.
 - To maintain price competitiveness with comparable privately-operated car parks.
- 4.3 **Appendices E and F** give details of the charging regimes for off-street and on-street parking respectively.
- 4.4 From time to time, the Council reviews its parking charges in line with policy priorities, environmental, economic and transport objectives, and the need to maintain an adequate level of investment in the service.

Penalty Charge Bands

- 4.5 Penalty charges are set on a Londonwide basis, and are applied according to location and the nature of the contravention. In general terms, a penalty will be in the “lower” or “less serious” category if it relates to a place where parking is normally allowed, and in the “higher” or “more serious” category if it relates to a place where parking is prohibited.
- 4.6 The penalty charges which apply in Bromley are as follows:

	More serious contraventions	Less serious contraventions
Band A (All streets in Bromley Controlled Parking Zones A, B and C)	£130	£80
Band B (Applies to streets in the remainder of the Borough)	£110	£60
Car Parks – all zones	£110	£60
Bus lane enforcement	£130	N/A

There is a discount of 50% if a Penalty Charge Notice issued by a CEO (“warden”) is paid within 14 days. The period is 21 days if the notice is issued by CCTV.

5. Parking Enforcement

- 5.1 The Council recognises that a practical, common sense approach is needed to carry out its parking enforcement responsibilities. However, lack of knowledge or deliberate abuse of the rules by the public is unfortunately common. Contraventions of parking restrictions lead to traffic congestion and have adverse implications for road safety. While many people consider that a breach of the rules only involves a few minutes, they do not appreciate the cumulative effect of such parking on road safety, congestion or traffic flow.
- 5.2 Parking contraventions are dealt with by the issue of a Penalty Charge Notice (PCN) and, in appropriate circumstances, by towing away of the vehicle. In certain circumstances, warning notices may be issued instead of PCNs. The offences for which PCNs can be issued are detailed in the list of offence codes issued by London Councils, as set out in **Appendix G**.

Enforcement Services

- 5.3 The Council has contracted its enforcement services to Vinci Park Services UK Limited, and their operatives patrol and undertake on street enforcement services. The current parking enforcement contract came into operation on 1st October 2006 and currently runs till 2016.
- 5.4 Our parking contractor aims to deploy an average of 23 Civil Enforcement Officers (CEOs, but commonly known as “wardens”) each day. The hours of enforcement are primarily between 8.30am and 6.30pm, when most restrictions apply. However, enforcement at other times is also undertaken to ensure a comprehensive service is provided. Wardens use up- to-date technology to issue Penalty Charge Notices (PCNs) and record photographic images of contraventions.
- 5.5 The Council has implemented Geographical Positioning System (GPS) technology for its wardens. The benefits include:

- security to wardens when working alone: an officer at a location for a unusual length of time can be identified and if necessary assistance can be arranged very quickly;
- an improved enforcement strategy based on the data being gathered;
- clearer records of enforcement in specific areas;
- the ability to deploy wardens quickly.

5.6 Before undertaking their duties, all the Council's wardens undergo rigorous and thorough training to cover both national and local enforcement policies. Stringent checks, including Criminal Records Bureau (CRB) checks are routinely carried out on our wardens to ensure quality standards are maintained and training given where necessary.

Frequency of enforcement

5.7 The aim of the enforcement regime is to secure compliance with the regulations. The Council has developed a prioritised approach to the enforcement of on-street waiting and loading restrictions through the use of wardens, mobile patrols and CCTV cameras. Enforcement is targeted on a hierarchical basis as follows:

- Strategic roads
- Busy bus routes
- Residential permit areas
- Town centres
- Areas of congestion
- Local shopping parades
- Schools
- Elsewhere

The frequency of visits to any given street is based on experience, and is adjusted where compliance is poor, or where safety and traffic flow considerations demand additional enforcement.

Static Closed Circuit Television (CCTV) enforcement

5.8 The London Local Authorities Act 2000 made it possible to enforce parking contraventions on the basis of information provided by the use of a CCTV camera. There are a number of CCTV cameras within Bromley which are used for Traffic enforcement. For parking enforcement purposes, Bromley makes use of camera installations provided through CCTV networks that already cover parts of the Borough. Using cameras, qualified operators are able to remotely monitor traffic offences, whilst recording the evidence at the same time as being observed by the operator.

Mobile CCTV

5.9 In 2007, enforcement trials began using a specially adapted car fitted with CCTV recording equipment. This method of enforcement discourages drivers from parking dangerously and compromising the safety of children and pedestrians outside schools. Such was the success of enforcement through this method that three further CCTV vehicles have been introduced. All vehicles are

now used for other parking enforcement, including pedestrian crossing zig-zags and bus stops.

- 5.10 Some of the vehicles are fitted with Automatic Number Plate Recognition (ANPR), which enables the operator to record contraventions from a considerable distance. The technology is also sufficiently advanced to recognize vehicles parked in residents' bays without a valid permit.

CCTV Enforcement of Bus Lanes

- 5.11 The London Local Authorities Acts 1996 and 2000 decriminalised traffic contraventions in bus lanes, making it possible for enforcement to be carried out using CCTV equipment with penalty charge notices being served by post to the registered keeper of the vehicle. A consistent, fair and sustained level of bus lane enforcement helps to improve the reliability and punctuality of public transport, making its use a more viable alternative to individual car use, factors which combine to help reduce traffic levels, congestion and pollution from existing levels.

- 5.12 Currently 12 bus lane enforcement cameras are used to enforce 7 bus lanes within the Borough.

- 5.13 Enforcement officers, who are BTEC qualified, use CCTV images to record the registration numbers of vehicles that are seen to be illegally using these lanes. Secure digital recordings are used as evidence of the contravention. Where required, all equipment used is of a type approved for the purpose by the Secretary of State.

Body worn video

- 5.14 Wardens in Bromley are equipped with body worn video devices that can be attached to headwear, epaulettes or chest pockets. This is a development of the "head cams", which Bromley was one of the first local authorities to use in February 2009. Wardens in Bromley use these devices to record the details of parking contraventions. Body worn video complements more traditional methods of recording details, such as pocket book notes and photographs. The footage has proven to be a very useful tool in establishing training requirements for wardens, which in turn, has improved communication with motorists and the general public. The footage provides the Council with more details of a parking contravention and as a result, we are better prepared to assure fairness, transparency and accountability in the appeal process and in dealing with complaints. The footage can also be used to provide evidence of physical assaults and verbal abuse to officers.

Outcomes

- 5.15 Enforcement outcomes are monitored on a monthly basis. The table below shows the number of PCNs issued, both on and off street, over the last four years.

Method of PCN issue									
	warden		CCTV (bus lanes)		CCTV (static)		CCTV (mobile unit)		PCNs issued
Year	Total	%	Total	%	Total	%	Total	%	Total
2007-08	67,943	83%	7,136	9%	6,840	8%	280	≤1%	82,379
2008-09	64,323	80%	5,119	6%	8,509	11%	2,505	3%	80,456
2009-10	60,400	79%	5,631	7%	8,080	11%	2,068	3%	76,179
2010-11	72,581	81%	4,573	5%	9813	10%	2289	3%	89,256

For 2010/11,

- 76,809 PCNs were issued on-street (kerbside)
- 12,447 PCNs were issued off-street (car parks)80
- 59,221 PCNs were issued at the higher charging level
- 30,035 PCNs were issued at the lower charging level

Vehicle removal and wheel clamping

5.16 The Council does not wheel clamp illegally parked vehicles (although it retains the ability to do so in exceptional circumstances), and does not usually remove illegally parked cars unless it believes that the driver of the vehicle is a “persistent evader”, who has a number of penalty charge notices that have not been paid.

5.17 A “persistent evader” is defined by the Council as a vehicle with three or more outstanding PCNs. An outstanding penalty charge is defined as ‘a Penalty Charge Notice that has progressed to the charge certificate stage and is therefore not subject to appeal, or a notice where no keeper details are available from DVLA.

5.18 A list of persistent evaders is downloaded into the wardens’ hand held computers the day before the contractor’s removal truck is brought in to attempt to remove the vehicle. When a warden encounters an offending vehicle and enters a vehicle registration number, and the vehicle has three or more unpaid PCNs, it will flag up a message which may result in the vehicle being removed.

Challenging a Penalty Charge Notice

5.19 Because bus lane and parking enforcement using CCTV is currently covered by separate legislation from enforcement by a warden, a PCN may be issued in one of the following ways:

- In person by a Civil Enforcement Officer (CEO or “warden”) for a parking contravention. These PCNs are traditionally issued to the windscreen of the vehicle or handed to the driver (Regulation 9).
- By post using CCTV for a parking contravention (Regulation 10).
- By post using CCTV for a bus lane contravention (Regulation 10).

- 5.20 CCTV PCNs are issued by a qualified CCTV Operator using equipment to capture the bus lane contravention as it happens.
- 5.21 Except for a PCN issued by CCTV for a parking contravention, motorists can challenge the issue of a PCN by stating their case in writing. If the challenge is unsuccessful, or when a PCN issued by CCTV for a parking contravention, a formal Representation may be made in writing. There are eight statutory grounds for making a Representation, but in practice the Council will consider every Representation even if it does not fall within the prescribed grounds.
- 5.22 If a Representation is rejected, and the motorist is not satisfied with the decision, a written appeal may be made to the Parking and Traffic Appeals Service (PATAS or the “Parking Adjudicator”). The appellant may request a personal hearing.
- 5.23 The Council has a duty to comply with any direction issued by the Adjudicator.
- 5.24 More information on Representations, debt collection and payments can be found in **Appendix H**.

6. Future Challenges

- 6.1 The challenges that the Council’s parking service will have to face in future years come both from within the Borough and from outside it. Among the known factors which will contribute to the challenge are:
- The continuing national growth in the number of cars owned and used;
 - The planned expansion in capacity of Bromley Town Centre;
 - A rise in the number of single householders; and
 - Ensuring that parking from new developments does not worsen on-street conditions.
- 6.2 All these issues will, to a greater or lesser degree, have an impact extending beyond the Borough’s boundaries. The Council expects to work with its partners in neighbouring boroughs, in TfL and at London Councils to develop common approaches to these challenges which nevertheless retain the flexibility to accommodate local priorities.
- 6.3 Improved and more secure public transport, measures to encourage walking and cycling, travel awareness campaigns, and better travel information will all have a role to play in managing the increased demand. Nevertheless, the expected changes mean that the direct demand for both on-street and off-street parking in the Borough is likely to increase.
- 6.4 The general underlying increase in demand will be reinforced by additional pressures at particular localities. Careful management will be required to ensure that new parking provision and new controls create an optimum balance which is closely aligned with the Council’s economic, social, planning and transportation priorities.
- 6.5 Among the measures which the Council will need to consider are:

- Extending existing controlled parking areas;
 - The introduction of new controlled parking zones;
 - The extension of hours of operation of controlled parking;
 - The introduction of new types of permits to allow the provision of services to the public ; and
 - Increased tailoring of parking controls to local needs.
- 6.6 It is often the detailed way in which parking policies are applied at the very local, street-by-street, level which requires the most careful consideration and generates most debate.
- 6.7 As well as the “what” of changes to parking regulations and to the physical manifestations of on- and off-street parking, the Council also needs to consider the “how” of the way the parking service is delivered. There is a parallel challenge of developing the operational face of the parking service so that it is, and is seen to be by its customers, fair, efficient, effective and responsive to change.

A Developing Service

- 6.8 Residents and businesses throughout Bromley have high expectations of the Borough’s parking services, both in terms of enforcement and the development of services to meet their aspirations. It is not possible to meet all of these aspirations at one point in time, and therefore prioritisation needs to take place.
- 6.9 On a long-term basis, it will be necessary to ensure that sufficient funding is available to ensure that the Council’s parking service is able fully to meet the community’s needs. In the current context of public spending restraint, there is competition for allocation of the Council’s scarce resources, and it will be important that the correct level of funding is set for future investment in the parking services and enforcement.
- 6.10 The need to continue to deliver the existing enforcement service in a cost-effective manner will sit alongside the need to invest for the future to address:
- Accurate PCN issue, handling of representations and debt recovery;
 - Providing information and “self service”, including permit applications, appeals and the payment of penalties, through the Council’s website;
 - Taking advantage of technological developments as they emerge.
- 6.11 In the context of these challenges, it will be important that this Strategy remains a “living” document which adapts to emerging issues and provides a flexible approach within the context of the Council’s overall transport policies and objectives.

APPENDIX A

Residents' Permit Applications

1. Who qualifies

We will issue parking permits only to people:

- (a) who permanently reside at an address in the controlled parking zone and provide evidence of this, and
- (b) who own a passenger or goods-carrying vehicle that does not exceed 5.25 metres in overall length; a motorcycle over 49cc; or an invalid carriage (mopeds 49cc and below are exempt).

2. Proof of residence

If your name does not appear on the London Borough of Bromley Electoral Roll, evidence must be provided for the address given. For example, a photocopy of a recent utility or Council Tax bill will be accepted. If you have not yet moved to the address on the application form, please enclose official confirmation of the new address and give the date you will be moving.

3. Other documents we must see

You must send the following:

- (a) photocopy of the vehicle registration document (V5c) or a letter of authority (on company letter headed paper) confirming the vehicle details and that you have exclusive use of the vehicle from a lease/hire or a company car;
- (b) a photocopy of the vehicle's current tax disc;
- (c) your completed application, (one per vehicle), and
- (d) appropriate payment.

4. We will reject your application if:

- (a) the name and address on the registration document (V5c) does not match your application details (a temporary permit will be issued should the vehicle need to be re-registered with the DVLA)
- (b) there is no valid tax disc.

5. Renewals - how much time to allow

Please send your renewal application at least 21 days before the current permit expires.

6. Change of address

Please tell us immediately if you change your address.

7. Date of permit

A permit cannot be backdated. We will date it to expire 12 months from the date of issue except in the case of a temporary permit.

8. Fee and contact details

Cheques/postal orders should be made payable to 'London Borough of Bromley'

Do not send cash by post.

Allow at least 21 days for us to issue the permit.

Please send your form, the correct payment and your photocopied documents to:

The Parking Permit Team, London Borough
of Bromley, PO Box 313, Bromley BR1 3GL
Tel: (020) 8313 4762 Fax: (020) 8313 4707
www.bromley.gov.uk/parking

Conditions of Use

1. Clear Display

Each permit must be clearly displayed on the vehicle to which it relates in such a way that the permit details are readily visible from the vehicle's front nearside.

2. Permit valid only for the named vehicle

A permit is valid only for the specific vehicle named on the application form and permit.

3. Registered keeper and address

You must be the registered keeper of the vehicle to which the application and permit relate. The vehicle must be registered to the current address in the zone unless it is a lease/hire or company vehicle.

4. Private hire agreement

If your car has been supplied under a private hire agreement you must send us a copy of it instead of the registration document. The agreement must be with a reputable organisation. Your name and address must match those of the hirer as shown on the agreement. The hiring period must run for at least 12 months from the date of your application for a parking permit.

5. Parking places

A permit does not enable you to park in permitted parking spaces that display signs for a zone different to that indicated on the permit, or on a yellow line waiting restriction, and not in pay and display or metered bays unless otherwise stated. A permit does not grant the right to park outside your home or guarantee the availability of a parking space.

The vehicle must be parked within a marked bay.

6. Change of address of vehicle

You must surrender the permit if you change your address or cease to own or use the vehicle for which the permit was issued. You will need a new permit if you change the vehicle. We will issue it free of charge for the unexpired period of the original permit, for a maximum of three issues in any one year. Any further changes will incur a fee of £10 per change. Please tell us as soon as you change the vehicle on 020 313 4762. We will explain how to get a replacement permit. Failure to tell us may result in you having to pay any Penalty Charge Notices served to the vehicle.

7. Temporary or courtesy vehicles

If you have the use of a temporary vehicle or courtesy vehicle you must tell us immediately, otherwise you may have to pay any Penalty Charge Notices served to the vehicle.

8. Renewal

It is your responsibility to renew the permit on its expiry.

9. Exchange of vehicle

If you change your vehicle you should notify the Parking Permit Team immediately and write enclosing the following:

- (a) the original parking permit showing the registration mark for the previous vehicle;
- (b) a copy of the valid tax disc for the new vehicle;
- (c) a copy of the registration document showing the relevant name and address or the lease/hire agreement.

When we receive the above, the original permit will be cancelled and re-issued to the new vehicle. In cases where a bill of sale or new keepers supplement has been supplied, a temporary permit may be issued pending receipt of the updated registration document bearing the name and address of the permit holder.

10. Loss or theft of permit

If a permit is lost, stolen or destroyed, you must notify the Council in writing immediately. We will issue a new permit for the unexpired period of the original permit. There is usually a fee of £10.

11. Refund of unexpired time

If you surrender an unexpired permit, a refund will be at our discretion and, in any event, will only be for the full months that are unexpired (up to nine months and for a minimum of three months).

Warnings

1. It is a criminal offence if, with intent to deceive, you:

- (a) forge, alter, use, lend to, or allow to be used by another person, a residents parking permit;
- (b) make or have any document so closely resembling a residents parking permit that it is calculated to deceive; or
- (c) knowingly make a false statement to get a residents' parking permit.

2. If you do not clearly display a parking permit while the vehicle is parked in a bay reserved for permit holders, a Penalty Charge Notice may be served to the vehicle. The same will happen if the parking permit has become defaced or damaged so that its validity cannot be determined.

3. A parking permit is non-transferable and applies only to a specific vehicle. We will cancel a permit without refund if it is used on the wrong vehicle or has been passed to a third party. We may then reject any future applications for parking permits.

4. We will not withdraw a Penalty Charge Notice issued to a new vehicle before the date on which notification is received by the Parking Permit Team.

5. The Council reserves the right to withhold or withdraw a permit.

Business Permits

1. Which organisations qualify

The council will issue parking permits only to organisations:

- (a) with an address within the applicable zone;
- (b) that can show they permanently employ more than one person;
- (c) that own a passenger or goods carrying vehicle that does not exceed 5.25 metres in overall length, a motorcycle over 49cc, or an invalid carriage (mopeds 49cc and below are exempt);
- (d) that provide evidence they are registered as a business at Companies House, VAT-registered or pay business rates for the premises in the outer zone; or
- (e) that do not already hold four current business permits.

2. Visitors' Vouchers

Qualifying business users are entitled to 10 books of 15 one-day parking vouchers. (Please complete a visitors' voucher application form).

3. Who can apply on behalf of the business

Applications must come from a senior legally authorised signatory (such as a director, proprietor or location manager).

4. One application, one permit

A separate application must be made for each permit and must relate to a specific vehicle.

5. Photocopies of documents

Photocopies of the vehicle registration document (V5c) and current tax disc must accompany each permit application. If a vehicle is leased or hired, please send a copy of the contract instead of the registration document. We will not normally issue permits for short-term hire agreements of less than 12 months. We will reject an application that lacks all the required documents.

6. Renewals - how much time to allow

Please send your renewal application at least 21 days before the current permit expires.

7. Date of permit

A permit cannot be backdated. We will date it to expire 12 months from the date of issue except in the case of a temporary permit.

8. Suitable vehicles

We will issue a permit only to vehicles that qualify under the appropriate On-street Parking Places order.

9. Care facilities

Business permits will be offered to residents of the zone who provide care facilities for an eligible resident and can produce a contract of employment involving working for at least 20 hours per week.

10. Fee and contact details

You must send payment applicable to your zone (see point 3 of the application form) with your completed form.

Cheques/postal orders should be made payable to
'London Borough of Bromley'.
Do not send cash by post.
Please allow at least 21 days for us to issue the permit.

Please send your form, the correct payment and your photocopied documents to:
The Parking Permit Team
London Borough of Bromley
PO Box 313
Bromley
BR1 3GL
Tel: (020) 8313 4762
Fax: (020) 8313 4707
www.bromley.gov.uk/parking

Conditions of Use

1. Clear display

Each permit must be clearly displayed on the vehicle to which it relates in such a way that the permit details are readily visible from the vehicle's front nearside.

2. Permit valid only for the named vehicle

A permit is valid only for the specific vehicle named on the application form and permit.

3. Parking places

A permit does not enable you to park in permitted parking spaces that display signs for a zone different to that indicated on the permit, or on a yellow line waiting restriction, and not in pay and display or metered bays.

A permit does not grant the right to park outside your business or guarantee the availability of a parking space. The vehicle must be parked within a marked bay.

4. Change of address of vehicle

You must surrender the permit if you change your address or cease to own or use the vehicle for which the permit was issued. You will need a new permit if you change the vehicle. We will issue it free of charge for the unexpired period of the original permit, for a maximum of three issues in any one year. Any further changes will incur a fee of £10 per change. Please tell us as soon as you change the vehicle on 020 8313 4762. We will explain how to get a replacement permit. Failure to tell us may result in you having to pay any Penalty Charge Notices served to the vehicle.

5. Temporary or courtesy vehicles

If you have the use of a temporary vehicle or courtesy vehicle you must tell us immediately, otherwise you may have to pay any Penalty Charge Notices served to the vehicle.

6. Loss or theft of permit

If a permit is lost, stolen or destroyed, you must notify the Council in writing immediately. We will issue a new permit for the unexpired period of the original permit. There is usually a fee of £10

7. Refund of unexpired time

If you surrender an unexpired permit, a refund will be at our discretion and, in any event, will only be for the full months that are unexpired (up to nine months and for a minimum of three months).

8. Renewal

It is for your responsibility to renew the permit on its expiry.

9. Exchange of vehicle

If you change your vehicle you should notify the Parking Permit Team immediately and write enclosing the following:

- (a) the original parking permit showing the registration mark for the previous vehicle;
- (b) a copy of the valid tax disc for the new vehicle;
- (c) a copy of the registration document showing the relevant name and address or the lease/hire agreement. When we receive the above, the original permit will be cancelled and re-issued to the new vehicle.

Warnings

- 1.** It is a criminal offence if, with intent to deceive, you:
 - (a) forge, alter, use, lend to, or allow to be used by another person, a business parking permit;
 - (b) make or have any document so closely resembling a business parking permit that it is calculated to deceive; or
 - (c) knowingly make a false statement to get a business parking permit.

- 2.** If you do not clearly display a parking permit while the vehicle is parked in a bay reserved for permit holders, a Penalty Charge Notice may be served to the vehicle. The same will happen if the parking permit has become defaced or damaged so that its validity cannot be determined.

- 3.** A parking permit is non-transferable and applies only to a specific vehicle. We will cancel a permit without refund if it is used on the wrong vehicle or has been passed to a third party. We may then reject any future applications for parking permits.

- 4.** We will not withdraw a Penalty Charge Notice issued to a new vehicle before the date on which notification is received by the Parking Permit Team.

- 5.** The Council reserves the right to withhold or withdraw a permit.

Visitors' Permits

1. Who qualifies

We will issue visitors' vouchers only to people who permanently reside at an address in the relevant zone and can provide evidence of this.

2. Proof of residence

If your name does not appear on the London Borough of Bromley Electoral Roll, evidence must be provided for the address given. A photocopy of a recent utility or Council Tax bill will normally be accepted.

3. Other documents we must see

You must enclose the following:

- (a) your completed application form;
- (b) correct payment;
- (c) for over 60's applying for free visitors' vouchers (a maximum of 2 free books per year), a photocopy of one of the following as proof of age:
 - current freedom pass and photo card;
 - pink driving licence (paper or photo card);
 - letter of pension entitlement;
 - birth certificate if it shows your current name;
 - current passport;
 - medical card.

4. Waiting time

Please allow 21 days for us to issue your vouchers.

5. Change of address

Please tell us immediately if you change address.

6. Fee and contact details

The fee is £30 per book of vouchers. You must send payment with your completed form. Cheques/postal orders should be made payable to 'London Borough of Bromley'. Do not send cash by post.

Please send your form, the correct payment and your photocopied documents to:
The Parking Permit Team
London Borough of Bromley
PO Box 313
Bromley
BR1 3GL
Tel: (020) 8313 4762
Fax: (020) 8313 4707
www.bromley.gov.uk/parking

Conditions of Use

1. Correct display

- (a) Please make sure the day, date and month of parking is visible by scratching the appropriate area from the surface of the voucher.

- (b) Please make sure you display the visitors' voucher face up on the dashboard of the vehicle so that it can be easily read through the front windscreen.
- (c) Failure to display a visitors' voucher correctly may result in a Penalty Charge Notice being issued.

2. Parking Places

- (a) Visitors' vouchers are valid for use only in the zone you reside.
- (b) Visitors' vouchers may only be used in residents' bays (unless otherwise stated).
- (c) A visitors' voucher does not grant you the right to park outside your home or guarantee the availability of a parking space.
- (d) Visitors' vouchers cannot be used within Bromley Town Centre Zone A.
- (e) Vehicles must be parked within a marked bay.

Warnings

- 1.** The law says it is a criminal offence if, with intent to deceive, you:
 - (a) make or have a document so closely resembling a visitors' voucher that it is calculated to deceive;
 - (b) knowingly make a false statement to obtain visitors' vouchers.

- 2.** If you do not clearly display a visitors' voucher or permit while parked in a bay reserved for permit holders in the relevant zone, a Penalty Charge Notice maybe served to the vehicle. The same will happen if the voucher has become defaced or damaged so that its validity cannot be determined.

- 3.** Each voucher is valid for one day only if the correct day of the week, date and month are indicated. Removal of more than one day of the week, date or month per voucher will invalidate the voucher. This may result in a Penalty Charge Notice being served to the vehicle.

- 4.** If a Penalty Charge Notice is served to a vehicle, it will not be withdrawn if you later produce a valid voucher.

APPENDIX B

The total numbers of resident and business permits and visitor vouchers issued between 1st April 2009 and 31st March 2010 are shown in the table below.

Total Number of Permits issued from 1 st April 2009 and 30 th March 2010							
Parking area	Zone	Residents' Permits		Business permits		Visitors' vouchers	
		Permit cost £	Total issued	Permit cost £	Total issued	Paid	Conc.
Beckenham	F	70	51	85	286	43	65
Bromley Central	A**	55	273			28	41
Bromley North	B	35	1,897			542	725
Bromley South	C	35	3,069			741	1,153
Burnt Ash Lane	G	35	1			2	2
Burnt Ash Lane (North)	J	35	65			7	19
Camden Grove, Chislehurst	N	55	26			18	26
Chatterton Village, Bromley	W	35	463	85	76	146	226
Clock House, Beck'm (zones 1-3)	Z	75	585	85	N/A*	203	355
Copers Cope, Beckenham	R	75	220	200	0	32	144
Farnborough Village	FV	50	15			0	0
Ledrington Road, Anerley	D	50	1			0	0
Locksbottom	E	65	11			0	0
Locksbottom (business)	LB			210	13		
Maple Road, Penge	MAP	75	N/A*	85	N/A*	N/A*	N/A*
Orpington (zones 1-4)	K	50	7			2	2
Orpington (zone H)	H	35	56			15	21
Orpington (zone I)	I	65	40			7	19
Petts Wood	S	75	8			0	0
Walnuts Estate, Orpington	WAL	75	N/A*			N/A*	N/A*
TOTALS			6,788			1,786	2,798

* These permit schemes only came into operation after April 2010, therefore no permits were issued for the period of this report.

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APPENDIX C

GUIDELINES FOR DISABLED PERSONS' PARKING BAYS IN BROMLEY

1. Only disabled drivers will be considered, except in exceptional circumstances.
2. Exceptional circumstances are
 - a) the applicant is on behalf of a minor
 - b) refusal of the applicant would cause hardship to a resident carer with a car, or the disabled person.
3. Only applicants with no off street parking (no garage or drive) available to them will be considered
4. Serious and frequent problems must be experienced in parking near the applicant's residence.
5. All applicants must undergo a mobility assessment by a Council-appointed Doctor e.g. unable to walk 50 metres.
6. Additionally, applicants under 65 years of age should be receiving the higher mobility component of disability living allowance.
7. Following receipt of a request for a bay, a personal visit to your home will be arranged and an application form will be completed.
8. Consultation takes place with a few of your neighbours about the position of the bay. Any objections will be referred to the Council's Environmental Portfolio Holder, the Councillor with specific responsibility for this matter, for his adjudication.
9. Although the Council is responding to personal applications for bays, **THEY CANNOT BE ALLOCATED TO INDIVIDUALS AND ARE THEREFORE, AVAILABLE FOR ANY DISABLED PERSON TO USE. A BLUE BADGE MUST BE DISPLAYED AT ALL TIMES.**
10. A review of the use of the disabled parking bays will take place annually.

The Consultation process involving local resident may take up to 3 months. If the application has to be submitted to the Portfolio Holder it will take longer to resolve. In either case we will endeavour to introduce bays as soon as possible.

The Council's On-Street Disabled Parking Stock

The current total on-street parking stock including disabled spaces is as follows:

Area	No. of Spaces	No. of Disabled Spaces *
Anerley	35	1
Beckenham	157	20
Bromley	832	30
Chislehurst	75	1
Copers Cope	377	2
Hayes	41	2
Locksbottom	59	0
Orpington	348	19
Penge	40	8
Petts Wood	80	4
Shortlands	73	0
Total	2117	87

**Spaces provided for general use by blue badge holders (ie excludes spaces provided outside individual residences).*

The table below gives the number of on-street bays throughout the Borough that are designated for the use of Blue Badge holders only, broken down by the hours of restriction.

Hours of Restriction	Number of spaces
At any time	407
Maximum 3 hour stay	55
Maximum 4 hour stay	11
Monday to Friday, 9am – 5pm	2
Monday to Friday, 11am – 3pm	2
Monday to Friday, 10am – 4pm	1
Monday to Saturday, 8.30am – 6.30pm	1
Monday to Saturday, 9am – 6pm	1
Monday to Saturday, 8am – 4pm	1
TOTAL	481

APPENDIX D

Criteria for Exemptions to Footway Parking

All roads classified as public highways within the London Borough of Bromley are covered by the ban on footway parking unless they are specifically exempted. The ban applies to footways and grass verges up to the point where they fall under private jurisdiction

Exemptions to the ban are indicated by white markings on the footway and signs informing the general public that the road is exempt from the prohibition.

Roads that are exempt from the ban are contained within a schedule of exempted roads.

In 1990 the Council introduced the criteria set out below for consideration of exemptions

Road Classification	Minimum Carriageway Width in Metres
Two Way Traffic Routes	
Parking Both Sides	9
Parking One Side	7.25
One Way Streets	
Parking Both Sides	7
Parking One Side	5.25
Residential Roads With Bus Routes Or Used By HGVs	
Parking Both Sides	8.5
Parking One Side	6.75
Residential Roads	
Parking Both Sides	8
Parking One Side	6.25

When a request for an exemption to the ban is received the following process will be undertaken :

1. Consultation with affected residents should take place and be reported back to the Portfolio Holder.
2. Based on the conclusions a recommendation will be made.
3. In the cases of exemption where the residents agree, appropriate signs be erected in the streets and they be included in the list of exempted streets.
4. Where it is considered that there is insufficient justification for exemption, residents be informed that in future, their street will have the ban enforced.
5. Where 2-wheel up parking can be allowed, the extent of the footway on which to permit parking should be delineated with dashed white lines, following public consultation.
6. In due course, other "problem" streets be examined accordingly.
7. In addition to consideration of parking on footways, attention be given to possible inconsiderate parking, probably at road junctions, and "At any time" waiting restrictions be introduced accordingly.
8. Subject to resource availability funding will be provided from the Revenue Budget for Signs and Road Markings.

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APPENDIX E

Council Car Park Provision

Car Park	Weekday Bays	Weekend Bays	Disabled Bays	Charging Regime	Park Mark
Burnt Ash Lane	101	101	0	No charge	
Chelsfield	70	70	2	Pay & display (Mon - Fri only)	
Churchill Way Coach Park	2 (coaches)	2 (coaches)	4	Pay & display	
Civic Centre Multi Storey	521	721	21	Pay on foot	
Coney Hall	27	27	2	Pay & display (Mon - Sat only)	
Cotmandene Crescent	68	68	2	No charge	
Crown Lane	24	24	1	No charge	
Dunbar Avenue	35	35	2	Pay & display (Mon - Sat only)	
Fairfield Road	98	98	5	Pay & display (Mon - Sat only)	
High Street, Chislehurst	140	140	2	Pay & display (Mon - Sat only)	
High Street, West Wickham	119	119	2	Pay & display (Mon - Sat only)	
Homefield Rise	0	0	15	No charge (Disabled only)	
Hornbrook House	65	65	2	Pay & display (Mon - Sat only)	
Lebanon Gardens	28	28	2	Pay & display (Mon - Sat only)	
Lennard Road	54	54	2	Pay & display (Mon - Sat only)	
Memorial Hall	50	50	2	Pay & display (Mon - Sat only)	
Orpington College	0	83 (Saturday only)	0	Pay & display	
Palace Grove	0	97	2	Pay & display	
Penge East	56	56	3	Pay & display (Mon - Sat only)	
Plaistow Lane	77	77	2	Pay & display (Mon - Fri only)	
Priory Gardens	13	13	1	Pay & display (Mon - Sat only)	
Queensway	48	48	1	Pay & display (Mon - Sat only)	

Car Park (continued)	Weekday Bays	Weekend Bays	Disabled Bays	Charging Regime	Park Mark
Ravenswood Avenue	153	153	4	Pay & display (Mon - Sat only)	
Red Hill	34	34	2	Pay & display (Mon - Sat only)	
South Street	68	68	1	Pay & display	
St Georges Road, Beckenham	138	138	2	Pay & display (Mon - Fri only)	
Station Approach, Hayes	127	127	3	Pay & display (Mon - Sat only)	
Station Road, Bromley	83 (Except Thursday)	83	2	Pay & display	
Station Road, West Wickham	67	67	2	Pay & display (Mon - Sat only)	
The Hill Multi Storey	805	805	6	Pay on foot	
The Spa, Beckenham	154	154	16	Pay & display	
Village Way Multi Storey	278	278	5	Pay & display (Mon - Sat only)	
Wharton Road	16	16	0	Permit holders/free at other times	
Westmoreland Road	581	581	6	Pay on foot	
West Wickham Leisure Centre	64	64	2	Pay & display	
TOTAL	4164	4544	126		33

Railway Station Car Parking Provision

Car Park	Managed By	Weekday Bays	Weekend Bays	Disabled Bays*	Charging Regime
Anerley	N/A	N/A	N/A	N/A	N/A
Beckenham Junction	Meteor	80	80	5	Pay & display
Bickley	Meteor	28	28	3	Pay & display
Bromley North	Meteor	212	212	4	Pay & display
Chelsfield	Meteor	31	31	3	Pay & display/Season ticket
Chislehurst	Meteor	141	141	5	Pay & display
Clock House	N/A	N/A	N/A	N/A	N/A
Crystal Palace	Meteor	13	13	1	Pay & display
Eden Park	N/A	N/A	N/A	N/A	N/A
Elmers End	Meteor	103	103	2	Pay & display
Elmstead Woods	Meteor	61	61	3	Pay & display
Hayes	Meteor	106	106	3	Pay & display
Kent House	N/A	N/A	N/A	N/A	N/A
Knockholt	Meteor	40	40	2	Pay & display
New Beckenham	N/A	N/A	N/A	N/A	N/A
Orpington	Meteor	287	287	13	Pay & display
Penge East	N/A	N/A	N/A	N/A	N/A

Penge West	N/A	N/A	N/A	N/A	N/A
Petts Wood	Meteor	144	144	5	Pay & display
Ravensbourne	N/A	N/A	N/A	N/A	N/A
Shortlands	Meteor	35	35	3	Pay & display
St Mary Cray	Meteor	30	30	3	Pay & display
West Wickham	Meteor	121	121	5	Pay & display
Total		1432	1432	60	

Hospital Car Parking Provision

Car Park	Managed By	Weekday Bays	Weekend Bays	Disabled Bays*	Charging Regime
Beckenham	Euro Car Parks	47	47	5 (Pay & display)	Pay & display
Orpington	Meteor	79	79	?	Pay & display
PRU (Locksbottom)	South London Health Care	266	266	24	Pay & display

Other Off Street Car Parking Provision

Car Park	Managed By	Bays	Disabled Bays*	Charging Regime
Blenheim Shopping Centre, Penge	?	200	13	Pay and Display
Glades Shopping Centre	Capital Shopping Centres	1530	42 (Up to 6 hrs)	Pay on foot
Goals Soccer Centre, Elmers End	The Parking Shop	77	8 (Pay and display)	Pay and Display
Iceland, Petts Wood	TCP	48	5 (Pay and display)	Pay and Display
Iceland, West Wickham	Excel Parking	37	0	Pay and Display
Langley Park, Eden Park	UK Parking Control	32	0	Pay and Display
Marks and Spencer's, West Wickham	Euro Car Parks	37	2 (Pay and display)	Pay and Display
The Mall, Bromley	NCP	255		
Netto, Locksbottom (Closed store)	N/A	27	5	None in operation
Nugent Centre, St Mary Cray	Parking Eye	324	23	Free for 3 hours
Odeon Cinema, Beckenham	London Clamping Company	52	2 (Pay and display)	Pay and display
Sainsbury's Bromley	Euro Car Parks	233	13	Ticketed exit barrier
Sainsbury's West Wickham	Euro Car Parks	133	11	Free for 2 hours
Sainsbury's, Chislehurst	Euro Car Parks	86	5	Free for 2 hours
Spitfire Café, Biggin Hill	Parking Controlled Services	31	0	Pay and display
Tesco, Orpington	Euro Car Parks	198	2 (Pay and display)	Pay and display
Waitrose, Beckenham	Self managed	163	10	Manned exit barrier

Waitrose, Bromley	Self managed	176	5	Manned exit barrier
Total				

*Free of charge unless otherwise stated

Appendix F

Parking Location	Area	Parking Spaces	Disabled Spaces	Rate per Hour	Maximum Stay	Hours of Operation
Ledrington Road	Anerley	35	1	30p	N/A	Saturday 0830 to 1830
Anerley Total		35	1			
Albemarle Road	Beckenham	17	0	50p	2 hours	Mon to Sat 0830 to 1830
Clock house	Beckenham	6	3	30p	2 hours	Mon to Sat 0830 to 1830
Fairfield Road	Beckenham	6	0	50p	2 hours	Mon to Sat 0830 to 1830

High Street	Beckenham	38	4	50p	2 hours	Mon to Sat 0830 to 1830
Kelsey Park Road	Beckenham	4	1	50p	2 hours	Mon to Sat 0830 to 1830
Rectory Road	Beckenham	21	0	50p	N/A	Mon to Sat 0830 to 1830
St Georges Road	Beckenham	27	0	50p	2 hours	Mon to Sat 0830 to 1830
Upper Elmers End Road	Beckenham	38	12	50p	2 hours	Mon to Sat 0830 to 1830
Beckenham Total		157	20			
Aldermary Road	Bromley	11	1	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700

Aylesbury Road	Bromley	10	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Babbacombe Road	Bromley	20	3	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Blyth Road	Bromley	13	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Burnt Ash Lane	Bromley	22	3	30p	2 hours	Mon to Sat 0830 to 1830
Chatterton Road	Bromley	56	3	50	4	Mon to Fri 0830 to 1830
Church Road	Bromley	6	4	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Churchill Way	Bromley	4	0	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to

						1700
College Road	Bromley	7	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Cromwell Avenue	Bromley	38	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Cromwell Close	Bromley	16	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
East Street	Bromley	15	2	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Elmfield Park	Bromley	18	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Elmfield Road	Bromley	35	4	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to

						1700
Ethelbert Road	Bromley	35	1	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Florence Road	Bromley	19	1	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Glebe Road	Bromley	34	1	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Hammelton Road	Bromley	35	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Harwood Avenue	Bromley	26	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
High Street	Bromley	15	0	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to

						1700
North Street	Bromley	16	2	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Palace Grove	Bromley	36	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Palace View (1)	Bromley	14	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Park Road	Bromley	17	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Pinewood Road	Bromley	17	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Queens Road	Bromley	6	0	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700

Ravensbourne Road	Bromley	40	3	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Ringers Road	Bromley	38	2	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Sandford Road	Bromley	41	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Sherman Road	Bromley	21	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Simpsons Road	Bromley	27	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
South Street	Bromley	7	0	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700

St Blaise Avenue	Bromley	16	0	80p	4 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Station Road	Bromley	22	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Streamside Close	Bromley	7	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
The Chase	Bromley	5	0	60p	N/A	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
West Street	Bromley	6	0	£1.10	2 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Bromley Total		832				
High Street	Chislehurst	44	1	50p	2 hours	Mon to Sat 0830 to 1830
Royal Parade	Chislehurst	31	0	50p	2 hours	Mon to Sat 0830 to 1830

Chislehurst Total							75					
Bethersden Close	Copers Cope	21	1	£2.80	N/A	Mon to Fri 0800 to 0930						
Brackley Road,	Copers Cope	35	1	£2.80	N/A	Mon to Fri 0800 to 0930						
Copers Cope Road	Copers Cope	180	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Ingleside Close	Copers Cope	15	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Lawn Road	Copers Cope	26	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Nettlestead Close	Copers Cope	31	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Park Road	Copers Cope	37	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Parkwood	Copers Cope	9	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Sellindge Close	Copers Cope	18	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Silverwood Close	Copers Cope	5	0	£2.80	N/A	Mon to Fri 0800 to 0930						
Copers Cope Total							377					
Station Approach	Hayes	41	2	50p	2 hours	Mon to Sat 0830 to 1830						
Hayes Total							41					
Crofton Road	Locksbottom	32	0	50p	3 hours	Mon to Sat 0830 to 1800						

Princess Parade	Locksbottom	27	0	50p	3 hours	Mon to Sat 0830 to 1830 10am to 5pm Sun 1000 to 1700
Locksbottom Total		59	0			
Augustus Lane	Orpington	3	0	60p	2 hours	Mon to Sat 0830 to 1830
Aynscombe Angle	Orpington	35	0	50p	3 hours	Mon to Sat 0800 to 2000
Bark Hart Road	Orpington	9	2	40p	3 hours	Mon to Sat 0830 to 1830
Berwick Way	Orpington	16	0	60p	2 hours	Mon to Sat 0830 to 1830
Bruce Grove	Orpington	9	3	50p	3 hours	Mon to Sat 0830 to 2000
Chislehurst Road	Orpington	2	0	60p	4 hours	Mon to Sat 0830 to 1830
Crofton Road	Orpington	3	1	50p	3 hours	Mon to Sat 0830 to 1800
High Street	Orpington	39	3	Varying	Varying	Mon to Sat 0830 to 1830

Hillview Road	Orpington	12	0	40p	N/A	Mon to Sat 0830 to 1830
Lych Gate Road	Orpington	49	4	60p	2 hours	Mon to Sat 0830 to 1830
Maltby Close	Orpington	2	2	60p	2 hours	Mon to Sat 0830 to 1830
Mayfield Avenue (Sth),	Orpington	14	0	40p	4 hours	Mon to Sat 0830 to 1830
Newstead Avenue	Orpington	5	0	40p	N/A	Mon to Sat 0830 to 1830
Oakhill Road	Orpington	6	0	40p	N/A	Mon to Sat 0830 to 1830
Orchard Grove	Orpington	22	1	30p	N/A	Mon to Sat 0830 to 1830
Spur Road	Orpington	33	0	40p/60p	4 hours	Mon to Sat 0830 to 1830
The Approach	Orpington	13	0	40p	N/A	Mon to Sat 0830 to 1830
The Avenue	Orpington	25	0	40p	N/A	Mon to Sat 0830 to 1830
Vinson Close	Orpington	28	0	60p	2 hours	Mon to Sat 0830 to 1830

White Hart Road	Orpington	7	3	60p	2 hours	Mon to Sat 0830 to 1830
York Rise	Orpington	16	0	40p	N/A	Mon to Sat 0830 to 1830
Orpington Total						
High Street	Penge	14	5	40p	2 hours	Mon to Sat 0830 to 1830
Maple Road	Penge	26	3	30p	2 hours	Mon to Sat 0830 to 1830
Penge Total						
Fairway	Petts Wood	17	0	50p	2 hours	Mon to Sat 0830 to 1830
Petts Wood Square	Petts Wood	40	0	50p	2 hours	Mon to Sat 0830 to 1830
Queensway	Petts Wood	23	4	50p	2 hours	Mon to Sat 0830 to 1830
Petts Wood Total						
Martins Road	Shortlands	3	0	30p	4 hours	Mon to Sat 0830 to 1830
Ravensbourne Avenue	Shortlands	49	0	Varying	N/A	Mon to Sat 0830 to 1830

Station Road	Shortlands	21	0	Varying	N/A	Mon to Sat 0830 to 1830
Shortlands Total						
OVERALL TOTAL						

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APPENDIX G

LONDON COUNCILS' STANDARD PCN CODES

ON-STREET

Code	General suffix(es)	Description	Diff. level	Notes
01	ajoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only
02	ajo	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	rstuw	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher	
13		----- RESERVED FOR TfL USE (LOW EMISSION ZONE) -----	n/a	
14		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	bdehqstwxzy	Parked in a permit space or zone without clearly displaying a valid permit	Higher	Suffix "s" only for use where bay is completely non-resident
17		----- RESERVED FOR TfL USE (CONGESTION CHARGING) -----	n/a	
18	bcdefhmprsv	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	

19	irsuwxyz	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	
20	j	Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	bcdefghjlmprsv12	Parked wholly or partly in a suspended bay or space	Higher	
22	cfjlmnopsv	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	bcdefghjklprsv123	Parked in a parking place or area not designated for that class of vehicle	Higher	
24	bcdefhlmprsv12	Not parked correctly within the markings of the bay or space	Lower	
25	jn	Parked in a loading place during restricted hours without loading	Higher	On-street loading bays
26	j	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.
27	jo	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	
28	jo	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	
30	fjlmnopsu	Parked for longer than permitted	Lower	
31	j	Entering and stopping in a box junction when prohibited	n/a	London only
32	jdtw	Failing to drive in the direction shown by the arrow on a blue sign	n/a	Code-specific suffixes apply. London only
33	jbcefgghikqrs	Using a route restricted to certain vehicles	n/a	Code-specific suffixes apply. London only
34	j0	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
37	j	Failing to give way to oncoming vehicles	n/a	London only
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	Code-specific suffixes apply. London only
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41	j	Parked in a parking place designated for diplomatic vehicles	Higher	
42	j	Parked in a parking place designated for police vehicles	Higher	
43	j	Stopped on a cycle docking station parking place	Higher	
45	n	Parked on a taxi rank	Higher	
46	jn	Stopped where prohibited (on a red route or clearway)	Higher	

47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	
49	j	Parked wholly or partly on a cycle track or lane	Higher	
50	jlru	Performing a prohibited turn	n/a	Code-specific suffixes apply. London only
51	j	Failing to comply with a no entry sign	n/a	London only
52	jpgsvx	Failing to comply with a prohibition on certain types of vehicle	n/a	Code-specific suffixes apply. London only
53	j	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	London only
54	j	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	London only
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
58		Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	London Lorry Control Scheme
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	London Lorry Control Scheme
61	124cgj	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.
62	124cgj	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.
63	c	Parked with engine running where prohibited	Lower	This contravention occurs in certain coach bays.
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	n/a	Code-specific suffixes apply. For use in Exeter only.
99	jo	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

LONDON COUNCILS' STANDARD PCN CODES

OFF-STREET

Code	General suffix(es)	Description	Diff. level	Notes
70		Parked in a loading area during restricted hours without reasonable excuse	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	u	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77	---	RESERVED FOR DVLA USE ---	n/a	
80	u	Parked for longer than the maximum period permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks
82	puv	Parked after the expiry of paid for time	Lower	Off-street car parks
83		Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	btrw	Parked in a permit bay without clearly displaying a valid permit	Higher	Off-street car parks
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted in the area	Higher	Off-street car parks
90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	o	Parked causing an obstruction	Higher	Off-street car parks
93		Parked in car park when closed	Lower	Off-street car parks
94	p	Parked in a pay & display car park without clearly displaying two valid	Lower	Off-street car parks. "two" may be varied to

		pay and display tickets when required		another number or "multiple"
95		Parked in a parking place for a purpose other than the designated purpose for the parking place	Lower	Off-street car parks
96	c	Parked with engine running where prohibited	Lower	Off-street car parks - occurs in certain coach bays.

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APPENDIX H

Representations

- That the recipient never was the owner of the vehicle in question; had ceased to be its owner before the date on which the alleged contravention occurred; or became its owner after that date.
- That the alleged contravention did not occur.
- That the vehicle had been permitted to remain at rest within the special parking area by a person who was in control of the vehicle without the consent of the owner, i.e. stolen at the time the Penalty Charge Notice was issued.
- That the relevant Traffic Management Order was invalid.
- That the recipient is a vehicle hire firm and the vehicle in question was on hire from that firm under a vehicle hiring agreement at the time and the person hiring it had signed a statement of liability acknowledging his/ her liability in respect of any PCN received during the time of the hiring agreement.
- That the penalty charge exceeded the amount applicable in the circumstances of the case.
- The parking attendant was not prevented from issuing the PCN.
- The Notice to Owner was served more than 6 months after the date of issue of the penalty.

Debt registration and collection

If no payment is received following the issue of the Charge Certificate, requesting payment of an extra 50% on top of the full price, the Council will register the charge as a debt at the county court. The case will then be put in the hands of bailiffs who will add their own costs to the penalty charge, as described below:

- (a) Order for Recovery of Unpaid Penalty Charge: This notifies the keeper that the Authority has registered a Penalty Charge in their name with the Parking Enforcement Centre at Northampton County Court and requires payment within 21 days or the filing of a statutory declaration.
- (b) Statutory Declaration: This gives the registered keeper a final opportunity to deal with the charge before the bailiffs are instructed, on the following grounds.
 1. Did not receive the Enforcement Notice (notification of the Penalty Charge)
 2. Following representation on the PCN to the authority, did not receive a Rejection Notice.
 3. Appealed to the Parking Adjudicator against the authority's decision to reject the representation but had no response.
- (c) Warrant of Execution of Unpaid Penalty Charge: this is given to Bailiffs to grant authority to recover the debt. The bailiff is entitled to include reasonable costs for executing the warrant and will accept payment or may remove goods to the required value.

Payments

The major payment method for Penalty Charge Notices is by cheque and credit card. Credit card payments are now an option via the Council's parking website. Most

other payments, including cash and postal orders, are received via the post or at the reception. Pay and display tickets are currently purchased by cash, mostly coinage. It is possible to purchase in advance utilising either season tickets or value cards.

Report No.
ES 11110

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

Date: For Pre-decision Scrutiny by the Environment PDS Committee on
18th January 2012

Decision Type: Non-Urgent Executive Non-Key

Title: CRITERIA FOR APPROVAL OF FOOTWAY CROSSOVERS

Contact Officer: Iain Forbes, Head of Transport Strategy
Tel: 020 8461 7595 E-mail: iain.forbes@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: All

1. Reason for report

To review and update the criteria for the approval of footway crossovers.

2. **RECOMMENDATION(S)**

- 2.1 That the revised Policy and Guidelines document attached at Appendix A be approved and brought into immediate effect.
- 2.2 That in the case of new crossovers, a non-returnable application fee be set at £100 per application, and that a minimum administration charge of £200 be applied to every installed application, with any administration costs over and above this figure being charged to the applicant.
- 2.3 That in the case of an application to extend (widen) an existing crossover, a non-returnable combined application and administration fee be set at £100, payable at the time of application.

Corporate Policy

1. Policy Status: New policy. (Revision of existing Guidelines)
 2. BBB Priority: Quality Environment.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Highways
 4. Total current budget for this head: £68,510 Cr
 5. Source of funding: Existing revenue budget 2012/13
-

Staff

1. Number of staff (current and additional): Up to 8 staff depending on complexity of each application
 2. If from existing staff resources, number of staff hours: The service as described in this report is estimated to use 1,850 hours of staff time per annum (approx. 1.5 FTE).
-

Legal

1. Legal Requirement: Statutory requirement. There is a requirement under s184 of the Highways Act 1980 to consider applications for footway crossovers, but no requirement for policy or guidelines to be in a particular form.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 250 applicants a year
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The Council receives approximately 250 requests each year for the construction of private residential footway crossovers. About 90% of these applications result in the eventual construction of a crossover.

3.2 In some cases, planning permission is required before a crossover can be approved, even if the application only involves vehicular access and there are no proposed changes to the rest of the property. The main reasons why planning permission may be required are:

- the property has the affected frontage directly on to a classified road
- the property is a listed building or is in a conservation area
- the property is not a house for a single family, such as a flat or maisonette
- the access will serve more than one property
- it is proposed to construct a vehicle hardstanding which does not meet the requirements regarding permeability to rainwater runoff.

Many houses in residential streets do not fall into the above categories, and applications for crossovers are dealt with solely by the Council in its role as Highway Authority.

3.3 In order to ensure that applications are dealt with consistently and fairly, they are considered in accordance with policy and guidelines as determined by the Council from time to time. The last occasion this occurred was via a report to the then Environment and Leisure Portfolio Holder on 29th November 2006 (report ELS06272). It is expedient to review the policy and guidelines as a number of changes have occurred since 2006.

3.4 Appendix A sets out the existing and proposed Guidelines side-by-side in tabular form. All changes are indicated by italics. Some changes are minor and have been made to improve clarity. These are not discussed below. The key changes are as follows:

- Changes to the General Principles section to indicate that the Guidelines apply to crossovers where planning permission is not required, and to improve clarity (sections 1-4 in the new Guidelines).
- Insertion of a section to make it clear that all applications will be assessed to take account of safety and the free flow of traffic, as required by s.184 of the Highways Act 1980 (section 14).
- An indication that an application is likely to be refused if it is adjacent to existing parking bays, loading bays or zigzags (sections 14 and 15).
- Imposition of a moratorium on applications where a new on-street parking scheme is under active consideration (section 16) (see further discussion later in this report).
- Clarification that, where a crossover is redundant, the Council will reinstate the kerb and footway at its own expense during routine maintenance operations, but a charge will be made at other times if the adjoining property owner requests a reinstatement (section 19).
- Clarification of a **change in practice** whereby the Council will seek to recover the full costs of considering an application and subsequently carrying out agreed work (section 27). It should be noted that current practice does not recover the full costs of assessing an application, and this is discussed in more detail later in this report.

- Clarification that the Council will maintain a crossover once it is constructed (section 34).
- Explanation that a request for exemption from the Guidelines on medical grounds will be assessed to similar standards as an application for an on-street disabled bay (section 42).
- Adoption of a more detailed appeal procedure (sections 43 & 44).

3.5 In addition to the above, a paragraph has been removed (old paragraph xii) that implied that the design of new schemes involving street lighting or other street furniture should take into account conflicts with established and “possible future” crossings. Since any pre-existing crossovers would be taken into account when designing a new scheme, this paragraph appeared to suggest that good engineering design in the location of lighting columns and other road signs should somehow be subordinated to speculation about whether adjoining properties might apply for crossovers at some future date. The Guidelines already set out procedures for considering pre-existing street furniture or other apparatus. If it is possible for these features to be moved to accommodate a crossover, this is done at the expense of the applicant and not from the public purse.

Moratorium when new parking schemes go to consultation

3.6 From time to time the Council responds to increased local parking stress by consulting on proposals to introduce new areas of parking control, or to extend or amend controls in existing controlled areas. There will therefore be a temptation for some residents to try to pre-empt the effect of any new controls by applying for a crossover and creating a private off-street parking space before any new controls are introduced in their street. In practice, this would only be open to occupants of single family dwellings with adequate front gardens who also had access to sufficient funds to build a hardstanding and pay for a crossover. Other residents would not have the choice.

3.7 In addition, the design and consultation process for parking schemes seeks to identify available kerbside space and allocate it to particular uses, such as residents’ and visitors’ bays, passing areas in narrower streets and so on. The creation of new crossovers during this process would reduce the kerbside space to be shared between these other uses and might pre-empt decisions about how the space could be allocated.

3.8 In order that the Council is seen to treat all frontagers equitably, the proposed guidelines include a moratorium on the acceptance of applications from areas of parking review from the first occasion proposals appear in the public domain until a final decision is taken on which measures, if any, to implement. In practice, the “public domain” would mean either the date of issue of the first consultation document or, less commonly, the date when a consultation was first proposed in a published Council agenda paper. Once a scheme is agreed for implementation, but before it is implemented, the revised Guidelines suggest that any application will be considered as though the scheme had already been implemented.

The appeal process

3.8 A recent determination by the Local Government Ombudsman has criticised the Council for the way it handles appeals against a refusal of an application for a crossover. In effect, the appeals process has merely been to confirm that the Guidelines have been properly applied. The Ombudsman has said that the Council should not fetter its discretion in this way. The revised Guidelines clearly set out a two-stage process which firstly checks that the Guidelines have been applied properly and consistently, but which then allows for the consideration of any other matter which the applicant has cited as grounds for appeal,

including, but not limited to, matters contained in the Guidelines. It also specifically provides for an assessment of whether any proposed decision provides an appropriate balance of benefit between the applicant and the community, and for the communication of any reasons to the applicant..

Fees and charges

- 3.9 Current practice is to charge a fee of £25 for each application and to deduct this amount from the final construction invoice if the application is approved. This sum does not represent the full costs of processing an application and providing an estimate. Those costs are currently recovered via a variable administration fee which is charged to successful applicants as part of the construction cost. This fee is currently capped at £200, although this charge is rarely applied. There is a minimum charge of £50.
- 3.10 A review has been undertaken of the costs of processing applications and commissioning and administering works in the light of the revised processes described in this report. This indicates that, for an average crossover, the cost of processing an application is £200 and the cost of administering the works is £35. On the basis of current levels of applications (250 per annum of which 10% are unsuccessful), fees based on the above costs would generate an income of £58,000.
- 3.11 There is some concern that to increase the application fee to £200 could deter some genuine applications. This has to be set in the context of the cost to a resident of removing a wall or fence, constructing a hardstanding and paying for the cost of the crossover. (The current approximate construction cost of a basic crossover across a 2 metre footway in Bromley, excluding any administration or supervision costs, would be £560 in blacktop and £670 in concrete block paving.) It is suggested that it would be reasonable in this context to set the application fee at £100 and that it be non-returnable, since the costs are incurred whether or not the application is approved.
- 3.12 The income from this service was £48,950 in 2010/11. The current (2011/12) income target for this service is £65,560, and for 2012/13 it will be £68,510. While this target undoubtedly reflects pre-recession levels of demand, in the current financial climate it is not tenable to reduce potential income without adverse impacts on other services. A minimum administration charge of £200 per installed crossover plus the application fee of £100 would result in a total income of £70k, assuming that demand continued at present levels.
- 3.13 Where an existing crossover is being extended (widened), it is proposed to set a fee of £100, payable in advance, which would cover both the application fee and the administration charge. In practice the applicant would pay £100 at the time of application in the same way as an applicant for a new crossover.
- 3.14 The Local Authorities (Transport Charges) Regulations 1998 (SI 1998 No. 948) allow a charge to be made for this purpose. The amount of a charge is at the relevant authority's discretion and, in determining the amount, the authority "shall have regard" to the cost to them of dealing with the matters in question. There is no requirement to balance income and expenditure. It is therefore considered reasonable to set the charges as follows:

Application fee for new crossover	£100	Non-returnable, to be submitted at time of application.
Administration charge for installed crossover	£200	Minimum charge in addition actual to cost of construction. Any administration costs in excess of £200 to be met by the applicant. All charges to be payable in advance of execution of works. No maximum charge.
Combined application fee and administration charge for extended (widened) crossover	£100	Non-returnable, to be submitted at time of application.

3.15 Working practices and costs in other authorities vary widely, and it is difficult to make direct comparisons. A trawl of websites and conversations with officers in some other authorities has yielded the following results.

Borough	Application fee	Comments
Bexley	No separate application fee	Charges are recovered via a charge bands depending on the size of the crossover. Minimum charge £915.
Croydon	£150	Non-returnable
Greenwich	£34	Application fee is taken off the cost of a successful application. Installation charge is £984 plus £100 per foot for new crossovers.
Kent CC	£300	Covers administration (£150) and final inspection (£150) fees. If application is refused, the administration fee of £150.00 is non-refundable.
Lambeth	0	Considering an application currently appears to be without charge.
Lewisham	£100	Application fee is non-refundable. The minimum cost of a vehicular crossover is £1000. Crossovers on wide footways will cost more.
Merton	£75 (£125 in a CPZ)	Charges include two site visits for the preparation of a plan and an estimate. Additional site visits, if required, are charged at £30 per visit. Charges are non-refundable.
Surrey CC	£177	Non-returnable. Includes application and administration costs.

4. POLICY IMPLICATIONS

4.1 The revised Guidelines, if approved, would represent a change in Council policy.

5. FINANCIAL IMPLICATIONS

5.1 If agreed, the revised charges would generate income of approximately £70k per annum in line with current and expected budgets.

Non-Applicable Sections:	Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	None

<p align="center"><u>PRIVATE ACCESSES, OFF-STREET PARKING AND VEHICLE CROSSING POLICY/GUIDELINES</u></p>	<p align="center"><i>PROVISION OF FOOTWAY CROSSOVERS: POLICY AND GUIDELINES</i> <i>Adopted January 2012</i></p>
<p>General Principles</p> <p>i) The Authority will continue to make possible the forming of new or extended accesses to and from the highway, providing off-street parking provision and the construction of vehicle crossings so long as they comply with its stated policies and when it is clear that there is an appropriate balance of benefit to the community.</p>	<p>General principles</p> <ol style="list-style-type: none"> 1. <i>These Guidelines apply to the construction of new or extended crossovers which provide access to properties from the carriageway across footways and/or verges, under section 184 of the Highways Act 1980, and where the proposed crossover does not depend on the applicant requiring planning permission for an associated development.</i> 2. <i>Where planning permission is required, the need for a crossover and any detailed design considerations will be taken into account as part of the assessment of the planning application. However, many of the principles contained in these Guidelines will be relevant when considering whether to grant permission for a crossover and to its subsequent construction.</i> 3. <i>The construction of a vehicle crossover does not give the occupier of the premises any particular rights, except to drive across the footway or verge to gain access to his/her property with a private or light goods motor car: the crossover itself is part of the public highway. The Authority does not guarantee that a crossover will be suitable for use by any particular vehicle (for example a vehicle with low ground clearance). The Authority reserves the right to impose reasonable conditions on the use of any crossover, as provided for in the Highways Act 1980.</i> 4. <i>The Authority reserves the right to review its policies, working practices and charges from time to time to ensure the continued provision of an efficient and cost-effective service.</i>

<p>ii) Where there are infringements involving the right of access to the carriageway this policy takes into account the management of crossovers and, in particular, subsequent enforcement action.</p>	<p>(paragraph deleted)</p>
<p>iii) A guidance “leaflet” for applicants is available which provides advice on minimizing environmental impact, construction materials, parking layouts, the adopted policies, procedures and any other relevant information.</p>	<p>5. <i>A guidance leaflet for applicants will be made available to provide advice on minimising environmental impact, construction materials, parking layouts, the adopted policies, procedures and any other relevant information.</i></p>
<p>The Conflict with Street Trees/Planted Areas</p> <p>iv) When an application is received from a property owner/occupier to construct or extend a vehicle crossing, which has a direct or indirect effect upon a highway tree or other “managed” planting, no decision will be taken until the Arboricultural Officer or other appropriate officer has been informed and responded.</p> <p>v) The general presumption will be to refuse an application if there is a conflict with a street tree.</p> <p>vi) If the Arboricultural Officer (AO) or other appropriate officer, decides that a particular tree or planted area does not warrant retention for the benefit of the community or can be re-established elsewhere, the local Street Services Area Manager will be told that its removal is approved and provided with the estimated cost. At the same time, the AO will stipulate the number, type and costs for replacement trees/plants. The number of replacement tree(s) will depend on the size of the existing tree – this will usually be one replacement for a young tree, two replacements for a semi-mature tree and three replacements for a mature tree.</p>	<p><i>Conflict with street trees or planted areas</i></p> <p>6. <i>When an application is received to construct or extend a vehicle crossing, which has a direct or indirect effect on a highway tree or other “managed” planting, no decision will be taken until the Council’s Arboricultural Officer or other appropriate officer has been informed and responded.</i></p> <p>7. The general presumption will be to refuse an application if there is a conflict with a street tree.</p> <p>8. If the Arboricultural Officer (AO) or other appropriate officer, decides that a particular tree or planted area does not warrant retention for the benefit of the community or can be re-established elsewhere, the <i>local Area Manager</i> will be told that its removal is approved and provided with the estimated cost. At the same time, the AO will stipulate the number, type and costs for replacement trees/plants. The number of replacement tree(s) will depend on the size of the existing tree – this will usually be one replacement for a young tree, two replacements for a semi-mature tree and three replacements for a mature tree.</p>

<p>vii) The cost of the tree/plant removal and the replacement(s), including initial maintenance, will be charged to the applicant as part of the vehicle crossing works.</p> <p>viii) When an existing crossing is obstructed/affected by a tree to the obvious detriment of public safety every effort will be made to resolve the conflict so as to retain the tree. However if this is not possible and public safety is being compromised, the tree will be removed and replacements planted. The cost of the tree removal and replacement(s) or crossing relocation and accommodation works will be borne by the Authority.</p>	<p>9. The cost of the tree/plant removal and the replacement(s), including initial maintenance, will be charged to the applicant as part of the vehicle crossing works.</p> <p>10. When an existing crossing is obstructed/affected by a street tree to the obvious detriment of public safety, every effort will be made to resolve the conflict so as to retain the tree. However if this is not possible and public safety is being compromised, the tree will be removed and replacements planted. The cost of the tree removal and replacement(s) or crossing relocation and accommodation works will be borne by the Authority.</p>
<p>The Conflict with Private Trees</p> <p>ix) When an application for the construction of a vehicle crossing or an extension to an existing crossing is received and the officer making the initial site visit feels that the proposals would have an adverse affect on an established tree, he will defer any decision to progress the crossing and refer the matter to the Arboricultural Officer. The Arboricultural Officer will consider the particular situation and inform the local Area Manager of any advice and/or intended action. This could include the implementation of a Tree Preservation Order if it is felt that the loss of the tree(s) would be detrimental to the visual amenity of the area.</p>	<p><i>Conflict with private trees</i></p> <p>11. <i>When an application is received to construct or extend a vehicle crossing, and the officer making the initial site visit feels that the proposals would have an adverse affect on an established private tree, he will defer any decision to progress the crossing and refer the matter to the Arboricultural Officer. The Arboricultural Officer will consider the particular situation and inform the local Area Manager of any advice and/or intended action. This could include the implementation of a Tree Preservation Order if it is felt that the loss of the tree(s) would be detrimental to the visual amenity of the area.</i></p>
<p>The Conflict with Street Furniture</p> <p>x) There should be no obstruction such as telegraph pole, lighting column or above ground utility apparatus within 800 mm of the edge of the crossover.</p> <p>xi) Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to help with the forming of an access shall be undertaken at the cost of the applicant.</p>	<p><i>Conflict with street furniture</i></p> <p>12. There should be no obstruction such as a telegraph pole, lighting column or above ground utility apparatus within 800 mm of the edge of the crossover.</p> <p>13. Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to help with the forming of an access shall be undertaken at the cost of the applicant.</p>

<p>xii) The location of new street furniture must be carefully considered when designing highway/lighting improvements and/or maintenance schemes so as to minimise future conflicts with established and possible future vehicle crossings.</p>	<p>(paragraph deleted)</p>
	<p>Safety and the free flow of traffic</p> <p>14. <i>The Authority is required by the Highways Act 1980 to consider safety and the free flow of traffic when considering whether to install a crossover. Among the matters likely to be considered are proximity to a road junction, visibility and sight lines, the existence of “zig zag” markings at the kerbside, the width of the street and traffic flow. This is not an exclusive list, and the Council will take into account any matter which appears relevant under this heading.</i></p>
<p>Applications made within Controlled Parking Zones</p>	<p>Applications in streets with, or proposed to have, controlled parking</p> <p>15. <i>The Authority reserves the right to take into account existing on-street parking provision when considering whether to permit a crossover. Where the proposed crossover would result in the removal of a marked on-street parking or loading bay, or the reduction in capacity of such a bay, there will be a presumption to refuse an application. In cases where it is possible to relocate or otherwise amend an on-street parking bay without disbenefit to the public, all costs will be charged to the applicant.</i></p> <p>16. <i>From time to time the Council responds to increased local parking stress by consulting on proposals to introduce new areas of parking control, or to extend or amend controls in existing controlled areas. The Council will not accept any applications (and will return any applications and cheques)</i></p>

<p>xiii) The Authority will not provide a vehicle crossover until all necessary amendments to the Traffic Regulation Orders have been made so as to provide unimpeded access to the crossover and the application complies with the criteria set out in the Council's on-street parking policy.</p> <p>xiv) The Authority will not promote an amendment to a Traffic Regulation Order to make a vehicle crossover until the appropriate fee has been received. Furthermore, the Authority does not warrant that the receipt of the fee will guarantee that any objections to amending an Order will be overruled or set aside.</p>	<p><i>from an area affected by proposals between the date of issue of the first consultation document or the date when a consultation was first proposed in a published Council agenda paper (whichever is the earlier) until such time as a final decision is taken to implement a scheme (or not implement it as the case might be). Once a scheme is agreed for implementation, but before it is implemented, any application will be considered as though the scheme had already been implemented.</i></p> <p>17. The Authority will not provide a vehicle crossover until all necessary amendments to the Traffic Regulation Orders have been made so as to provide unimpeded access to the crossover and the application complies with the criteria set out in the Council's on-street parking policy.</p> <p>18. The Authority will not promote an amendment to a Traffic Regulation Order to make a vehicle crossover until the appropriate fee has been received. Furthermore, the Authority does not warrant that the receipt of the fee will guarantee that any objections to amending an Order will be overruled or set aside.</p>
<p>xv) The Authority will undertake to reinstate redundant vehicle crossings when maintenance works allow, subject to a charge to the frontage owner, where they undertake to return their off-street parking area to landscaping and provide appropriate means of preventing future vehicle access. In appropriate cases the Authority will also designate the area in front of the former crossover as parking space.</p>	<p>Redundant crossovers</p> <p>19. <i>When it appears that an existing crossover is redundant (for example because a hardstanding has been replaced with soft landscaping or a boundary wall has been constructed) and the Authority is undertaking routine maintenance, or it otherwise appears expedient for the Authority to do so, the Authority will remove the crossover and reinstate the kerb and footway without charge to the frontage owner.</i></p> <p><i>At other times the Authority will consider requests from frontage owners for reinstatement, at the frontage owner's expense, where there is clear evidence that the frontage owner has already undertaken works to ensure that there is no continuing risk of vehicles seeking to cross the footway to access the premises.</i></p>

	<p><i>In appropriate cases the Authority will also designate the area in front of the former crossover as parking space.</i></p>
<p>Verges</p> <p>xvi) The Authority will endeavour to sustain grass verges and amenity areas maintained by the highway authority as an important and integral part of the Borough's street scene wherever possible.</p> <p>xvii) Where they will adversely affect the amenity of the area, the provision of vehicle crossings in highway verges and amenity areas shall be kept to a minimum.</p> <p>xviii) When considering an application for a crossing or an extension to an existing crossing in a grass verge or amenity area greater than 3 metres in depth, the presumption shall be to reject it.</p> <p>xix) Officers will continue to employ appropriate construction techniques and materials that will minimise the visual impact of crossings wherever possible.</p>	<p>Verges</p> <p>20. The Authority will endeavour to sustain grass verges and amenity areas maintained by the highway authority as an important and integral part of the Borough's street scene wherever possible. <i>The Authority reserves the right to reject on amenity grounds an application for a crossing across a verge or amenity area.</i></p> <p>21. Where they will adversely affect the amenity of the area, the provision of vehicle crossings in highway verges and amenity areas shall be kept to a minimum, <i>for example by combining more than one crossover.</i></p> <p>22. When considering an application for a crossing or an extension to an existing crossing in a grass verge or amenity area greater than 3 metres in depth, the presumption shall be to reject it.</p> <p>23. Officers will continue to employ appropriate construction techniques and materials that will minimise the visual impact of crossings wherever possible.</p>
<p>Short Frontage Standards and Agreements</p> <p>xx) As the general Borough policy, an application to construct a vehicle crossing that serves short frontage parking, that is where the space for parking at a right angle to the carriageway is limited, provision of safe access and egress shall be considered when determining approval of an application. Parallel parking to the carriageway shall not be permitted. Permission for an application will therefore be refused if the part of the property nearest the road is fewer than 4.8 metres from the back edge of the public footpath; the parking space shall be a minimum of 2.4 metres wide.</p>	<p>Short frontage standards</p> <p>24. As the general Borough policy, an application to construct a vehicle crossing that serves short frontage parking, that is where the space for parking at a right angle to the carriageway is limited, provision of safe access and egress shall be considered when determining approval of an application. Parallel parking to the carriageway shall not be permitted. Permission for an application will therefore be refused if the part of the property nearest the road is fewer than 4.5 metres from the back edge of the public footpath; the parking space shall be a minimum of 2.4 metres wide.</p>

<p>Provision of Extra Crossovers and ‘In and Out’ Drives</p> <p>xxi) Where planning permission is required, the Chief Planner can reject applications in accordance with criteria in the Unitary Development Plan and on traffic safety criteria. Where planning permission is not required, requests for additional crossovers may be rejected on the basis that reasonable access already exists as a result of the construction of the first crossover and the common law right of access has been met.</p> <p>xxii) Where there is no practical loss of on-street parking or amenity from an additional access and it is possible to park a vehicle between the two points of access (e.g. 5m in length), applications for additional crossovers will usually be considered favourably. This assumes however that all relevant planning, highway safety and amenity criteria has been satisfied.</p>	<p>Provision of extra crossovers and ‘in and out’ drives</p> <p>25. Where planning permission is required, the Chief Planner can reject applications in accordance with criteria in the Unitary Development Plan <i>or Local Development Framework</i> and on traffic safety criteria. Where planning permission is not required, requests for additional crossovers may be rejected on the basis that reasonable access already exists as a result of the construction of the first crossover and the common law right of access has been met.</p> <p>26. Where there is no practical loss of on-street parking or amenity from an additional access and it is possible to park a vehicle between the two points of access (e.g. 5m in length), applications for additional crossovers will usually be considered favourably. This assumes however that all relevant planning, highway safety and amenity criteria <i>have</i> been satisfied.</p>
<p>Fees and Charges</p> <p>xxiii) Unless specifically provided for within the approved budget for a scheme or when permission is not granted, the Authority will continue to recover its costs in considering the application and providing / constructing a vehicle crossing from the applicant, as authorised by Statute.</p> <p>xxiv) The fees and charges will be regularly reviewed by officers, in light of relevant legislation/regulation, changes in contracts and changes in resource costs, and update them as considered necessary under delegated powers.</p> <p>xxv) The Director of Resources will continue to offer residents a range of acceptable payment options.</p>	<p>Fees and charges</p> <p>27. <i>Where an application is initiated by the applicant for his or her own benefit (that is, the proposed crossover is not necessitated by or consequent upon a scheme proposed by the Council for which there is an approved budget), the Authority will seek to recover from the applicant its full costs in considering the application (including where the application is unsuccessful) and providing / constructing a vehicle crossing and any necessary associated works.</i></p> <p>28. The fees and charges will be regularly reviewed by officers, in light of relevant legislation/regulation, changes in contracts and changes in resource costs. <i>Any revisions considered necessary will be implemented</i> under delegated powers.</p> <p>29. The <i>Council</i> will continue to offer residents a range of acceptable payment options.</p>

<p>Specification and Use of Construction Materials</p> <p>xxvi) The standard surface materials for vehicle crossings shall be concrete modular block paving when the footway is flagged paving and bitumen macadam when the footway surface is bitumen macadam or similar.</p> <p>xxvii) "Special" materials will be acceptable but only when the character of surrounding highway determines it is appropriate.</p> <p>xxviii) The maximum width of a vehicle crossing shall be 3 metres forming a ramped area, with dropped kerbs either side increasing the overall width to 4.8 metres at the kerb edge of the carriageway.</p> <p>xxix) Applicants for crossing extensions are to be informed of the likely difference in the appearance of the new construction and given the opportunity to bear the costs of any special works to reduce the difference or to undertake a full width reconstruction/ resurfacing should they wish.</p>	<p>Specification and use of construction materials</p> <p>30. The standard surface materials for vehicle crossings shall be concrete modular block paving when the footway is flagged paving and bitumen macadam when the footway surface is bitumen macadam or similar.</p> <p>31. "Special" materials <i>which vary from the above standard</i> will be acceptable but only when the character of surrounding highway determines it is appropriate.</p> <p>32. The maximum width of a vehicle crossing shall be 3 metres forming a ramped area, with dropped kerbs either side increasing the overall width to 4.8 metres at the kerb edge of the carriageway.</p> <p>33. Applicants for crossing extensions are to be informed of <i>any</i> likely difference in the appearance of the new construction and given the opportunity to bear the costs of any special works to reduce the difference or to undertake a full width reconstruction/ resurfacing should they wish.</p>
<p>Authorisation to Construct the Vehicle Crossing</p> <p>xxx) With the exception of special cases, where agreement is reached with officers to the contrary, all vehicle crossing construction will be undertaken by the Authority's term-maintenance contractor.</p>	<p>Construction and maintenance</p> <p>34. With the exception of special cases, where agreement is reached with officers to the contrary, all vehicle crossing construction will be undertaken by the Authority's term-maintenance contractor. <i>From the date that the Council accepts the completed crossover, it will assume responsibility for its maintenance at no cost to the occupier, apart from any damage caused by illegal use by heavy vehicles.</i></p>

<p>Standard Conditions to be met Prior to Construction</p> <p>xxx i) No vehicle crossing construction work shall commence until the applicant has properly opened up the access and laid out their off-street parking provision (hard standing) to the satisfaction of the local Area Inspector.</p> <p>xxx ii) No construction work shall be programmed and/or commenced until acceptable financial arrangements have been put in place and/or payment has been made.</p>	<p>Standard conditions to be met prior to construction</p> <p>35. No vehicle crossing construction work shall commence until the applicant has properly opened up the access and laid out their off-street parking provision (<i>permeable</i> hard standing) to the satisfaction of the local Area Inspector.</p> <p>36. No construction work shall be programmed and/or commenced until acceptable financial arrangements have been put in place and/or payment has been made.</p>
<p>Cost of Construction Offset by Appropriate and Relevant Road and/or Traffic Works</p> <p>xxx iii) When major footway maintenance works are being undertaken and provided there is not a conflict with any other vehicle crossing policy, residents may be offered the opportunity of having a footway crossing constructed whilst the works are in progress. The works charged to the resident will be for only those additional works in forming the crossing.</p> <p>xxx iv) Residents will be advised whether major footway works are proposed during the next 12-month period from receipt of the application to enable deferment of the installation until the major works commence.</p>	<p>Cost of construction offset by appropriate and relevant road and/or traffic works</p> <p>37. When major footway maintenance works are being undertaken and provided there is not a conflict with any other vehicle crossing policy, residents may be offered the opportunity of having a footway crossing constructed whilst the works are in progress. The <i>costs</i> charged to the resident will be for only those additional works in forming the crossing.</p> <p>38. Residents <i>who apply for a crossover in the normal way</i> will be advised whether major footway works are proposed during the next 12-month period from receipt of the application to enable <i>deferral</i> of the installation until the major works commence.</p>
<p>Infringements Involving Existing Crossovers</p> <p>xxx v) Redundant Crossovers - There are instances where an existing crossover has been constructed but the occupant has no intention of parking within their curtilage (examples include failure to remove boundary walls, hedges, trees, etc) and the crossover has been used to reserve parking either on the carriageway or the crossover. In the first instance, the occupant will be requested to construct a hard standing and gain access, or pay for the removal of the crossover. If the owner of the access were to object to the Authority removing the redundant crossover an official order would be</p>	<p>Infringements involving existing crossovers</p> <p>39. Redundant Crossovers – <i>Although current procedures should now prevent it, there may be</i> instances where an existing crossover has been constructed but the occupant has <i>taken no steps to provide</i> parking within their curtilage (examples include failure to remove boundary walls, hedges, trees, etc) and the crossover <i>appears to have</i> been used to reserve parking either on the carriageway or the crossover.</p> <p>In the first instance, the occupant will be requested to construct a</p>

required to stop up the private means of access.

xxxvi) **Illegal Footway Crossings** — It is an offence to drive on a footway where a driver attempts to gain access to either a residential or commercial property by crossing the footway/grass verge where there is no constructed crossover. The Council has powers under section 184 (11) of the Highways Act (1980) to insist on the construction of a properly surfaced vehicle crossing, subject to meeting all relevant planning, highway safety and amenity criteria. The approach will be to notify the occupier in the first instance to make them aware of the legal implications and to advise them both to stop crossing the highway and to apply for a crossover in accordance with the stated procedures. The Council can then charge the occupier with the costs of installation. If the occupant persists in crossing the highway, further action can be taken to protect the highway and to install preventative measures to restrict access.

hard standing and gain access, or pay for the removal of the crossover. *If the occupant does not respond or refuses to pay, the Authority may take steps to reinstate the kerb and footway in whatever manner it considers expedient and to reclaim any associated costs. This action may also include any temporary measures required to stop vehicles crossing the footway.*

40. **Illegal Footway Crossings** - *Where a driver habitually attempts to gain access to either a residential or commercial property by crossing the footway/grass verge where there is no constructed crossover, the Council has powers under section 184 (11) of the Highways Act (1980) to insist on the construction of a properly surfaced vehicle crossing, subject to meeting all relevant planning, highway safety and amenity criteria. The approach will be to notify the occupier in the first instance to make them aware of the legal implications and to advise them both to stop crossing the highway and to apply for a crossover in accordance with the stated procedures. The Council can then charge the occupier with the costs of installation. If the occupant persists in crossing the highway, further action can be taken to protect the highway and to install preventative measures to restrict access.*

Exemptions to Parking on Vehicle Crossovers

xxxvii) A crossover is provided to gain vehicular access to the curtilage of a property (that is, it remains illegal to park on a highway where a crossover has been constructed, other than temporarily, as this obstructs the highway previously available to pedestrians). Where this occurs the Council's Parking Team have arrangements with its contractor to serve PCNs on vehicles parked in contravention of the borough-wide footway parking ban. Exemptions may apply to certain streets where vehicles can either park partly (with two wheels) or wholly (with all four wheels) on the footway. An exemption may also apply to streets with clearly defined pavement areas with long crossovers between the property boundary and the pavement. On no account will an exemption

Exemptions to parking on vehicle crossovers

41. A crossover is provided to gain vehicular access to the curtilage of a property (that is, it remains illegal to park on a highway where a crossover has been constructed, other than temporarily, as this obstructs the highway previously available to pedestrians). Where this occurs the Council's Parking Team *has* arrangements with its contractor to serve *Penalty Charge Notices (PCNs)* on vehicles parked in contravention of the borough-wide footway parking ban. Exemptions may apply to certain streets where vehicles can either park partly (with two wheels) or wholly (with all four wheels) on the footway. An exemption may also apply to streets with clearly defined pavement areas with long crossovers between the property boundary and the pavement. On no account will an

apply to parking on crossovers between the pavement and the edge of the carriageway.

exemption apply to parking on crossovers between the pavement and the edge of the carriageway.

Exemptions Based on Applicants' Medical Conditions

xxxviii) When an application has not been approved, grounds of an appeal may require in certain cases consideration of the applicant's medical condition, as either the driver or occupant of the property may be unable to walk any distance without suffering considerable discomfort. This request would be based on medical evidence provided by the applicant's doctor. Under these circumstances approval may be given, however, the applicant shall enter into an agreement whereby the Council has the right to reinstate the highway as a footway and remove the dropped kerb area of the crossover if the occupant subsequently leaves the property. A nominal sum shall be charged to the resident for the complete cost of these works at the installation stage.

Exemptions based on applicants' medical conditions

42. When an application has not been approved, *the applicant may appeal on medical grounds, if either the driver or another occupant of the property is unable to walk any distance without suffering considerable discomfort. This request would be subject to similar criteria as those applied to applications for an on-street disabled bay. Under these circumstances approval may be given which is personal to the person claiming exemption, and the applicant will be required to enter into an agreement whereby the Council has the right to reinstate the highway as a footway and remove the dropped kerb area of the crossover if the person for whom exemption was claimed ceases to live at the property. A nominal sum will be charged to the resident for the complete cost of these reinstatement works at the installation stage.*

Appeal Procedures

xxxix) Should an applicant for the construction of a vehicle crossing be dissatisfied with the response and make representations to that effect, the matter will be reviewed by the local Street Services Area Manager and the outcome of the review communicated to the applicant.

Appeal procedures

43. *Should an applicant for the construction of a vehicle crossing be dissatisfied with the response (including but not limited to refusal of consent or any conditions attached to the use of the crossover), he or she may make representations to that effect. The matter will be reviewed in the first instance by the local Area Manager, who will assess whether these Guidelines have been properly and consistently applied. The Area Manager will determine either:*

- that the Guidelines have been correctly applied; or*
- that the Guidelines have not been correctly applied, and propose a remedy to the applicant.*

The outcome of the review will be communicated to the applicant within 28 days of representations being received, together with notification of their right to appeal further if desired.

<p>xl) If an applicant or other resident continues to be dissatisfied then the matter should be referred to the Director of Environmental and Leisure Services in accordance with the Council's 'Getting it Right' procedure.</p>	<p>44. <i>If an applicant exercises the right to appeal further, the matter will be referred to the Director of Environmental Services, or in his absence an Assistant Director. In determining the appeal, the Director shall have regard to:</i></p> <ul style="list-style-type: none"> • <i>the decision of the Area Manager and whether it is correct;</i> • <i>any other matter which the applicant has cited as grounds for appeal, including, but not limited to, matters contained in these Guidelines; and</i> • <i>whether any proposed decision provides an appropriate balance of benefit between the applicant and the community.</i> <p><i>The outcome of the appeal will be final, and will be communicated to the applicant, with reasons, within 14 days of the appeal being received.</i></p>
<p>xli) Where planning permission is required and the application is refused residents will still have a statutory right of appeal dealt with by the Planning Inspectorate and notes of explanation are provided when the Town Planning Division issues a refusal notice.</p>	<p>45. Where planning permission is required and the application is refused residents will still have a statutory right of appeal dealt with by the Planning Inspectorate and notes of explanation are provided when the Town Planning Division issues a refusal notice.</p>

Report No.
ES12008

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

**For Pre-decision Scrutiny by the Environment PDS
Committee on**

Date: 18th January 2012

Decision Type: Non-Urgent Executive Non-Key

Title: SOUTHEND ROAD LOCAL SAFETY SCHEME

Contact Officer: Joe Burbidge, Traffic Engineer
Tel: 020 8313 4544 E-mail: fjoe.burbidge@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: Copers Cope

1. Reason for report

- 1.1 This report outlines proposals to amend the junctions of Southend Road with Foxgrove Road and Brackley Road.
- 1.2 Southend Road has featured for several years as a location with a higher number of injury accidents than average for such a road. There is a history of accidents at the junction with Foxgrove Road and there is also a problem with vehicles speeding along Southend Road.

2. **RECOMMENDATION(S)**

That the Portfolio Holder agrees to the following proposal:

- 2.1 The remedial measures as outlined in the second option are installed at the junction of Southend Road, Foxgrove Road and Park Road.
- 2.2 A mini roundabout be installed at the junction with Brackley Road as well as a zebra crossing to the north of the junction.
- 2.3 Authority to make any minor modifications which may arise as a result of any considerations be delegated to the Director of Environmental Services, in consultation with the Environment Portfolio Holder.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
-

Financial

1. Cost of proposal: Estimated cost 50k for the measures at the Southend Road junction with Foxgrove Road and Park Road and £30k for the measures at the Southend Road junction with Brackley Road
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: TFL LIP funding for casualty reduction at individual locations and school travel planning activities
 4. Total current budget for this head: £175k of which there is an uncommitted budget of £70k and £135k of which there is an uncommitted balance of £105k
 5. Source of funding: Transport for London.
-

Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 50
-

Legal

1. Legal Requirement: Non-statutory - Government guidance. Government guidance.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 15,000 vehicles a day use Southend Road
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments: Cllr Tickner supports the need to take action, but would prefer a roundabout at the junction with Foxgrove Road.

3 COMMENTARY

BACKGROUND

- 3.1 Southend Road (A2015) is a heavily used road that runs between Beckenham Hill Road and High Street, Beckenham. The road is subject to a 30mph speed limit and is street lit.
- 3.2 Southend Road junction with Foxgrove Road and Park Road was highlighted in the Borough's annual review of accident hotspots. Complaints have also been received about both congestion and, ironically, speeding on Southend Road. In 2009 there were four personal injury collisions (PICs) at the junction of Southend Road, Foxgrove Road and Park Road, including one involving serious injuries, and in 2010 there were three, including one serious.

PROPOSED SCHEMES

Southend Road j/w Foxgrove Road

- 3.3 Two remedial options were investigated at the Southend Road junction with Foxgrove Road and Park Road. The first was the installation of a four arm mini-roundabout (shown in drawing number 196891-OS-311). The Department for Transport good practice guidance advises that four arm mini-roundabouts should not be used at busy junctions because they can create additional conflicts that did not previously exist. They define busy as 500 vehicles per hour and Southend Road more than exceeds this figure during both the am and pm peaks. The independent road safety audit highlighted a number of concerns including a lack of visibility, inadequate deflection on the roundabout and complicated manoeuvres. There were also concerns expressed about the proposed exit from Beckenham Place Park that could lead to side swipe accidents.
- 3.4 The second option investigated incorporated a series of smaller measures including the installation of high friction surfacing on the approaches to the junction, yellow backed warning signs on the approaches to the junction, as well as some additional and refurbished carriageway markings (see drawing 196891-OS-311a).
- 3.5 The second option has a lower cost and also a better first year rate of return than the four arm mini-roundabout (261% compared with 167%) and this is the option that officers recommend is progressed.

Southend Road j/w Brackley Road

- 3.6 Once it was made clear that we were to investigate a local safety scheme at the Southend Road junction with Foxgrove Road and Park Road a Ward Member also requested that we investigate some engineering measures at the Southend Road junction with Brackley Road. We have carried out some traffic modelling at the location and this has revealed that a mini-roundabout would not cause additional delay at this location. A mini-roundabout would also have the effect of reducing speed along Southend Road, which was part of the initial brief, and would also improve safety at this junction with Brackley Road, where injury collisions have previously occurred (three in 2010).
- 3.7 As the school crossing patrol may cease to operate at this location from April 2012 we have incorporated a zebra crossing into the design to the north of the mini-roundabout. There are several schools in the area and this location is well used as a crossing point by pupils of these schools. There are also a number of elderly residents living in an adjacent block of flats who would also benefit from the introduction of a better crossing facility here. These proposals are

shown in drawing number ESD-11000-1.

Other Locations

- 3.8 A Ward Member also requested that we consider mini roundabouts at the junction with Southend Road with Copers Cope Road / The Avenue and at the entrance to Waitrose supermarket from Southend Road (currently a signalised junction). Due to Transport for London’s moratorium on traffic signal works either side of the Olympics it would not be possible to make alterations to the signalised junction at the entrance to Waitrose. Given the proximity of these two junctions the most sensible approach would be to investigate any possible changes to them together after the moratorium has been lifted.
- 3.9 Speeding in Copers Cope Road has also been identified by Members as an issue and we are proposing to look at the possibility of engineering measures at its junctions with Lawn Road, Bridge Road and Park Road in the next financial year.

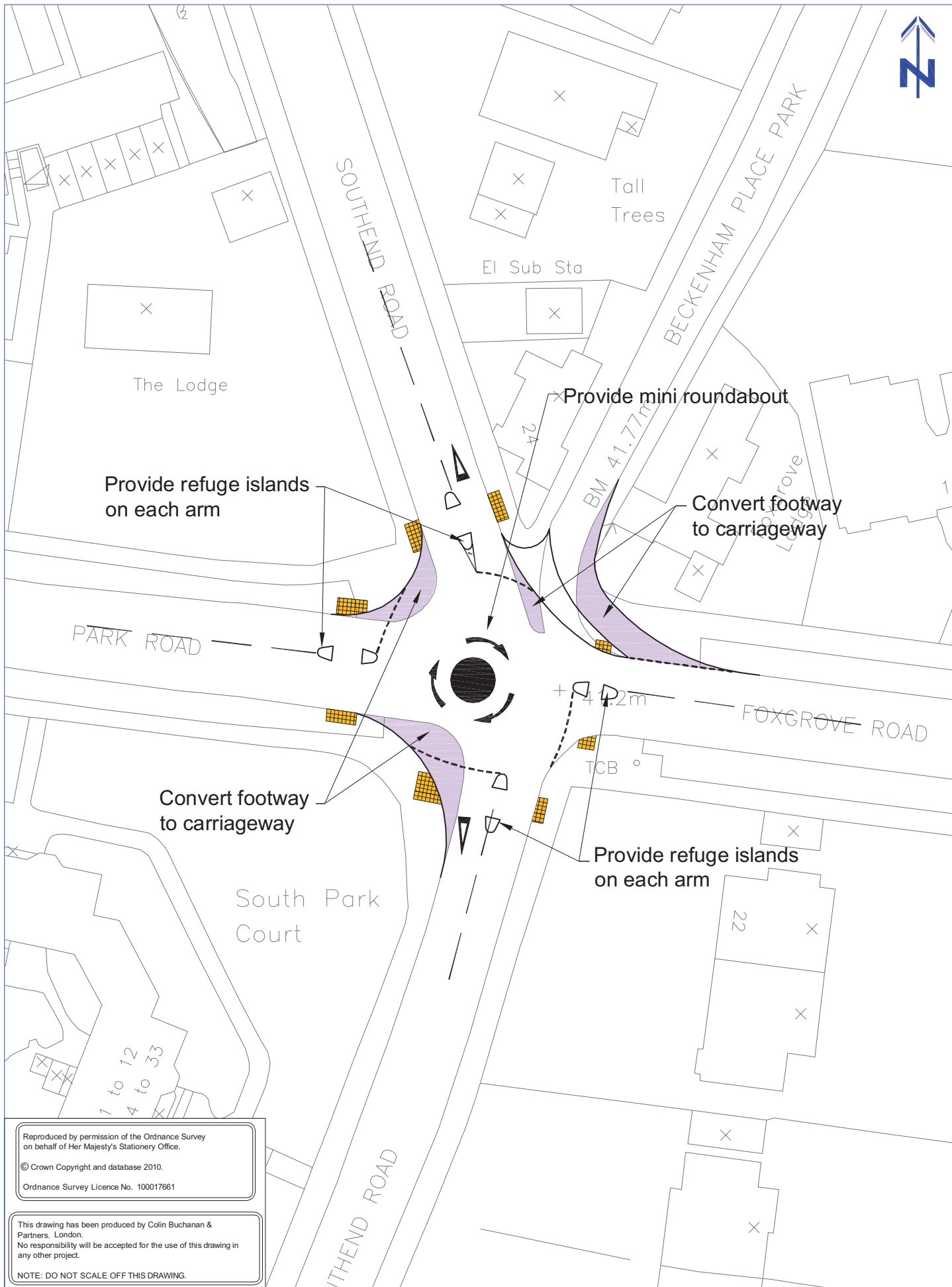
4 POLICY IMPLICATIONS

- 4.1 Building a Better Bromley 2020 Vision:
“Many residents and local businesses are concerned about congestion, leading to extended journey times and insufficient parking provision. There are opportunities to work in partnership to make a real impact on reducing unnecessary car journeys. We also need to maintain our progress in improving road safety.”
- 4.2 Building a Better Bromley 20/12 Priorities:
- ‘Quality Environment: seek to reduce traffic congestion’
 - ‘Continue to take effective action to improve road safety and reduce accidents’

5 FINANCIAL IMPLICATIONS

- 5.1 The cost to implement the measures detailed in this report is estimated at approximately £80k.
- 5.2 The cost are to be met from the TfL funding for Casualty Reduction – Individual Locations, which currently has an uncommitted balance of £70k and from the TfL funding for School Travel Planning Activities which currently has an uncommitted balance of £105k.

Non-Applicable Sections:	Legal and personnel implications
Background Documents: (Access via Contact Officer)	



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Drawing Title
OPTION 1. SITE REF: S00563
PARK ROAD / SOUTHEND ROAD /
BECKENHAM PLACE PARK /
FOXGROVE ROAD - PROPOSALS

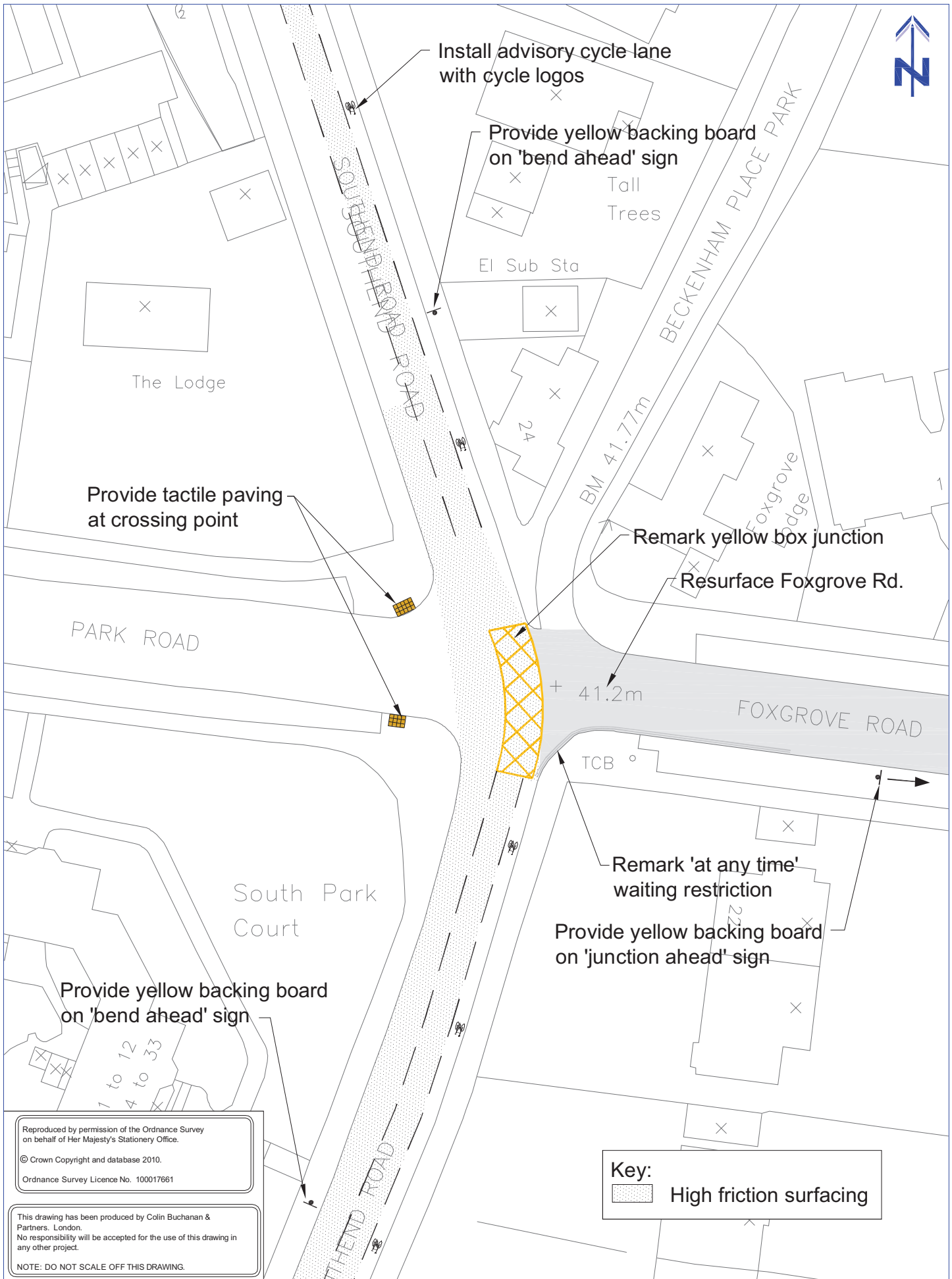
Client
LONDON BOROUGH OF BROMLEY

Job Title
LOCAL SAFETY SCHEME
SITE SELECTION 2010/2011




Scale:	1:500@A4			
Designed by:	K.Y.			
Drawn by:	J.J.			
Clk./Appd:	S.M.C.	Rev	Date	Amendment.
First Issued:	APR '11			Des Dm
Job No:	19689-01-1	Dig No:	196891-OS-311	Rev

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Key:
 High friction surfacing

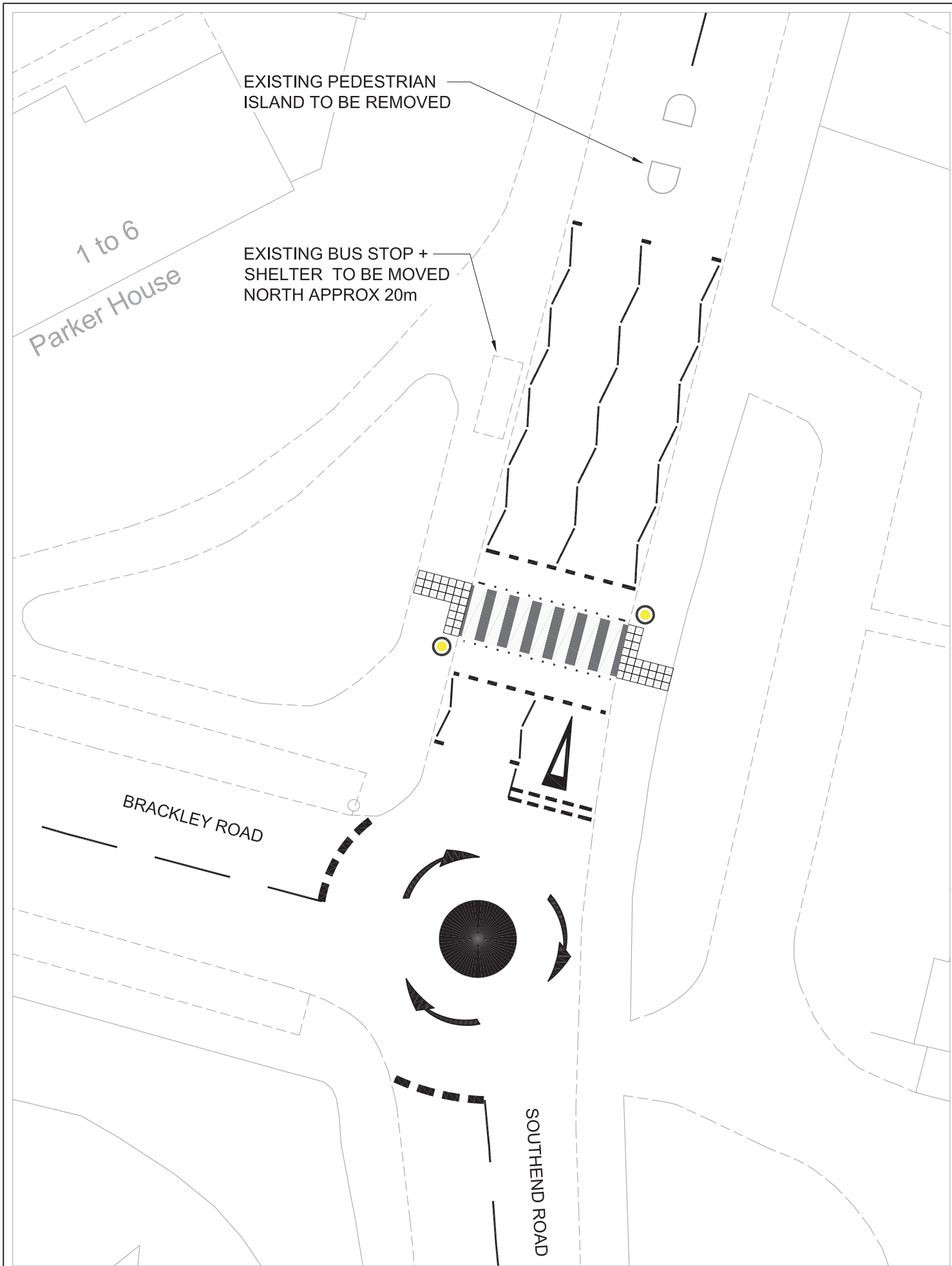
Drawing Title
OPTION 2 SITE REF: S00563
PARK ROAD / SOUTHEND ROAD /
BECKENHAM PLACE PARK /
FOXGROVE ROAD - PROPOSALS

Client
LONDON BOROUGH OF BROMLEY


Job Title
LOCAL SAFETY SCHEME
SITE SELECTION 2010/2011

Scale: 1:500@A4	Designed by: K.Y.			
	Drawn by: J.J.			
Ckd./Appd: S.M.C.	Rev	Date	Amendment	Des Dm
First Issued: APR. '11				Rev
Job No: 19689-01-1	196891-OS-311a			

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 <p>Environmental Services Civic Centre, Stockwell Close, Bromley, BR1 3UH Tel : 020 8464 - 3333 Fax : 020 8313 - 4555 Email : www.bromley.gov.uk</p>	<p>Drawing Title SOUTHEND ROAD, BRACKLEY ROAD, BECKENHAM PROPOSED ROUNDABOUT</p>							
	<p>Nigel Davies Director of Environmental Services</p>	<p>Scale @ A4 1:250</p>	<p>Date 6/12/11</p>	<p>Checked JM</p>	<p>By RL</p>	<p>Drawing Number ESD-11000-1</p>	<p>Revision - Rev Date</p>	<p>Description</p>

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Report No.
ES12020

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Executive

**For pre-decision scrutiny by the Environment PDS
Committee on 18th January and Executive & Resources PDS
on 25th January 2012**

Date: 1st February 2012

Decision Type: Non-Urgent Executive Non-Key

Title: **STREET LIGHTING INVEST TO SAVE**

Contact Officer: Garry Warner, Head of Highway Network Management
Tel: 020 8313 4929 E-mail: garry.warner@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environment Services

Ward: Borough Wide

1. Reason for report

Investment in the Council's street lighting stock has not allowed for the routine replacement of life expired lamp columns. Nearly 8,000 lamp columns are now in need of replacement, and this report promotes an invest to save programme to clear the backlog.

2. **RECOMMENDATION(S)**

To agree that £7.942m can be drawn down for an invest to save fund to allow the replacement of life expired lamp columns.

Corporate Policy

1. Policy Status: New policy.
 2. BBB Priority: Quality Environment. and Safer Bromley
-

Financial

1. Cost of proposal: Estimated cost £7.942m and net saving of £2.059m over the 11 year period
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Street Lighting
 4. Total current budget for this head: £3.9m and £14m
 5. Source of funding: Existing revenue budget 2012/13 and Invest to Save fund
-

Staff

1. Number of staff (current and additional): 5.3ftes
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Boroughwide
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 As the Highway Authority, LB Bromley own and maintain over 27,500 lamp columns across the borough. Many of these are now over 40 years old, which compares to a typical design life of 25 years.
- 3.2 The structural condition of steel lamp columns is carefully monitored using ultrasonic testing to identify areas of corrosion by measuring the thickness of the metal; during 2010/11 alone 164 corroded lamp columns required emergency replacement due to the risk of structural failure. The condition of concrete lamp columns, all of which are over 25 years old, is more difficult to monitor due to the materials used which cannot be tested in the same way. Visual surveys are completed whenever maintenance works are carried out by the contractor, which have resulted in a growing number of emergency replacements of concrete columns in recent years to prevent structural failure.
- 3.3 The Council has a programme of street lighting improvements where, on a road by road basis, the lighting stock is replaced with new equipment to reduce the risk of potential performance and structural failures' while providing improved levels of lighting for the benefit of pedestrians and motorists. The replacement strategy was derived as a result of a number of incidents (one locally) where columns had suffered complete structural failure and collapsed on to the highway. The strategy originally aimed to prioritise the replacement of the Council's ageing lighting stock in a timely manner, although in recent years the available budget provision has not been able to keep up with the rate of deterioration, which has resulted in a financial and accident liability.
- 3.4 The latest condition survey identified 7,902 concrete and steel lamp columns in need of replacement due to current condition or over 30 years old. With current funding levels it would take over fifteen years to replace these units as part of improvement schemes, during this time an increasing number of units will require emergency replacement to prevent structural collapse. Should the proposed budget savings identified for 2011/12 and future years be agreed, the street lighting policy would have to be changed to ad-hoc emergency replacements only, which would result in an increasing maintenance and insurance liability as an escalating number of units failing or becoming structurally unsafe.
- 3.5 In order to reduce the liability on the Council, a business case has been prepared for an invest to save programme, which would see all 7,902 units replaced in the first year of a ten year combined improvement and maintenance contract. Further details are available in the Members room – given the amount of funding requested to avoid the need for more detailed information in the report.

Budget Provisions

- 3.6 Funding for the provision and maintenance of street lighting includes several revenue budgets;
- i. Energy – electricity for street lighting is purchased at market rates, and is expected to increase at an average of ten percent a year during the next ten years. Any improvements in the energy efficiency of units will result in reduced electricity usage.
 - ii. Routine maintenance – to ensure reliability lamps are replaced on a cyclical basis, lanterns are cleaned and all units are inspected for electrical and structural safety.
 - iii. Non-routine maintenance – electrical equipment will require ad-hoc maintenance during its service life to replace failed electrical components and repairs following vandal or impact damage. The maintenance liability of older units is higher than modern lamp columns and lanterns.
 - iv. Painting – metal lamp columns require re-painting in a cyclical basis to prevent corrosion and / or aesthetics

- v. Replacement – lamp columns have a typical design life of 25 years, and will require replacement prior to structural failure.
- vi. Carbon reduction - in 2014/15 a new carbon levy will be payable on electricity used for street lighting. Reducing electricity consumption will reduce the liability for CRC charges.
- vii. Staff – directly employed staff undertake the design and supervision of all street lighting replacement works.

Investment Options

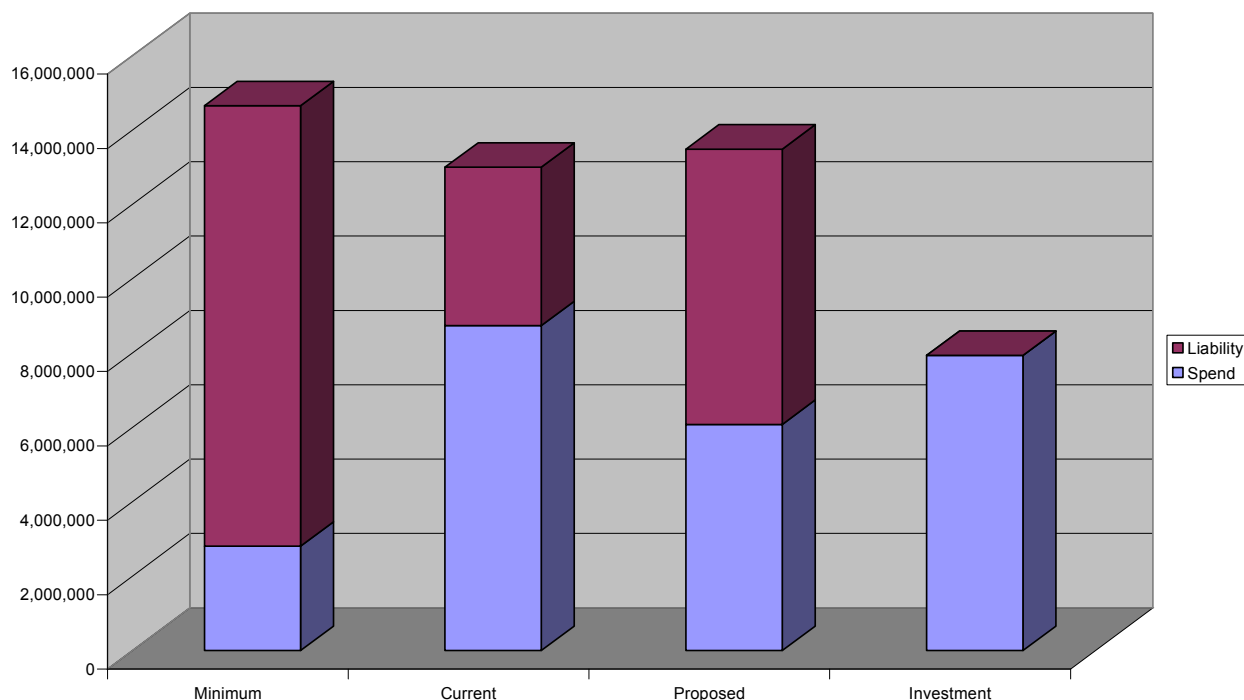
3.7 Four investment options have been considered as part of the business case;

- i. Do minimum – should budgets be reduced further, the planned replacement programme would need to be discontinued and the ad-hoc emergency replacements of defective columns would be relied on to maintain the network in a safe condition. This option would leave the Council with an increasing liability of life-expired lamp columns and would not provide any improvement in lighting levels. Although the financial model for this option has been based on 2% of columns requiring urgent replacement each year, additional emergency funding is likely to be required during the medium to long term to prevent accidents from failed columns.
- ii. Current budget policy – if current 2011/12 funding levels are maintained during the ten year programme, 5,600 units could be replaced and lighting levels improved. The age profile of the column stock would require the continued ad-hoc emergency replacement of the remaining defective columns in the short and medium term to maintain the network in a safe condition. 2,302 life-expired lamp columns would still be in need of replacement at the end of the 10 year programme.
- iii. Proposed budget policy – savings identified in the draft 2012/13 revenue budgets would reduce the funding available for column replacement to 3,900 units during the ten year programme. Although these new units would benefit from improved lighting and energy efficiency, a financial and insurance liability would exist from the remaining 4,002 life expired units which would still need to be replaced.
- iv. Invest to save – this policy would allow for all 7,902 lamp columns to be replaced in the first year of the programme. The savings made through reduced unit rates for new lamp columns together with energy efficiency, reduced maintenance, carbon credits and staff costs would repay the capital investment within ten years with a surplus saving compared to inflated budgets.

3.8 It is therefore proposed that a fund is provided in 2013/14 to allow the invest to save option to be progressed.

Residual Liabilities

3.9 Table 1 below illustrates spend and remaining financial liabilities for the council relating to each investment option. Further details are available in the Members room or appendix to report ;



3.10 The do minimum, current budget and proposed budget options would all result in a large volume of lamp columns that would still be in need of replacement, either planned or ad-hoc, at the end of the 10 year programme.

3.11 The investment options only consider costs and residual financial liabilities for a period of ten years. The remaining street lighting stock will continue to deteriorate during this time, when another group of lamp columns will fall into the 30 year plus age bracket, and provisions will need to be made at that stage for their replacement through further investments initiatives.

Non-Cashable Savings

3.12 Additional benefits would result from the invest to save proposal through improved lighting levels, which will reduce motoring accidents and improve pedestrian safety.

Procurement

3.13 The Contract for the maintenance and improvements of street lighting, currently let to May Gurney, will expire on 31st March 2013. As this Contract falls within the EU procurement regulations, options for the future of the service was considered by Executive in November 2011, which recommended that a new Contractor is appointed to undertake the maintenance and improvements of street lighting from 1st April 2013, following a competitive tendering process and comparison with the London Highways Alliance Contract.

3.14 Should the invest to save option be approved, proposals for the installation works and future maintenance will be included within the new contract, together with the ongoing maintenance of the remainder of the borough's street lighting.

- 3.15 The costs within this report are based on rates from the Council's existing street lighting contract. The business case will need to be re-assessed once the tender process for the new contract has been completed, which is expected to be in January 2012.

4 POLICY IMPLICATIONS

- 4.1 The Councils existing street lighting policy includes a planned replacement programme of life expired and structurally failed lamp columns. Should further financial savings be required, the policy would need to be changed to ad-hoc replacement of defective lamp columns to maintain the network in a safe condition.

5 FINANCIAL IMPLICATIONS

- 5.1 As mentioned in 3.1, Bromley own and maintain over 27,500 lamp columns across the Borough and the 2012/13 controllable budget has £3.9m for street lighting maintenance, replacement and staffing.
- 5.2 For 2012/13, Transport and Highways have a budget of £510k for new installations which would enable the replacement of approximately 390 columns per annum at a unit price of £1,300. Over a period of 11 years 4,290 columns could be replaced.
- 5.3 This report is proposing to spend £7.942m to renew approximately 29% of the total lamp columns within Bromley, (or 7,902 concrete and steel columns) during 2013/14 at a unit price of £1,005.
- 5.4 The potential cash savings from this invest to save proposal is as follows: -

Potential savings over the period 2012/13 to 2020/21

	Excluding savings proposals in Executive report
	£'000
New installations	5,607
Routine maintenance	1,641
Minor improvements	1,283
Energy savings	550
Energy surveys	256
Staffing (1fte)	342
Total savings from street lighting budgets	9,679
Savings from carbon allowances	428
Total savings	10,107
Inflationary savings (assumed in 4 year financial forecast)	1,743
Total savings to the Council	11,850
Less repayment of spend to save sum plus 3.5% interest	9,791
Net saving over period (11 years)	2,059
Equivalent to a net saving per annum	187

5.5 The above table identifies the financial impact over a ten year period. The budgetary impact for the period 2012/13 to 2015/16 is summarised below and shows the future inflation no longer required which effectively will increase over the 11 year period. Full details will be available in the Members room.

	2012/13	2013/14	2014/15	2015/16
	£'000	£'000	£'000	£'000
Reduction in inflation provision required	0	(16)	(42)	(76)

5.6 It should be noted that an additional temporary member of staff would be needed in 2013/14 to help manage the capital project, however from 2014/15 a reduction of a permanent post is included in the savings listed in the table above.

5.7 At the end of 11 years (2021/22) 7,902 columns will have been replaced and in contrast, if the current budget is used to replace columns only 4,290 columns will have been replaced.

5.8 These savings are being put forward to replace the savings (£250k) included in Appendix 5C of the Draft 2012/13 Budget Update report that was considered at the 11 January 2012 Executive meeting.

5.9 The proposals outlined in this report should mean that a total of £9.679m will be taken out of the Environmental Services revenue budget for street lighting over the 11 years, £428k will be saved from a reduced amount of carbon allowances that will have to be purchased during the period and £1.743m savings will be made from a reduced amount of inflation provision that will have to be set aside. This will be offset by the repayment of the Invest to Save monies totalling £9.742m excluding interest repayments.

5.10 The Executive approved an Invest to Save fund of £14m at its meeting on 7th September 2011 on the basis that “loans” would be provided for Invest to Save initiatives, with any savings taking into account an element for repaying the fund whilst generating further savings that can be factored for future years budgets. Any business case was required to be robust and the following criteria applies:

- (a) Must provide net financial savings (significant savings with risk assessment to contribute towards reducing the budget gap);
- (b) Must provide additional progress towards meeting the Council’s top priorities;
- (c) Must have a reasonable pay back period;
- (d) No further or alternative external funding is available;
- (e) Clear identification of accountable officer, performance outcomes and monitoring arrangements to enable corrective action to be taken where required;
- (f) Contributes towards additional performance improvement for the Council or stabilises current problem areas (mitigates against additional costs).

5.11 Reporting on progress and final outcomes of Invest to Save schemes would be submitted to the Improvement and Efficiency Sub-Committee and the PDS Committee. Any proposal will require the approval of the Executive. Therefore, subject to Members views on the proposal, Members are requested to refer this report to Executive for a drawdown from the Invest to Save Fund.

5.12 Although a sum of £7.942m is requested to be drawn down from the Invest to Save Fund, the rates used to cost this project and to calculate the potential savings are based on the existing contract. The business case will have to be re-assessed once the tender process has been completed, which is expected to be January 2012.

5.13 It is expected that, in the current market, rates will be at least as competitive as the existing contract. There will also be the opportunity to take advantage of any new technological developments, such as LED lighting.

5.14 At the end of the 11 years, consideration will need to be given to the funding strategy required to replace any lamp columns that are over 30 years old at that time.

6 LEGAL IMPLICATIONS

6.1 The Highways Act 1980 empowers the Council as Highway Authority to provide lighting. The Council has a duty of care to the highway user and must ensure it can demonstrate it has systems and programmes in place to ensure the safety of all highway lighting equipment.

7 PERSONNEL IMPLICATIONS

7.1 Should the invest to save initiative be approved, additional resources would be required during the investment period to provide support to existing staff to manage the project. At the end of the investment period staff savings could be achieved through reduced ongoing investment.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

Report No.
ES12004

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment PDS Committee

Date: 18th January 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: FUTURE RAIL AND TRAM LINKS TO BROMLEY

Contact Officer: Iain Forbes, Head of Transport Strategy
Tel: 020 8461 7595 E-mail: iain.forbes@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: All

1. Reason for report

This report provides background information in respect of recent developments and studies by TfL which seek to refine options for rail and tram links in south and south-east London, including Bromley.

2. **RECOMMENDATION(S)**

2.1 **That Members note and comment on the contents of the report.**

Corporate Policy

1. Policy Status: N/A.
 2. BBB Priority: N/A.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The Council has an aspiration to secure extension of the Tramlink network and the Docklands Light Railway (DLR) to Bromley town centre. This aspiration is indicated in the Council's LIP document as follows:

Project	Approx. date	Indicative cost	Likely funding source	Comments
Tramlink extension to Bromley town centre	2022-2030	£100M	TfL or joint venture	A previous high level feasibility studied has demonstrated a positive business case for this project.
DLR or Transit extension to Bromley North	2022-2030	£30M	TfL or joint venture	Feasibility study required – preferably of all transit-type options.

Recent indications are that the costs shown in the LIP are significantly under-estimated, particularly in regard to a DLR extension.

3.2 Currently these projects are unfunded. However, TfL has started to consider the business case for future transport projects across London, with a view to recommending priorities for investment after 2017.

3.3 In practice, projects for (say) Tramlink, DLR or the Underground do not just compete for resources as one mode against another, but within each category there are also a variety of proposals on which a view must be taken on costs, benefits, practicability and alignment with strategic policy, in particular the Mayor's Transport Strategy. Officials within TfL have started a process which examines potential projects against these factors in a broadly strategic way, with a view to identifying which projects have poor and which have good outcomes with the latter then being analysed in greater depth.

Tramlink

3.4 A series of Tramlink extension studies in the early 2000s led to the identification of an extension from Croydon to Crystal Palace as offering a good return in cost benefit terms. This had a proposed route from the existing tram stop at Harrington Road via proposed stops at Penge Road, Anerley Road, Crystal Palace railway station and terminating at Crystal Palace bus station.

3.5 A public consultation on route options for the Crystal Palace extension was undertaken by TfL in 2006. This offered three options, namely on-street, partially off-street and off-street. The outcome of the consultation was strongly in favour of the off-street option. This included responses from Council officers and from the Leader of the Council.

3.6 The Council's responses included the following points:

- The extension would be an important element in regenerating the Crystal Palace area.
- The extension would provide access to a wider range of employment opportunities, including access to jobs north of the river via the rail interchange at Crystal Palace station.
- The off-road option would minimise the potential disruption and negative interaction between trams and road vehicles, and have the least impact on the existing road network.
- TfL was urged to resolve the uncertainty over funding and commit adequate funding at an early date.
- The Council expressed extreme disappointment that the extension to Beckenham Junction had been withdrawn from consideration, and hoped to see this option reintroduced at an early date.
- The section running through Crystal Palace Park would require a very high standard of landscape and equipment design.

- 3.7 A further linked proposal was to include in the Crystal Palace extension an additional link from Crystal Palace to the existing tram terminus at Beckenham Junction. This was not included in the route consultation, but there were indications from TfL that this element might be re-introduced to the scheme.
- 3.8 Another possible extension which was considered in the early 2000s and revived at around this time was an extension from Beckenham Junction to Bromley town centre. It is understood that this option had not originally found favour with Bromley Members, but by 2006 / 2007 the emergence of the Bromley Town Centre Area Action Plan had strengthened the case for this extension. An initial study by TfL, using information on the proposed expansion of the town from the Area Action Plan, indicated that there was potentially a good business case for this extension.
- 3.9 With the emergence of this option, the Council took the view that, given a direct choice between the extension to Crystal Palace and the extension to Bromley, the Council would favour the extension to Bromley.
- 3.10 Work by TfL on the development of Tramlink extensions continued until the election of a new Mayor of London in 2008. A review was initiated which led to a substantial number of unfunded transport projects (not just tram projects) being dropped from the TfL Business Plan, with the intention that potential projects would be reviewed for funding after 2017.
- 3.11 Staff at TfL have continued to examine the case for future Tramlink extensions and other projects with a view to identifying those which best meet the general criteria set out in paragraph 3.3 above, and eliminating those which perform poorly. This work has been assisted by the development of new sub-regional transport models, and one of the factors driving this work has been the need to develop firm proposals for the sub-regional transport plans which sit between the Mayor's Transport Strategy and the boroughs' LIPs.
- 3.12 It is understood that this process has reached the stage where a small number of potential extensions are seen as performing better than others. These options include the extension to Crystal Palace, which has now been prioritised following statements of support from both the present and previous Mayors. Other projects understood to remain under active consideration include Croydon to Bromley via Beckenham Junction, Wimbledon to Sutton, and Croydon to Thornton Heath.
- 3.13 Consideration of these major projects will not inhibit the development of lesser schemes which will improve service levels on the existing Tramlink network. These minor improvements include some minor track amendments which are currently under way which will result in improved service frequencies at Elmers End.

Bromley North station

- 3.14 For some time it has been the Council's formal policy to seek the extension of the Docklands Light Railway (DLR) to Bromley North to improve links to employment opportunities in Docklands, the City and east London. Other suggestions which have been mooted to improve links from Bromley North include restoration of a surface rail service to Lewisham or central London, inclusion in a further Tramlink extension from Bromley South to Lewisham, as part of a bus transit scheme which included segregated guided bus sections, and inclusion in an extended Underground network. The LIP extract included at the start of this report recognises the existence of a range of options through its reference to "DLR or transit".
- 3.15 Solutions involving restoring surface rail access from Bromley North beyond Grove Park are not currently being actively considered. At Grove Park there are four main lines, two up (towards

London) and two down (towards Kent). The Bromley North line creates a fifth line, terminating at Platform 1, although there is a junction with the main line, plus further points which allow trains to cross all the tracks if required (e.g. to the depot). However, the set of tracks closest to the Bromley North branch line are the fast up and down lines (i.e. non-stopping trains that go straight to one of the London Termini). There would be little benefit from a service from Bromley North non-stopping to central London: any service using the Bromley North line would need to cross the fast main lines in order to continue its journey. The fast main line is already operating at capacity and there is no time available for a train from Bromley North to cross these tracks. The only alternative would therefore be to provide a crossover using an overpass or a tunnel, which would be a very substantial (and expensive) undertaking.

- 3.16 The most recent studies made available by TfL are based around the South East London Rail Access Study, or SELRAS, which looks at improving rail-based connectivity in South East London, with a focus on the boroughs of Southwark, Lewisham, Greenwich and Bromley, although the impacts of some of the options extend to a wider area. SELRAS examined twelve options (four based on the Underground, three on the DLR, one bus priority and four National Rail). Those that have a direct impact on Bromley are:

Bakerloo Line extension:

- Elephant & Castle to Lewisham via Camberwell & Peckham or Old Kent Road and then:
- Lewisham to Beckenham Junction and Hayes
- Lewisham to Bromley North

DLR extensions:

- Lewisham to Bromley North via Hither Green

Bus priority measures:

- Hayes to Lewisham Bus Rapid Transit route, on current Hayes line, taking over NR route

National Rail:

- Divert services on the Hayes Line to other routes (if the Hayes Line is converted to another mode).

- 3.17 The conclusions of the SELRAS study are that the combination of Bakerloo Line extensions to Lewisham and then on to Hayes appear to show the strongest benefits when assessed against the MTS objectives. The option via Camberwell, Peckham, New Cross Gate and Lewisham performs better than the alignment via Old Kent Road. A key benefit from these options is the ability to deliver National Rail capacity improvements through re-allocating the Hayes line train paths to other routes, thereby easing crowding and congestion at termini.
- 3.18 The options of a Bakerloo line extension to Bromley North (via Camberwell or Old Kent Road) also scored well through serving Bromley Town Centre. However, the study identifies deliverability issues with the lack of an obvious depot location, as well as the additional cost of tunnelling to a portal south of Grove Park, two additional sub surface stations and no re-allocation of paths to National Rail counting “heavily” against these options.
- 3.19 The study says that the DLR options “have their own merits”, in particular, through delivering a significantly enhanced link between Bromley, Grove Park, Hither Green and Canary Wharf. However, these options did not perform as well as the potential Bakerloo Line extensions. This was, again, partly due to their lack of ability to deliver National Rail improvements through a reallocation of train paths. All the other SELRAS options all scored “worse overall”.
- 3.20 Within Bromley, the stations served by the Hayes Line (Hayes, West Wickham, Eden Park, Elmers End, Clock House and New Beckenham) are not in areas where substantial economic development is foreseen, nor where a change to Underground-style services would generate significant growth. This means that the Bromley end of the line is unlikely to contribute substantially to any economic benefits associated with the proposal.

3.21 Bromley's LIP refers to the Bakerloo Line options as follows:

"While the Council will consider alternative non-DLR options for improving service levels to Bromley North, we believe such consideration would be best undertaken in a way which compared all options on a "level playing field", rather than through individual operators each conducting separate and unco-ordinated studies. It should be noted that the Council is unlikely to support any extension of the Bakerloo Line service to Hayes which results in the loss of direct services to Charing Cross, Cannon Street or London Bridge."

4. POLICY IMPLICATIONS

4.1 There are no policy implications arising directly from this report.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

Non-Applicable Sections:	Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	Letters of response from Council to TfL consultation on Crystal Palace, December 2006 SRTP Technical Report – SELRAS (3), TfL October 2011 Bromley Final LIP, December 2011

Report No.
ES12010

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment PDS on 18th Jan 2012
Children and Young People PDS on 21st Feb 2012

Date: 18 January and 21 February 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **CHILDREN'S TRAVEL TO SCHOOL**

Contact Officer: Angus Culverwell, Head of Traffic and Road Safety
Tel: 020 8313 4959 E-mail: angus.culverwell@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: All

1. Reason for report

This report sets out the purpose, function and efficacy of the School Travel Programme and offers an opportunity for Members of Environment and Children and Young People PDS Committees to scrutinise the Programme.

2. **RECOMMENDATION(S)**

That the Environment PDS Committee and the Children and Young People PDS Committee notes and comments on the content of the report.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: TfL LIP funding for School Travel Planning Activities
 4. Total current budget for this head: £295K in 2011/12; £125K in 2012/13 (approved budget)
 5. Source of funding: Transport for London
-

Staff

1. Number of staff (current and additional): 2.6 FTE
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All peak time motorists
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The core objective of the School Travel Programme is tackling congestion near schools and reducing journey times for all road users. The programme also makes a contribution to improving pupils' health and the environment more generally, and is provided in the context of improving road safety around schools.
- 3.2 Nationally, the DfT travel survey has shown that at 8.40am the 'school run' now accounts for 24% of car driver trips by residents of urban areas during term time. Concern about congestion has been expressed by Bromley residents: in the Council's last residents' survey the level of traffic congestion was, at 48%, the second highest priority for improvement. Bromley is geographically the largest Borough in London and has the third highest car ownership level in London.
- 3.3 The School Travel Programme was introduced in 2003 to address local congestion concerns through the national 'Travelling to School Initiative' (TTSI). This was a joint undertaking by the Department for Transport (DfT) and Department for Education (DfE). This resulted in the DfT awarding local authorities grants to fund School Travel Adviser posts until 2010.
- 3.4 This has been reinforced with additional annual funding from Transport for London awarded through the Local Implementation Plan (LIP). This funding is allocated for transport related projects undertaken in accordance with the priorities outlined in The Mayor of London's Transport Strategy. Through successful bids to Transport for London the Council has secured funds for the development and monitoring of the School Travel Programme.
- 3.5 The School Travel Programme links closely with road safety education, cycle training and safety around schools, taking a holistic approach and working in conjunction with other teams on a number of projects linked to the Environment Portfolio Plan aim of promoting cycling, walking and public transport.
- 3.6 With 46,000 pupils in the Borough, keeping Bromley's traffic flowing freely and reducing journey times is a constant and evolving challenge facing the Council. Although the School Travel Programme is a well-recognised brand across the Borough with excellent support, the travel to school message needs to be reinforced continually to keep up with changing school communities.
- 3.7 Local authorities also have a legal duty to promote sustainable modes of travel, as set out in The Education & Inspections Act 2006 (see Section 6).

The Efficacy of School Travel Plans

- 3.8 Car use reduction in Bromley has continually been above the London average. In July 2005, 37.7% of school journeys were single passenger car journeys. By July 2011, this had reduced significantly: 23.1% of school journeys were single passenger car journeys. Cycling and walking have increased over this period by 3%. The semi-rural nature of parts of the Borough has been taken into account with the Council helping to facilitate journeys that are partially by car, with the remainder by foot or public transport.
- 3.9 The figures quoted above have been derived from data recorded by the School Travel Team since the commencement of the project. This data is recorded via pupil and staff surveys conducted in class. Although 'hands up' surveys were the recommended collection methodology, Bromley had concerns about the accuracy of these surveys. In

December 2008, Transport for London conducted a study of different collection methods at selected sites across London. This included interviews with teachers and pupils, observations made during data collection and multi-modal survey data. The result were compared with PLASC (census) returns. The research concluded that hands up surveys are of acceptable accuracy and remain the most cost effective collection method for the data. Other data collection methods were no more accurate but cost a lot more to administer.

- 3.10 The School Travel Team also consult with parents every three years via an in-depth survey that is sent home with the pupils. This promotional tool allows Bromley to gauge attitudes and address issues in line with the new intake of pupils.
- 3.11 This data is also used on a local level to meet Member objectives outlined in the Environmental Portfolio Plan. In July 2011 Bromley met the Environment Portfolio target, to have no more than 31% of pupils travelling to school by car.
- 3.12 The School Travel Team is highly regarded on a local level, forming a close working relationship with contacts in schools (Appendix one). They often act as a liaison between schools and various Council services to help resolve queries, not just relating to transport but also to areas such as litter, road works, street lighting, waste and recycling.
- 3.13 A measure of the support for School Travel Plans in Bromley schools is the Accreditation scheme. Transport for London, who devised the scheme, recognise the hard work demonstrated by schools and local authority advisors through this optional scheme. Statistics show that schools that are accredited via this scheme achieve a higher level of modal shift away from car use. The Accreditation process consists of three levels: Sustainable, Higher Standards and Outstanding. Approved schools must evidence their project work to achieve accreditation status.
- 3.14 Bromley has had the highest number of accredited schools in London for several years. In October 2011:
- Nine Bromley schools achieved the Outstanding level.
 - Twenty one Bromley schools achieved Higher Standards level; the highest number in London
 - 55 Bromley schools achieved the Sustainable level.
 - Five schools were nominated by Transport for London for the 2011 School of the Region Award; four of the five were Bromley Schools, with the eventual winner being a Bromley school (St Christopher's). A Bromley School (Warren Road Primary) was also a winner in 2010.
- 3.15 The School Travel Team has helped Local Authority schools access over £620,000 of capital grants from the DfE between 2004 and 2009, to spend on projects related to reducing congestion. The School Travel Programme also helped the Borough's independent schools to access over £95,000 from Transport for London funding.
- 3.16 Schools have also been able to receive safe, secure cycle storage installed on site through the Mayor of London's Cycle Storage programme. This scheme has provided over £555,000 worth of infrastructure to Bromley schools. So far 68 schools have had storage installed, provided free of charge to the school or to the Borough. The programme is still ongoing and more schools have applied this year. Only schools that participate in the School Travel programme can apply as they can demonstrate a proactive approach to cycling to school. This service has provided facilities that otherwise may have not been accessible to many schools.

- 3.17 Participating in the School Travel Programme is not compulsory; however, currently over 90% of all schools are actively involved in the programme. Schools realise the importance of congestion reduction for the benefit of parents, neighbours and road users in general. They also realise how the programme helps them to achieve related objectives, and continue to take part.
- 3.18 Since the School Travel Team was introduced in 2003 they have continually exceeded both national and local targets set in line with Member objectives set out in the Environment Portfolio Plan.
- 3.19 They met the DfT's target of 100% of schools completing a travel plan by 2010. To date only eight of the 33 other London Boroughs met this target.
- 3.20 The work of the Bromley School Travel Team has been recognised by various institutions across the UK for the last six years through the winning of numerous awards for innovative projects (Appendix two). These highlight that the congestion reducing projects are consistently featured as a best practice example by other local authorities across the UK.

Synergies at a local and national level

- 3.21 The School Travel Programme has extensive links with a wide range of local and national strategies (Appendix three and Section 4).
- 3.22 In the 2011 Local Implementation Plan (LIP) there are obvious links between transport and the health agenda through walking and cycling. More specifically, Bromley's LIP objectives include:
- To reduce congestion on the road
 - To promote the safe use of walking, cycling and public transport
 - To reduce the number and severity of road casualties
 - To improve the environment and reduce air and noise pollution
- 3.23 This is supported by the Healthy Lives, Healthy People White Paper, updated July 2011, where PCTs link more extensively with Local Authorities as they "...provide a clear base for improving health and wellbeing throughout a whole lifetime." Furthermore, the report goes on to say "There is emphasis on tackling wider issues...to deliver environmental and public health benefits by improving access...through sustainable modes of transport".
- 3.24 On a local level, the Borough was required to develop a Sustainable Modes of Travel Strategy or SMoTS, which was devised by the School Travel Team. This strategy aims to explain how Bromley is meeting its responsibilities under the Education & Inspections Act. In March 2011 the DfE announced additional funding for extended rights to free travel and the general duty to promote sustainable travel as outlined in the Education & Inspections Act. This previously came under the 'SMoTS' funding. Bromley has been allocated £56,394 for 2011/12 and £69,966 for 2012/13. This funding is not ring-fenced and has not been accessed by the School Travel Team.

Adding Value

- 3.25 The School Travel Team have been diversifying their role and working on wider projects. Recent restructuring has seen the School Travel Team extending their responsibilities to include Workplace Travel, to focus on a Borough-wide approach to reducing congestion.

- 3.26 The School Travel Team have been providing a crucial communication link in the dissemination of information on the closure of the Chislehurst Road Bridge. They have facilitated communications between the engineers, Councillors, contractors, residents and school communities. Issues have been ongoing, especially around the schools on the new diversion route.
- 3.27 In utilising Transport for London congestion data the School Travel Team are able to focus on congestion hotspots and target the schools and businesses in these areas.
- 3.28 Another high profile project the School Travel Team have led on is supporting schools in planning for the withdrawal of funding for the School Crossing Patrol service. They have dealt with all communications from schools, Councillors, parents, residents, private contractors, engineering and the many other parties involved in this project. They have personally met with schools on an individual basis to discuss this withdrawal of funding and overseen progress made by the Council and schools. Where appropriate, capital investment is being made now to offset future revenue costs.

The Future

- 3.29 This year has seen the introduction of a number of schools moving to academy status; keeping schools engaged in reducing congestion and addressing road safety is very important. So far, academy status has not affected schools commitment to the School Travel Programme. Independent schools have always worked closely with the School Travel Team.
- 3.30 Congestion issues remain important to Bromley, so delivering an appropriate Programme within diminishing budgets will be a challenge. The School Travel Programme will operate with a budget next year of less than half that of 2011/12 (see section 5).
- 3.31 Schools have implemented many changes in respect of their travel plans, which will still need Council support for them to follow through with and to adapt with each new intake of pupils. However, much of the investment in infrastructure and the set up costs of school projects has been made, so the Council is still able to deliver a consistent service, but at reduced cost.

4. POLICY IMPLICATIONS

4.1 Building a Better Bromley 2020 Vision:

“Many residents and local businesses are concerned about congestion, leading to extended journey times and insufficient parking provision. There are opportunities to work in partnership to make a real impact on reducing unnecessary car journeys. We also need to maintain our progress in improving road safety.”

“Issues to be tackled: Promotion of cycling, walking and public transport to achieve less congestion at peak times and reduce fuel use and pollution.”

4.2 Building a Better Bromley 20/12 Priorities for Quality Environment:

- ‘Seek to reduce traffic congestion’
- ‘Continue to take effective action to improve road safety and reduce accidents’
- ‘Improve energy efficiency in the Borough’

4.3 Environment Portfolio Plan 2011/12:

“Local people themselves should be able to play their part, for example by reducing the proportion of home to school journeys by car. All of our schools have travel plans in

place, and we will continue to review and update existing plans. We are working with primary schools to find new ways to ensure primary school children can walk to school unaccompanied.”

“Aim - Promotion of cycling, walking and public transport to: improve access to services, facilities, and employment; reduce peak time congestion; improve journey times; and lower carbon emissions”

“We will ...Continue the reviews of School Travel Plans, working with schools and parents to reduce traffic congestion, improve road safety, and encourage walking and cycling.”

5. FINANCIAL IMPLICATIONS

5.1 Expenditure on the School Travel Programme peaked in 2008/9. Since then the Programme has become more established and the costs have reduced in recent years (see table below). The cost has always been covered by grant funding and has been ring-fenced for transport related projects. The approved budget line for 2012/13 is £125,000. The change to formula based LIP funding, introduced in 2009, has allowed Bromley to be more flexible with funding in line with Member objectives.

Year	Spend (£K)	Year	Spend/ *Budget (£K)
2005 / 06	101	2009 / 10	325
2006 / 07	138	2010 / 11	305
2007 / 08	285	2011 / 12	295*
2008 / 09	431	2012 / 13	125*

Note: 2005/6 to 2010/11 includes £31K grant from DCSF(now DfE)/DfT. All other funds are from TfL.

5.2 Despite a reduction in funding, it is important to support existing projects. One saving, for example, is on the Walk on Wednesday Scheme (WoW). From April 2012, the scheme will be streamlined and re-launched with a new focus, meaning the scheme costs less than a quarter of previous years. This has been amended in consultation with the schools, utilising their ideas. Further savings have been identified for 2012/13.

5.3 Staff numbers on the School Travel Programme have also reduced from 3 FTE to 2.6 FTE. This again is attributed to the establishment of the programme over the previous years.

6. LEGAL IMPLICATIONS

6.1 The Education & Inspections Act 2006, section 508A states:

LEAs in England: duty to promote sustainable modes of travel etc

“(1) A local education authority in England must—

(a) prepare for each academic year a document containing their strategy to promote the use of sustainable modes of travel to meet the school travel needs of their area (“a sustainable modes of travel strategy”),

(b) publish the strategy in such manner and by such time as may be prescribed, and

(c) promote the use of sustainable modes of travel to meet the school travel needs of their area.”

Non-Applicable Sections:	Personnel
Background Documents:	Environment Portfolio Plan

(Access via Contact Officer)	Bromley 2020 Vision Building a Better Bromley priorities 2011/12 Sustainable Modes of Travel Strategy Healthy Lives, Healthy People Mayor of London's Transport Strategy Education & Inspections Act National Obesity Strategy
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APPENDIX ONE

"Your whole team are very professional and go above and beyond what is expected of them. I hope that every Borough in London has such a fabulous level of support!"

Assistant Head Teacher – The Ravensbourne School – July 2011

"I can't thank you enough for all your help and I've seen the email you sent with our application. After all your hard work I hope that we are successful but in any event we are up to date with the review."

Teacher, Gray's Farm Primary School – July 2011

Thanks again for all your support wouldn't have done it without you!

Teacher, Mottingham Primary School – September 2011

"Thank you very much for your guidance and your support throughout the application. I'm so pleased to have received the Outstanding status!"

Teacher, Crofton Junior School – July 2011

"Absolutely delighted!! Thanks again for your support - we wouldn't have got it without you!!"

Deputy Head Teacher, Leasons Primary School – July 2011

"Just a quick note to say thank you very much for yesterday's 'STAR Awards'. I did fill in the evaluation sheet but wanted to mention again how impressed I was at the total professionalism and organisation of the day by you and the team. It was great to discover so much useful information."

Teacher, Bromley High School – June 2011

"Thanks so much Sarah and Dan - for the photographs and supporting today's walk. Several of the children mentioned this was their best day ever - doing the walk and seeing the WoW bear! All ended well and had some positive feedback. You both did a grand job and bet you're hugged out Sarah!!"

Teacher, Bromley Road Infant School – June 2011

"Thank you for all your help and support over the last year. The children at Crofton Infants really enjoy all the competitions and badges. Walking the World has yet again been a huge success with our year 2's, they thoroughly enjoyed receiving their medals. I don't know where I would be without Sarah helping me with the travel plans and the Higher Standards award. So thank you, I hope you all have a great summer; at least you won't be getting a phone call from me asking for something!"

Teacher, Crofton Infant School – July 2010

"Just wanted to say an enormous thank you for all your support in helping us achieve our higher level accreditation. It has been an absolute pleasure working with you and we look forward to continuing our great relationship with you. A 'team' is still in the process of being set up to offer more support so please bear with us in the mean time :)"

Teacher, Bromley Road Infant School – October 2010

APPENDIX TWO

Awards achieved by the School Travel Team:

2005 – 2011

- Modeshift Partnership Initiative of the Year award for 2011 – Transportal
- Smarter Travel Awards 2010 – Winner; School Project of the Year – Poetry in Motion
- London Transport Awards 2010 - Winner ;Travel Information and Marketing – School travel Plans
- Modeshift Awards 2009 –Winner; Walking Initiative of the Year – Poetry in Motion project
- Green Awards 2009 – Winner; Best Public Sector campaign – Winner for work on School Travel Plan Programme
- Modeshift Awards 2008 – Winner; Curriculum Initiative of the Year – Winner for Schools Walking the World Project
- Smarter Travel Awards 2008 – Winner; School Travel Advisor of the Year
- Sustainable City Awards 2008 – Winner; Traffic Reduction and Transport Management – Awarded for achievements in reducing car use on the journey to school and progress on the travel plan
- Smarter Travel Awards 2006 – Winner; Borough of the Year
- Smarter Travel Awards 2005 – Winner; School Travel Advisor of the Year

APPENDIX THREE

Healthy Lives, Healthy People - Update and Way Forward – July 2011

In November 2010 the Department of Health published the white paper 'Healthy Lives, Healthy People'. It outlines "...a new approach to public health and a commitment across local authorities and the public health professions", through the creation of local partnerships and engagement. The paper states that Local Authorities provide a clear base for improving health and wellbeing throughout a whole lifetime. Directors of Public Health will be employed by local authorities to embed local health work throughout the authority. The white paper was followed up by 'Healthy Lives, Healthy People: Update and Way Forward' in July 2011.

Research for the White Paper indicates that: "two out of three adults are overweight or obese; and inequalities in health remain widespread, with people in the poorest areas living on average 7 years fewer than those in the richest areas, and spending up to 17 more years living with poor health".

In particular, the Update and Way Forward paper states that local authorities should take new responsibilities for public health and ..."develop holistic solutions to health and wellbeing embracing the full range of local services (E.g. health, housing, leisure, planning, transport, employment and social care)". This new approach focuses heavily on providing more personalised and preventative services starting from early childhood, partly through encouraging wider social responsibility. There is emphasis on tackling wider issues such as air quality and noise to deliver environmental and public health benefits by "improving access...through sustainable modes of transport".

The new responsibilities of local authorities would include local activity on:

1	Tobacco control
2	Alcohol and drug misuse services
3	Obesity and community nutrition initiatives
4	Increasing levels of physical activity in the local population
5	Assessment and lifestyle interventions as part of the NHS Health Check Programme
6	Public mental health services
7	Dental public health services
8	Accidental Injury Prevention
9	Population level interventions to reduce and prevent birth defects
10	Behavioural and lifestyle campaigns to prevent cancer and long term conditions
11	Local initiatives on workplace health
12	Supporting, reviewing and challenging delivery of key public health funded and NHS delivered services such as immunisation programmes
13	Local initiatives to reduce excess deaths as a result of seasonal mortality
14	Role in dealing with health protection incidents and emergencies
15	Promotion of community safety, violence prevention and response
16	Local initiatives to tackle social exclusion.

Sustainable Modes of Travel Strategy

The *Sustainable Modes of Travel Strategy* or *SMoTS*, aims to explain how the London Borough of Bromley is meeting its responsibilities under the above Education & Inspections Act. This involves assessing the School Travel needs of the area as well as the facilities available in the area for the promotion of school travel. This information is collected via the ongoing monitoring conducted by the School Travel Team.

The Mayor of London's Transport Strategy

The School Travel Team has been allocated funding to deliver projects to support many of the proposals outlined in The Mayor of London's Transport Strategy which directly influences our Local Implementation Plan (LIP).

The School Travel team's activities support the following aspects of the Mayor's strategy:

Proposal 51 - The Mayor, through TfL, and working with the London Boroughs and other stakeholders, will provide support, including sharing best practice, to enable and empower employers, schools, community groups, other organisations and individuals to deliver the improvements necessary to create a cycling revolution in London.

Proposal 59 - The Mayor, through TfL, and working with the London Boroughs, employers, schools, community groups, other organisations and individuals, will bring about a step change in the walking experience in London to make walking count.

Proposal 62 - The Mayor, through TfL, working with the London Boroughs, developers and other stakeholders, will promote walking and its benefits through information campaigns, events to raise the profile of walking, and smarter travel initiatives such as school and workplace travel plans.

Proposal 91 - The Mayor, through TfL and working with London Boroughs, transport operators and other stakeholders, will encourage behavioural changes to reduce vehicle emissions, by:

a) Promoting walking and cycling, the use of car clubs, car sharing, the use of fuel efficient vehicles and smarter driving techniques and raising awareness about air quality

Proposal 116 – The Mayor, through TfL, and working with the London Boroughs and other stakeholders, will use smarter travel initiatives across London to facilitate more efficient use of the transport system, achieve mode shift to cycling, walking and public transport and encourage the take-up of healthier travel options.

Working towards these proposals will help meet the Mayor of London's target of increasing walking mode share from 24% to 25% by 2031. The work of the travel team helps to support all of these proposals.

Every Child Matters

Every Child Matters is a set of reforms supported by the Children Act 2004. Its aim is for every child, whatever their background or circumstances, to have the support they need to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being.

The work carried out by the School Travel Team supports this framework, the notions of Being Healthy and Staying Safe are embedded throughout every project the team undertakes. There are strong links between the notion in this initiative of supporting

every single child, and the work done by the School Travel Team which is all-inclusive.

Eco Schools/Sustainable Schools

Central Government wants every school to be a sustainable school by 2020. The Department for Children, Schools and Families (DCSF) – now the Department for Education (DfE) launched their Sustainable Schools Framework in 2006. The School Travel Team encourages schools in these endeavours and the work produced can provide essential evidence for schools in meeting these targets. The Sustainable Schools framework includes a 'Traffic and Transport' 'doorway' which a school may demonstrate its effectiveness in. A school that is active in the School Travel Programme will easily be able to show how it meets the set criteria in this area.

Similarly to the Sustainable schools framework, Eco Schools encourages schools to think about their impact on the environment. This international award programme asks schools to focus on nine topics, one of which is transport. In order to apply for the award using this topic a school needs to demonstrate that they have created a travel plan. As 90% of schools in Bromley have a current plan, nearly all schools would be eligible to apply for the award under this topic.

National Obesity strategy –Be Active, Be Healthy: a plan for getting the nation moving (Feb2009)

There is a mid term target of getting 2 million more people active by 2012 through building exercise into everyday life. Walking to school every day has been proven to encourage people to get into the habit of regular exercise from the very beginning of their lives.

Healthy Schools

Schools play an important role in supporting the health and wellbeing of children and young people. A healthy school promotes physical and emotional health, throughout the school community. Involvement in the School Travel Programme, demonstrates to the Healthy Schools Programme that a school is committed to promoting physical health through walking and cycling to school.

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Report No.
ES12019

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment PDS Committee

Date: 18 January 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: DRAFT 2012/13 BUDGET

Contact Officer: Claire Martin, Head of Finance
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: Boroughwide

1. Reason for report

- 1.1 The prime purpose of this report is to consider the Portfolio Holder's Draft 2012/13 Budget which incorporates future cost pressures and initial draft budget saving options which were reported to Executive on 11th January 2012. Members are requested to consider the initial draft budget saving proposals and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.
 - 1.2 Executive are requesting that each PDS Committee consider the initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to the Executive making recommendations to Council on 2012/13 Council Tax levels.
 - 1.3 There are still outstanding issues and areas of uncertainty remaining. Any further updates will be included in the 2012/13 Council Tax report to the next meeting of the Executive.
-

2. RECOMMENDATION

- 2.1 The PDS Committee are requested to:
 - (a) Consider the initial draft 2012/13 Budget as a basis for setting the 2012/13 Budget;
 - (b) Consider the initial draft saving options proposed by the Executive;
 - (c) Consider the update on the financial forecast for 2013/14 to 2015/16;
 - (d) Provide comments for the February meeting of the Executive on the Draft 2012/13 Budget.

Corporate Policy

1. Policy Status: Existing policy. Sound financial management
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: Environment Portfolio Budgets
 4. Total current budget for this head: £45.3m
 5. Source of funding: Draft revenue budget 2012/13
-

Staff

1. Number of staff (current and additional): full details will be available with the Council's 2012/13 Financial Control Budget published in March 2012
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement. The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2012/13 budget reflects the financial impact of the Council's strategies, service plans etc which impact on all of the Council's customers (including council tax payers) and users of the services.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

Approach to the Budget

- 3.1 Forward financial planning and financial management is a key strength at Bromley and this has been recognised previously by our external auditors. The Executive report on the 11th January 2012 set out the financial forecast for the next 4 years but with some caution around projections for the 3rd and 4th year of the Comprehensive Spending Review period (2013/14 and 2014/15) as well as the year following the 4-year Comprehensive Spending Review period (2015/16). There are significant changes which can impact on the Council's finances from 2013/14 arising from the final outcome of the Local Government Resources review which includes the localisation of business rates and council tax benefit.
- 3.2 The Budget Strategy has to be set within the context of a reducing resource base – the need to reduce the size and shape of the organisation to secure priority outcomes within the resources available. There is also a need to build in flexibility in identifying options to bridge the budget gap as the gap could increase further. The overall updated strategy has to be set in the context of the national state of public finances, unprecedented in recent times, and the high expectation from the Government that services should be reformed and redesigned. There is also a need to consider “front loading” savings to ensure difficult decisions are taken early in the budgetary cycle, provide some investment in specific priorities and to support invest to save opportunities which provide a more sustainable financial position in the longer term, ensuring stewardship of the Council's resources . Any budget decisions will need to consider the finalisation of the 2012/13 Budget but also consider the longer time frame where it is now clear that a longer period of austerity beyond 2015/16 is inevitable. Members will need to consider decisions now that can have a significant impact on the future year's financial position which ultimately will help to protect key services. Further details of the Council's approach to budgeting were included in the “Update on Council's Financial Strategy 2012/13 to 2015/16” considered by Executive on 7th September 2011.

Changes that could impact on longer term financial projections

- 3.3 In considering the next four years there remain many variables which will impact on any final outcome, these include:-

The scale of schools transferring to Academies will result in further “top slicing” in formula grant funding to the Council. An estimated additional £3 million per annum from 2013/14 has been assumed in the forecast, at this stage;

Income from interest on balances included in the 2011/12 Council Tax report assumed that interest rates will increase to 4.25% by 2014/15. The latest forecast assumes a revised level of 2.0% by 2014/15. Recent indications are that interest rates will remain low in the medium term which was confirmed in the recent downward projections on interest rates included in the Bank of England Inflation Report (November 2011). The credit rating agencies and the market in general continue to be extremely nervous about the financial climate resulting in recent downgrades to UK banks and building societies, primarily Barclays, Santander and Nationwide which will result in reductions to the total value and duration of such investments. This will undoubtedly lead to greater reliance on money market funds, which pay considerably lower rates in exchange for instant access to cash. The recent changes will impact on the Council's ability to earn interest on investments in 2012/13 and 2013/14 and potentially later years.

There will be a review of local government finance and the initial proposals include the abolition of Formula Grant and allow local authorities to retain business rates. Although Bromley would be a net gainer, in reality there would be a business rate equalisation

scheme to support low revenue raising authorities which may offset any gains. Other Government grants will still reduce in future years to reflect planned reductions in public spending. No changes to the financial forecast have been made at this stage. There are planned 10% reductions in Council Tax Benefit Subsidy from 2013/14 which the projections assume will be cost neutral (i.e. offset by a corresponding reduction in payments). These proposals result in a significant risk transfer from central government to local government. Government currently manages the increasing costs of council tax benefit and the risks relating to variations in business rates. These risks will be managed by the Council from April 2013. Finally more detail of the options for “community budgets” will be produced from the local government finance review;

The coalition Government will introduce many changes in its first term including, for example, changes to health (including transfer of funding for public health from 2013/14), welfare benefits, localism (including new powers of competence for Councils to act in the interest of their communities), which have been assumed as cost neutral in the projections at this stage;

There will be many other variables as the forecast is based on predicting the next four years; the longer the timescale the greater the uncertainty. Many of the national issues outlined above, makes accurate forecasting post April 2013 virtually impossible. However, it is clear that a significant “budget gap” will continue.

Latest Financial Forecast

- 3.4 A summary of the latest budget projections including further savings required to balance the budget for 2012/13 to 2013/14 are summarised below:

	2012/13	2013/14	2014/15	2015/16
	£m	£m	£m	£m
Cost Pressures				
Inflation	8.10	15.70	23.40	31.10
Interest on Balances	0.00	0.00	-0.50	-1.00
Grant loss	7.30	11.80	20.10	27.90
Real changes	1.50	3.30	5.70	9.60
Provision for risk	2.00	1.50	1.50	1.50
Loss of grant funding (LACSEG)	0.00	3.00	3.00	3.00
	<u>18.90</u>	<u>35.30</u>	<u>53.20</u>	<u>72.10</u>
Income/Savings				
2.5% increase in Council Tax (assumes freeze at this stage for 2012/13)	0	-3.3	-6.7	-10.1
Savings approved by Executive February 2011	-10.6	-9.7	-9.7	-9.8
Further savings identified	-13.8	-23.9	-23.9	-23.9
	<u>-24.4</u>	<u>-36.9</u>	<u>-40.3</u>	<u>-43.8</u>
Other				
Invest to Save (one-off)	3.00	0.00	0.00	0.00
Council Tax Freeze grant	-3.00	0.00	0.00	0.00
Contribution to Glades	0.90	0.00	0.00	0.00
Increase in Council Tax base	-0.50	-0.50	-0.50	-0.50
New Homes Bonus – transfer to earmarked reserve	2.00	2.30	2.50	2.70
Increase in New Homes Bonus	-1.30	-1.50	-1.80	-2.00
Infrastructure Fund (one off funding)	4.40	1.30		
	<u>5.50</u>	<u>1.60</u>	<u>0.20</u>	<u>0.20</u>
Remaining "Budget Gap"	<u>0.00</u>	<u>0.00</u>	<u>13.10</u>	<u>28.50</u>

The above table shows, for illustrative purposes the impact of a council tax freeze in 2012/13. If Members agree a council tax increase of 2.5% in 2012/13 the medium term "budget gap" reduces by £3.3m. Each 1% council tax increase generates ongoing annual income of £1.3m.

Growth Pressures

- 3.5 A breakdown of growth pressures over the next four years is included in Appendix 3 of the Executive report of 11 January 2012 and included in the table above under "Real Changes". This growth in service pressures across the Council is forecast to be £1.5m in 2012/13 increasing to £9.6m by 2015/16. The growth for the ES Portfolio is shown in the table below:-

	2012/13 £'000	2013/14 £'000	2014/15 £'000
Absorption of inflation increases for PCNs	183	313	449
Landfill Tax increases	(1,026)	(641)	(256)
Increase in waste contract prices & disposal targets	877	853	830
Increase in refuse/recycling collection costs to reflect additional units	38	76	114
Total real changes	72	601	1,137

4. CHIEF OFFICER COMMENTS

- 4.1 Expenditure pressures in relation to services for the Environment PDS such as waste, parking, highways and winter maintenance are detailed in Appendix 1.
- 4.2 A summary of the savings options relating to the Environment Portfolio is shown in the table below:

Summary of Savings Options	2012/13 £'000	2013/14 £'000
Appendix 2A - Savings currently being implemented by Chief Officers	216	266
Appendix 2B - Savings related to on-going impact of 2011/12 budget options	0	304
Appendix 2C - Further savings identified	3,906	2,465
Portfolio Total	4,122	3,035

- 4.3 Further analysis of these savings options is included within Appendix 2 and more detail will be provided verbally at the meeting.

Budget Savings

- 4.4 A significant proportion of the Environment Portfolio budget is allocated to universal, front-line and high priority contracts, including waste collection and disposal, street cleaning, highways, street lighting and grounds maintenance. Savings in 2012/13 have been achieved through renegotiation and effective procurement of these contracts and this will continue in future, although inevitably there will be some reductions in services as specified in the appendices.
- 4.5 Reviews have been undertaken to reduce staffing levels, including management, as far as possible, to maintain a lean service but with the capacity to deliver. Consideration has also been given to the opportunity of maximising income, particularly in the areas of highest income, parking, streetworks and trade waste.
- 4.6 Inevitably there are some service risks, particularly from unpredictable demand and these are highlighted in appendix one.

5. POLICY IMPLICATIONS

- 5.1 The Council's key priorities are included within the Council's "Building a Better Bromley" statement and include:
- Safer Communities
 - A quality environment
 - Vibrant, thriving town centres

- Supporting independence, especially of older people
- Ensuring all children and young people have opportunities to achieve their potential
- An Excellent Council

5.2 “Building a Better Bromley” refers to aims/outcomes that includes remaining amongst the lowest Council tax levels in Outer London” and achieving a “sustainable council tax and sound financial strategy”.

6. FINANCIAL IMPLICATIONS

6.1 The financial implications are contained within the overall report

7. LEGAL IMPLICATIONS

7.1 The delivery of some budget options will be dependant on consultation and formal decisions outside of the budget setting process. The Council has to set a lawful balanced budget before 11th March which will include contingencies to cover such items.

8. PERSONNEL IMPLICATIONS

8.1 The Corporate Trade Union and Departmental Representatives’ Forum receives regular updates on the Council’s finances and the associated policy implications and challenges. Staff and their trade union representatives will be consulted individually and collectively on any adverse staffing implications arising from the budget options. Managers have also been asked to encourage and facilitate staff involvement in budget and service planning.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Documents held within ES finance section

RISK AREAS WITHIN ENVIRONMENT PORTFOLIO FOR 201/13 ONWARDS**Waste Services****Landfill Tax**

Landfill Tax currently stands at £56 per tonne, and will increase by a further £8 per tonne in 2012/13. The government have confirmed that this will continue to rise at the same rate in the future until it reaches £80 per tonne.

The government have remained silent on the option of further increasing landfill Tax beyond this level. However, the decision to remove the landfill Allowance Trading Scheme from 2012/13 onwards, with the justification that Landfill Tax is a more effective methodology for landfill diversion, suggests that this option may be pursued.

Similarly, the government has not published any plans for instituting an Incineration Tax, but remain unwilling to rule it out. Their admission that declining Landfill Tax returns (as overall waste tonnages continue to fall (municipal landfill tonnage fell by 668,000 tonnes between 09/10 and 10/11, reducing government landfill tax income by £32 million)) are an issue for the treasury suggest that alternative income may yet be sought.

Increasing property numbers

Growth in the number of properties, which requires extra collection activities and generates additional waste, incurs additional expenditure. Each new property attracts a charge of £60 per year for collection (refuse, recycling and food waste), and an average of £73 per year to dispose of the waste. Each new property thus represents a potential additional cost of £133 per year. On average, the number of properties in the borough increases by 500 each year (with October 2011 showing an increase of 494 compared with October 2010).

Municipal Waste Tonnages

The tonnage of municipal waste collected in Bromley continues to fall:

2007/08	163,981
2008/09	157,225
2009/10	149,720
2010/11	144,890
2011/12	142,066 (estimated)

This is partly due to the impact of the recession, to a degree which cannot be quantified. Whilst the impact of the incremental introduction of CfA and local and national waste minimisation campaigns are also a contributory factor, there is a substantial risk that waste tonnages will rise once the economy begins to revive.

The current average cost of waste disposal is £80 per tonne. Each 1% increase in waste tonnage would thus increase disposal costs by £114k per annum.

Recycling Income

The fall in overall waste tonnages also impacts on the tonnages of recycling materials available for collection.

Paper tonnages are sold to Aylesford newsprint at £40 per tonne, rising to £67 per tonne in January 2012.

Paper tonnage for 2010/11 was 16,895 tonnes. Each 1% fall in paper tonnage will thus reduce income by £11k.

The introduction of more regular paper collection as an element of the CFA scheme has stabilised paper tonnages at present, but further declines in municipal waste tonnages may have negative impacts on this income stream.

Changes to contractual prices and targets

The Waste Management Contract was originally let in 2001. A pricing schedule for landfill, recycling, composting and incineration was agreed for each year of the Contract through to 2016 (with a possible extension). This was required to provide budgetary certainty, leaving the tonnage collected as the only cost variable.

Veolia took a long-term view of their disposal costs, allowing for diminishing landfill capacity and the resultant pressure on incineration capacity. The contract payment mechanism thus incorporates step changes in the cost and proportion of landfill and incineration. The cost of incineration undergoes a major step change in 2012/13, due to both the increase in tonnage allocated to this disposal route (24% to 42%) and the cost per tonne, which rises steeply. However, the balancing reduction in tonnages to landfill (resulting in less Landfill Tax) partially balance this impact.

Mitigation Initiatives**Revised Garden Waste Collection Service Trial**

The introduction of a trial for an alternative garden waste collection scheme will commence in March, providing residents with the option of replacing the current GGW Sticker Service with a wheelie-bin based system in specified geographical areas. Residents would pay an annual charge covering both the fortnightly collection service and a specified container. This scheme has the potential to generate annual surplus income of £180k. However, as with any trial scheme, there is a risk that should customer participation fall short of estimates, this level of income won't be achieved.

Textile Collections

It is planned to negotiate changes to the textile banks in Bromley, with the income from the sale of the materials being passed directly to the council. In addition, a kerbside collection service for textiles will be introduced.

Whilst income projections for these revised services have been conservatively projected, again tonnages may be adversely affected by the impact of the economy on residents purchasing habits. Each 1% fall in tonnages would reduce income by £1.1k.

Alternative disposal options

The pricing schedule in the Waste Management Contract specifies a set minimum tonnage each year to be sent for incineration. Patently, in terms of Landfill Tax it would be beneficial to send more of Bromley's waste to incineration. However, with all disposal authorities facing similar pressures, current incineration capacity is at a premium. Officers are currently exploring additional incineration capacity, both through Veolia and independently. We are also exploring the opportunity to send some of our waste to MBT or Autoclaving as an alternative disposal point for our landfill based waste. Discussions regarding this have commenced with Veolia (Southwark) and Viridor (Croydon), as well as with London Borough of Lewisham and Kent County Council.

Street Environment Contracts

The Street Environment Contracts have recently been let following a tender process. The lowest tender total (Kier Services) for Lot 1 Street Cleaning of £3.160m compares with a budget of £4.270m for 2012/2013. This is a significant reduction (26%) in the current budgetary provision and has been achieved through variations in operational methodology and reductions in the frequency of carriageway and footway cleaning in a number of roads within the borough.

Officers have revised the frequency of cleaning based on their operational knowledge and experience of local considerations across the borough. However, it should be recognised that given such a significant budget reduction and changes to frequency of cleaning in some roads, it will be necessary to review the schedule of cleaning in light of any concerns about standards of cleanliness resulting from changes in frequency. This may result in a need to change the operational methodology and/or the frequency of scheduled cleaning included within the contract.

To manage this risk it is suggested that a budget of £200k be held in the Central Contingency to mitigate against any need to increase frequency of cleaning or revise operational methodology. If not required this sum could be taken as a saving in future years. This will give an element of flexibility to incorporate non-scheduled programmes of works, whilst retaining a degree of budgetary provision to manage risk

Street works

LB Bromley has a responsibility under the New Roads & Streetworks Act to monitor the works of Statutory Undertakers (SU's) that affect the highway infrastructure. When defects are identified within road or footway reinstatements, a defect notice is issued and a charge made on the SU concerned to cover additional inspections.

Income levels have varied during the last five years in line with the performance of Utility companies. The quality of works undertaken by Thames Water Utilities (TWU) has deteriorated in recent years, which led to an over performance in income between 2007/8 and 2010/11, however TWU have been working hard this year to improve their performance, and have introduced new contracts to minimise defective works in the future.

Income dropped significantly by £440k from 2010/11 compared to 2009/10 and officers anticipated a further drop of income of £350k from defect notices during 2011/12. The actual drop in 2011/12 compared to 2010/11, appears to be just under £100k, however officers feel that Thames Water will continue to improve their performance.

Winter service

The last 2 years have seen a significant increase in expenditure on winter service, following several years with little or no snow. Budgets have historically been based on patterns of spend for precautionary salting, primarily for frost or ice, with relatively little actual snow clearance. As a result of the protracted snow, ice and sub-zero temperatures during the winter of 2010/11 winter maintenance budgets were overspent by £706k, with extra costs incurred for tree maintenance of £35k as well as for waste collection costs of £77k.

It is unclear at this stage whether this is a permanent shift in weather patterns or a one-off, although government have commissioned some research to try and clarify this. In the mean time there is a significant risk of incurring additional expenditure on winter service.

Highways & Street Lighting Contracts

We currently have three contracts for highways and street lighting maintenance, with an annual spend in 2010/11 of £7.3m. These contracts have price fluctuation clauses based on actual cost indexing whereas budget increases are based on RPIX. Although the budgets are cash limited, the variation between the two will lead to a reduction in spending power in real terms.

Parking

A review of Parking was completed by a working group of the Environment PDS Committee in June 2009. Benchmarking of other boroughs identified wide variations in their policy approach to parking. In addition concerns were raised about projected shortfalls in income generation in Bromley, principally caused by the recession as detailed above.

The Parking review concluded that there was potential for efficiency savings from reducing the complexity of the borough's current tariff structure and zones. It should be noted that the service operates in a restricted legal environment which "does not include the maximisation of revenue from parking charges as one of the relevant considerations to be taken into account in securing the...movement of traffic" (Traffic Management and Parking Guidance for London)."

Charges/tariffs for on- and off-street parking places are set by LB Bromley and prior to 2008 had been increased annually on a four year cycle. A fundamental review of the Council's complex tariff structure has taken place at officer level and Members have agreed in principle to consider reform. However Members are aware of the potential impact of an increase in charges in the current economic climate, whilst recognising the pressure on the service to meet its income targets following several years of inflation and VAT increases.

For a number of years there has been a general decline in 'paid for' car parking in the borough. The introduction of new on-street parking schemes and restricted zones has prevented the reduction in use from being even greater. Although new schemes will continue to be implemented to meet localised traffic and parking needs, there is no reason to suspect that the downward trend will be reversed, particularly in regard to off-street parking. Again this puts greater pressure on the service to meet its financial obligations.

During the period 2007-2010 there was a significant decline in the usage and income from our multi-storey car parks within Bromley town centre, although since then usage has stabilised. Further, there was a reduction in the average ticket value which demonstrated that the average length of stay in the multi storey car parks had shortened, resulting in income being further reduced. Initial estimates show a £30k net shortfall to budgeted income for 2011/12. In the current economic climate it is difficult to make reliable estimates of parking demand in the short to medium term, or forecast the longer term effects of the recession on parking behaviour.

Pressures from Public Demand

Apart from the identifiable financial pressures arising from such items as budget reductions, contract costs and price increases there are other pressures due to growing public expectations, social change and legislation. Increased public expectations of local services may be difficult to respond to during a period of tight restraints on resources.

Public surveys have shown that four issues are consistently recognised as making Bromley a good place to live. These are crime, health services, clean streets and public transport. The Environmental Services department leads for the Council on clean streets and on crime issues, particularly enviro-crime and anti-social behaviour; and the department has an input to TfL and others on public transport. There is continued public demand for high service standards in all these areas.

In terms of what needs most improvement in the local area, activities for teenagers, traffic congestion, road and pavement repairs, the level of crime and clean streets are regularly mentioned by residents. All of these service areas are either the lead responsibility of the Environmental Services department (clean streets, road & pavement repairs) or ones to which the department makes a significant contribution.

<u>SECTION 1 BUDGET OPTIONS</u>	2012/13 Budget £'000	2013/14 Budget £'000	
1 SAVINGS ALREADY DELIVERED OR ABLE TO BE DELIVERED	44	44	Reduce general running expenses such as training, staff advertising, computer refresh budgets & printing & stationery.
2 SENIOR MANAGEMENT SAVINGS	0	50	Review of managers.
3 OTHER STAFF SAVINGS	0	0	
4 STAFFING CHANGES/CHANGE IN SERVICE DELIVERY/OTHER	142	142	Reduce night scouting of street lighting from weekly to monthly. Charge inspection & computer maintenance costs to London Permit scheme. Reduction in cost of winter meteorology service through joint procurement. Reduced budget for minor traffic schemes. Delete motorcycle and driver safety training. Plus reduction of running expenses.
5 SAVINGS THROUGH OUTSOURCING/SERVICE REDESIGN	30	30	Reduction in contract price to reflect the decrease in number of cash collections from parking machines.
6 INVEST TO SAVE BIDS (ALREADY APPROVED BY EXECUTIVE)	0	0	
8 REDUCTION IN GROWTH -FOUR YEAR FORECAST	0	0	
TOTAL	216	266	

REF	Department	Budget 2011/12 £'000	Budget Option Identified	Savings 2013/14 £'000	Impact on other services /Notes
Environmental Services					
1	Street Scene & Green Space	100	Introduce automated weighing system and payment facility	50	None operationally, but will require agreement from Audit.
2	Street Scene & Green Space	2,595	Reduce Ranger Service and reduce park security contract	15	Security patrols by Wards will be reduced with increased crime/anti-social behaviour and fear of crime. Activities and presence of Rangers will be reduced leading to less public interaction
3	Street Scene and Green Space	400	Diminishing playground repairs and equipment replacement. No new seats/bins in parks and reduce repairs to paths/fencing	45	Ultimate closure of some sites as equipment not repaired/replaced. Increased risk of insurance claims. Increased littering impacts on Grounds Maintenance contract.
4	Customer and Support Services	305	Reduction in support services, running costs and promotional projects	33	Reduce number of sustainability projects and Bromley Environmental Awards will be run at minimum costs.
5	Transport/Highways	129	Reduced frequency of highway/footway condition surveys and use of bureaux service for data analysis	55	Technical surveys are used to identify roads and footways that are in need of maintenance. Reducing the budget would result in reduced accuracy of scheme identification and risk of increased insurance claims
6	Transport/Highways	583	Reduction in Traffic Posts or transfer costs to TfL budgets	31	Fewer schemes relating to pedestrian crossings, cycle paths, parking and congestion as well as a reduction in road safety education.
7	Transport/Highways	161	Reduced number of surface water drainage schemes	12	This budget is used to alleviate areas of localised flooding. Reducing the budget would increase the risk of flooding and increased expenditure on reactive drainage works
8	Transport/Highways	88	Reduced levels of service for inspections and minor repairs of highway structures	19	Reduced inspections and repairs on structures including bridges and car parks.
9	Transport/Highways	323	Reduced levels of service for non-routine maintenance of street lights & signs	29	Would result in increased street lighting faults and reduced levels of lighting.
10	Transport/Highways	129	Reduced levels of service - minor street lighting improvements	15	Increased failures of street lights and reduction in minor improvement schemes.
				304	

REF	Department	Budget 2011/12 £'000	Budget Option Identified	Savings 2013/14 £'000	Impact on other services /Notes
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No	Service Area and Detail of Proposal	2011/12	Saving in 2012/13	Saving in 2013/14	Possible impact on service/notes
		Budget £	Cumulative £	Cumulative £	
	SAVINGS ALREADY DELIVERED OR ABLE TO BE DELIVERED WITHOUT TOO MUCH IMPACT				
1	Customer & Support Services - Review of staffing and reduce budgets for sustainability and cease the Bromley Environment Awards.	43,400	0	27,000	
	Sub-Total		0	27,000	
	INCOME				
2	Customer & Support Services - Harmonisation of parking charges and tariffs.	5,530,240	823,000	980,000	1. Concern has previously focussed on the potential impact on town centre retailers and reaction from motorists. Benchmarking shows that Bromley charges would remain lower than comparative out of borough destinations. It has been four or more years since the last price increases were implemented. Charges have not kept pace with inflation. Some short-term impact on parking demand has been allowed for. Timing is an important consideration.
3	Customer & Support Services - Prices increase for blue badges.	10,700	10,000	10,000	
	Sub-Total		833,000	990,000	
	REPAIRS & MAINTENANCE/INFRASTRUCTURE BUDGETS				
4	Transport & Highways - Reduced highway planned maintenance.	1,137,580	138,000	250,000	Existing budgets do not allow the backlog of life expired carriageways to be repaired. Reducing the budget would increase the backlog, increase expenditure on reactive maintenance and risk an increase in insurance claims. A limited reduction could be sustainable without significant impact on the network, though this would perpetuate the current problem that there is insufficient investment to address the growing maintenance backlog
5	Street Scene & Green Space (Highways) - Significantly reduce the volume of planned carriageway works to a minimum, concentrating on pothole/minor patching repairs only. Routine replacement of road lining will also be reduced.	604,440	190,000	250,000	The affects of severe winter will have an impact upon the carriageway condition and more patching/pothole repairs maybe required to protect the infrastructure. Secondary impact of defense against litigation and increased costs of compensation to third parties.
6	Transport & Highways (Highways) - Reduced standard for footway planned maintenance schemes.	1,731,610	732,000	732,000	Existing budgets do not allow the backlog of life expired footways to be repaired to current standards. Current policy is to replace footways in their entirety when carrying out replacement schemes. A change to policy where only damaged paving is replaced would allow a similar number of schemes to proceed as at present, but with significant reduction in cost. Footways would be left in a safe condition, but with a less consistent appearance than with the current policy. Supervision costs would be unchanged, but the choice would then be whether to reinvest this saving in carriageway maintenance, or take it as a budget reduction.
7	Street Scene & Green Spaces (Highways) - Significantly reduce the volume of proactive footway minor maintenance works. This would involve scaling back on all requests for adhoc works requests from the public & ward members and focusing on safety repairs only as a result of routine highway safety inspections.	830,420	268,000	268,000	Impact upon the footway major works programme as more streets suffer from deterioration and require major works attention. Conversely, any proposed savings to the major footway works budget will mean fewer major schemes and more pavements requiring safety
	Sub-Total		1,328,000	1,500,000	

No	Service Area and Detail of Proposal	2011/12	Saving in 2012/13	Saving in 2013/14	Possible impact on service/notes
		Budget £	Cumulative £	Cumulative £	
	REDUCTION IN SERVICE/CEASING OF SERVICE				
8	Street Scene & Green Space (Street Cleansing) - Savings as a result of re-tendering the street environment contract as agreed at December Executive.	4,593,670	818,000	818,000	Increase in public dissatisfaction as a result of a drop in cleanliness standards due to a reduction in the frequency of routine scheduled cleaning. Possible increases in calls via customer service desk, therefore increased cost to the street cleaning budget for adhoc cleaning and additional workload for area management team to deal with complaints and monitoring.
9	Street Scene & Green Space (Grounds Maintenance) - A) £0 to £100,000 Removal of flower towers and barrier floral baskets in town centres and shopping areas, the cessation of shrub pruning and replacement with emergency prunes only subject to budget, no replacement of dead, dying, diseased or overgrown shrubs in parks and highway amenity areas and a 75% reduction in sweeping of paths and entranceways in parks. B) £100,000 to £200,000 The removal of all winter floral bedding and bulbs in parks and highway amenity areas. C) £200,000 to £300,000 Reduction in number of grass cuts on highway verges from potentially once a fortnight to once a month and no edging up and reduction in Cemetery grass mowing to once a fortnight from once a week. D) £300,000 to £400,000 Reduce grass cutting in parks to once a fortnight and remove the provision of hanging baskets on lampposts in town centres and shopping areas. E) £400,000 to £489,000 Removal of herbaceous borders and rose beds in principal parks	3,026,000	259,000	489,000	Could lead to significant and profound public & user dissatisfaction as existing standards reduced/deleted. Potential negative PR and increased complaints due to reduced levels of maintenance & planting.
10	Street Scene & Green Space (Tree Maintenance) - 2012/2013: £40,000 from the highway tree maintenance budget as the annual Borough wide basal growth removal programme will stop and basal growth will be removed on an adhoc basis. £15,000 Tree surveying in schools which is currently outsourced will return and be done in house. £3k training budget removed. £4k from the Parks and Greenspace tree maintenance budget. 2013/2014: £58k removed from the routine maintenance budget. £10k from the parks and greenspace tree maintenance budget.	555,000	62,000	130,000	2012/2013: £40k Annual basal growth removal stops: results in increased complaints from public and officer time on adhoc removal. £15k on annual school surveying programme as it returns in house. This will mean that remaining officers in the team increase workload to cover for surveys, and duties such as grant funding, park tree planting, Friends Of assistance will be reduced. £3k so training stops. £4k from the parks and greenspace health and safety budget will mean that the budget will become overspent quicker than it usually is on an annual basis. 2013/2014: There will be no routine maintenance undertaken either as part of a cyclical programme or requests from residents. Only essential H&S works, Insurance Works, Tree Surveying, Tree Planting, and emergency call outs will be undertaken on the highway. £10k from parks and greenspace health and safety budget will mean that the budget will become overspent quicker than it usually is on an annual basis.
11	Transport & Highways (Traffic & Road Safety) - Either a reduction in traffic and road safety posts or transfer costs to TfL budgets	606,725	190,000	190,000	Fewer schemes relating to pedestrian crossings, cycle paths, parking and congestion as well as a reduction in road safety education. This additional £190k has been identified following the Cabinet review of T&H. Likely to result in loss of 5 posts.
12	Street Scene & Green Space (Waste) - Reduce number of Green Waste satellite Sites from 5 to 2 saving £184k.	306,870	61,000	184,000	Could lead to congestion at CA sites and possible increase in fly-tipping.
13	Transport & Highways (Street Lighting) - Cease lamp column painting service.	55,000	55,000	55,000	Steel lamp columns are painted to protect from corrosion and for aesthetics. This is currently done on a 5 year cycle, but reducing this to every 10 years, using a higher specification paint, will reduce costs but have little effect on the column stock

No	Service Area and Detail of Proposal	2011/12	Saving in 2012/13	Saving in 2013/14	Possible impact on service/notes
		Budget £	Cumulative £	Cumulative £	
14	Street Scene & Green Space (Parks) - 13/14 REDUCTION – Significant reduction in Parks Strategy Improvement schemers. Less engagement with communities and Friends. Further difficulties in being unable to match fund grants or sponsorship. Further pressure on remaining budgets to fully support materials to give to partners to maintain toilets (following removal from contract in year one) Personal Protective Equipment and Training opportunities with Friends and Communities further eroded. Some awards/thanks ceremonies cut back/deleted. Potential loss of Friends officers. Decrease in ability to support groups and/or apply for grants/stewardship or sponsorship.	647,000	0	49,000	Likely loss of Friends Groups as it will impact severely on grounds maintenance, health and wellbeing. Reduced sports take up may lead to some club collapse
15	Transport & Highways (Street Lighting) - Anticipated savings from re-tendering street lighting contract.	1,828,320	0	100,000	Scoping
16	Transport & Highways (Street Lighting) - Change lamp column replacement policy from schemes two one for one	605,750	0	150,000	Current budgets to not allow for the replacement of all life expired lamp columns. Reducing the budget will increase the backlog and risk of column failures. An increase in survey work would be required to identify columns at risk, lighting levels would not be improved and energy savings from modern lanterns could not be achieved. Unit cost for each replacement column likely to be higher than current approach where all columns in a street are done together.

Further Savings Proposals

No	Service Area and Detail of Proposal	2011/12	Saving in 2012/13	Saving in 2013/14	Possible impact on service/notes
		Budget £	Cumulative £	Cumulative £	
17	Street Scene & Green Space (Waste) - Revert to fortnightly paper collections	7,172,380	300,000	300,000	Potential increase in customer complaints/dissatisfaction as a result of changes to waste collection timetable.
			1,745,000	2,465,000	
			<u>3,906,000</u>	<u>4,982,000</u>	

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Report No.
ES12001

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment PDS Committee

Date: 18th January 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS, AND CONTRACTS REGISTER

Contact Officer: Linda Winder, Office Resources Manager
Tel: 020 8313 4512 E-mail: linda.winder@bromley.gov.uk

Chief Officer: Nigel Davies, Director of Environmental Services

Ward: Borough wide

1. Reason for report

- 1.1 Members are asked to review the Committee's work programme for 2011/12 and to consider:
- progress on decisions from previous meetings of the Committee;
 - the Contracts summary for the Environment Portfolio.
-

2. **RECOMMENDATIONS**

2.1 **That the Committee:**

- (a) Review the draft work programme attached as Appendix 1;
- (b) Review the progress report related to previous Committee requests as set out in Appendix 2; and
- (c) Note the Environment Portfolio contracts listed in Appendix 3.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Environment Portfolio 2011/12 approved budget
 4. Total current budget for this head: £35.9m and £6.680m of LIP funding from TfL.
 5. Source of funding: 2011/12 revenue budget and 2011/12 LIP funding agreed by TfL
-

Staff

1. Number of staff (current and additional): 224 fte
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Whole borough
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Forward Programme

- 3.1.1 The table in **Appendix 1** sets out the Environment Forward Programme for the remainder of 2011/12, as far as it is known. The Environment Forward Programme indicates which division is providing the lead author for each report. The Committee is invited to comment on the schedule and propose any changes it considers appropriate.
- 3.1.2 Other reports may come into the programme. Schemes may be brought forward or there may be references from other Committees, the Portfolio Holder or the Executive.

3.2 Previous Requests by the Committee

The regular progress report on requests previously made by the Committee is given at **Appendix 2**. This list is rigorously checked after each Committee meeting so that outstanding issues can be addressed at an early stage.

3.3 Contracts Register

Information extracted from the current Contracts register, in a format which addresses the responsibilities of the Environment Portfolio, is attached as **Appendix 3**. Future contracts are marked in *italics*. The Appendix indicates in the final column when the Committee's input to contracts will next be sought. Unless otherwise stated this is the date when contract approval, or approval to an extension, will be sought.

4. POLICY IMPLICATIONS

- 4.1 Each PDS Committee is responsible for setting its own work programme.

Non-Applicable Sections:	Financial, Legal and Personnel
Background Documents: (Access via Contact Officer)	Environment PDS agendas and minutes for the years 2006/07 to 2011/12 http://sharepoint.bromley.gov.uk/default.aspx

APPENDIX 1

ENVIRONMENT PDS COMMITTEE FORWARD PROGRAMME FOR MEETINGS 2011/12

Environment PDS – 28 Feb 2012		
Forward Work Programme, Matters Arising from Previous Meetings and Contracts Register	C&SS	PDS Committee
Textile Recycling Arrangements	SS&G	For pre-decision scrutiny
Parking ICT Contract	C&SS	For pre-decision scrutiny
Parking Charges	C&SS	For pre-decision scrutiny
Kent House Station (2nd resolution)	T&H	For pre-decision scrutiny
Flood & Water Management Act	T&H	Environment PDS: 28 Feb 2012 E&R PDS: 4 Apr 2012 Executive: 11 Apr 2012
Car Clubs in Bromley	T&H	For pre-decision scrutiny
Environment PDS – 17 Apr 2012		
Forward Work Programme, Matters Arising from Previous Meetings and Contracts Register	C&SS	PDS Committee
Budget Monitoring 2011/12	Finance	For pre-decision scrutiny
Environment Development; Annual Review	C&SS	For pre-decision scrutiny
Environment Portfolio Plan 2012/13	C&SS	For pre-decision scrutiny

APPENDIX 2

Progress Report on Previous Requests of the Committee

PDS Cttee Minute & Date	Committee Request	Progress
29.11.10	One-off informal meeting for Members to be held as part of the feasibility study on a park and ride scheme	Meeting will be organised once feasibility work has commenced
05.04.11	Keep budget for the community toilet scheme under review	7 public toilets now closed replaced by 16 Community Toilet partners. 4 further public toilets planned for closure this financial year. The public toilets in the 5 main town centres to remain open for foreseeable future.
15.11.11	Provide information on current operators of parks toilets	This information has been circulated to Members of the Committee.

Appendix 3

Contracts Register Summary

Contract	Start	Complete	Extension granted to	Contractor	Total Value £	Annual Value £	Environment PDS
Gully Cleansing	01.08.05	31.07.09	31.07.11	Conways	840,000	210,000	Will be merged with Street Environment contract from March 2012
Street Cleaning	29.03.05	28.03.10	28.03.12	Keir	19.6m	4.52m	
<i>Street Environment Contract (incl. Street cleaning, graffiti removal, cleansing public toilets, and gully cleansing Highway Drainage cleaning)</i>	<i>29.03.12</i>	<i>28.03.17</i>		<i>Kier (street cleaning & public toilets); Community Clean (graffiti removal); Veolia Gully Cleansing, Highway Cleaning</i>	<i>21.0m</i>	<i>4.2m</i>	<i>Recommendation to award a five year contract with the option of a two year extension at the Council's discretion during the contract period. Executive - 14 Dec 2011</i>
<i>Parking ICT</i>	<i>1.04.12</i>	<i>31.09.16</i>	<i>n/a</i>		<i>750,000 est.</i>	<i>150,000 est.</i>	<i>Env PDS – 28 Feb 2012</i>
Transportation Consultancy	01.04.11	Up to 31.03.17		TfL Framework	1.2m (assumes max. length of 6 years)	200,000	Contract review 17 April 2012
Removal of surface vegetation from Public Rights of Way	01.05.10	30.04.12	Option for one year extension	Holwood GM Ltd	19,858	59,574	In discussion with contractor to discuss possible 12 months extension
Floral Displays	30.05.11	30.04.12	n/a	CJS Plants & Village Gardens	67,000	67,000	Gateway review to consider longer contract period. Current negotiations with suppliers to explore extension of the contract at current costs for next year. This will allow an opportunity to carry out feasibility work around sponsorship and other ways of funding this service going forwards.
Removal of Abandoned Vehicles	01.10.10	30.09.12	Option for a one year extension	Pick a Part	10,600	31,980	

Fleet Hire	05.11.06	04.11.12	05.11.13	London Hire	674,383	112,383 (<85,000 from 2012)	
Bus Route design (Pan-London contract)	01.01.08	01.01.13		Mott Macdonald	1.5m	300,000	
Bus Route design (Pan-London contract)	01.01.08	10.01.13		Buchanan	1.5m	300,000	
Parking Bailiff Services		31.03.13	n/a	JBW & Swift	320,000 est.	240,000 est.	
<i>Parking Bailiff Services</i>	<i>1.04.13</i>	<i>31.03.16</i>	<i>n/a</i>	<i>ESPO framework</i>	<i>600 to 750k est.</i>	<i>240k est.</i>	
Street Lighting Maintenance & Improvements Contract –	01.04.07	31.03.11	31.03.13	May Gurney	7.1m	1.8m	
<i>Street Lighting Maintenance & Improvements Contract –</i>	<i>01.04.13</i>	<i>31.03.13</i>	<i>Extension possible to 31.03.23</i>		<i>7.1m</i>	<i>1.8m</i>	
Inspection of Street Works Contract	01.04.10	31.03.13		B&J	900,000	312,000	
<i>Inspection of Street Works Contract</i>	<i>01.04.13</i>	<i>31.03.16</i>	<i>Extension possible for 3+2+2</i>		<i>1.75m</i>	<i>350,000</i>	<i>Executive – 16 Nov 2011 Agreement reached for tender process to commence</i>
Ambulance hire	05.11.07	04.11.13		London Hire	2.03m	339,000	
Playground maintenance	01.01.08	31.12.13		Safeplay	369,300	61,550	
Rural Grass cutting	30.5.11	29.05.13	29.05.14	Landmark Services	90,000	30,000	
Depot Security	01.04.10	31.03.15	N/A	Sight and Sound	126,000	126,000	
Parking	01.10.06	30.09.11	30.09.16	Vinci Park	10.79m	2.16m	
Maintenance & repair of vehicles	01.04.10	31.03.17	Option for 2 year extension	KCC	940,000		
Highway Maintenance – Minor & Reactive	01.07.10	30.06.17	Option for one year extension	O'Rourke	17m	2.4m	
Highway Maintenance – Major	01.10.10	30.09.17	Option for one year extension	FM Conway	26m	3.7m	
Arboriculture	18.07.08	17.07.17		Gristwood and Toms	5.12m	568,860	
Grounds Maintenance	01.01.08	31.12.17		English Landscapes	26.1m	2.75m	

Landfill Site Monitoring	28.07.10	27.07.17	Option for 2 year extension	Enitial	952,000	136,000	
Waste Disposal	24.02.02	31.03.19	Extended to March 2019	Veolia	147m	10.5m	<i>Extension approval: Executive - 16 Nov 2011</i>
Waste Collection	01.11.01	31.03.19	Extended to March 2019	Veolia	127.5m	8.5m	<i>Extension approval: Executive - 16 Nov 2011</i>
Parks Security	01.04.10	31.03.20		Ward Security	4.2m	420,000	

Agenda Item 15

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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