

ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 4 October 2011

Present:

Councillor William Huntington-Thresher (Chairman)
Councillor Ellie Harmer (Vice-Chairman)
Councillors Reg Adams, Kathy Bance, Julian Grainger,
Samaris Huntington-Thresher and Sarah Phillips

Also Present:

Councillor Colin Smith

30 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies were received from Councillors Nicholas Milner, David Hastings and Ian Payne. Councillor Sarah Phillips attended as alternate for Councillor Nicholas Milner.

31 DECLARATIONS OF INTEREST

There were no declarations.

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

There were no questions to the Committee.

33 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 19TH JULY 2011

The minutes were agreed.

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

Four questions to the Portfolio Holder had been received for written reply – one from Councillor Tom Papworth, two from Mr Colin Willetts and one from Mr Andy Wilson.

A question from Councillor Tom Papworth for oral reply had also been received and following the Portfolio Holder's reply, Councillor Papworth asked a supplementary question.

Details of all questions and replies are at **Appendix A**.

35 ENVIRONMENT PORTFOLIO - PREVIOUS DECISIONS

Decisions taken by the Portfolio Holder since the Committee's previous meeting were noted including minutes of the Environment Portfolio Holder meeting held on 6th September 2011.

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

A) CAPITAL PROGRAMME - FIRST QUARTER MONITORING 2011/12 AND FINAL OUTTURN 2010/11

Report ES11113

On 20th July 2011 the Executive agreed a revised Capital Programme from 2011/12 to 2014/15. All changes on schemes in the Environment Programme agreed since the Executive meeting on 2nd February 2011 (the base position) were highlighted and a revised Capital Programme for the Portfolio was also provided.

Additionally, and in view of capital schemes being subject to a post-completion review within a year of completion, the Portfolio Holder was asked to receive a post-completion report on Environmental Improvements (funded by LPSA Reward Grant) later in the current year.

Concerning a reference in Report ES11113 to £75k having been re-phased from 2011/12 to 2012/13 for the Walnuts Centre ramp repair scheme, it was agreed to investigate the background and advise Members.

RESOLVED that the Portfolio Holder be recommended to:

- (1) note the Committee's comments and changes agreed to the Capital Programme by the Executive in July and**
- (2) agree that a post-completion report on Environmental Improvements (funded by LPSA Reward Grant) be received later in the year.**

B) TFL FUNDED WORK PROGRAMME FOR 2012/13

Report ES11106

Bromley's formula allocation from TfL for 2012/13 would be £2.829m. Ring-fenced funding would also be available to support a number of other programmes, including local transport priorities, Principal Road maintenance, bridges and structures (including Chislehurst Bridge) and Bromley North Village.

Although it was largely for boroughs to determine how the formula funding would be spent, the Council was nevertheless required to submit a list of schemes to TfL in early October 2010. Formal approval was sought for a recommended list of such schemes. The formula allocation was not a grant and it was necessary to draw down funds as work was completed.

The process of developing and consulting upon schemes could generate technical and financial changes and also result in implementation delays or changed priorities. No significant difficulty was envisaged should it be necessary in future to change the list of schemes following submission of the original list and the report recommendations suggested a mechanism by which officers would be able to make necessary changes following consultation with the Portfolio Holder. Furthermore, approval of the recommended list for submission to TfL did not imply the approval of any specific scheme for implementation and all such schemes would be subject to consultation and formal approval in the usual way.

Commentary in Report ES11106 was provided on the following:

- Local Transport Priorities;
- Maintenance Programmes (on Bridge Strengthening and Assessment, the Council would not know how much of its bid had succeeded until the funding settlement was announced by TfL in the autumn);
- Major Schemes (again the amount to be allocated for 2012/13 would be announced as part of the TfL funding settlement);
- Biking Boroughs and cycling initiatives (physical projects to be delivered under the programme would be brought forward separately for approval at the appropriate time);
- Congestion relief (including multi-year schemes)
- Network infrastructure
- Congestion relief / casualty reduction programme
- Casualty reduction programme – individual locations
- Casualty Reduction - Mass Action
- Cycle Training and Promotion
- Support for the Bromley Town Centre Area Action Plan (the main element of the programme in 2012/13 being a study of possible permanent park and ride, envisaged for the third phase of the Area Action Plan)

- Parking – Assess, Review and Update (enabling implementation of relatively minor changes to local parking controls, including safety-related changes and matters raised by Members and residents)
- Parking - Town Centres (for 2012/13 comprising the completion of measures in Beckenham town centre and the investigation, design, consultation and implementation of measures in the Green Street Green area)
- Decluttering
- Cycling and Walking Schemes
- Walking - Green spaces and recreational walking
- Light Against Crime
- Scheme Development
- Travel Planning Activities
- Road Safety Education

In discussion a number of comments and suggestions were made by Members including the following -

- For congestion relief on the A224 it was suggested that the Leasons Hill junction with Sevenoaks Way caused delay and that something to improve this should be included.
- In regard to a £110k investment on School Travel Planning (Monitoring and Review) it was suggested that travel changes resulting from School Travel Plans may be difficult to measure.
- Some maintenance funds should be allocated to smaller roads.
- Whole roads would not need surfacing.
- It was important to obtain value for money from the maintenance programme – funds were allocated to roads that were necessary to repair.
- Heavy Goods Vehicles caused damage and principal roads needed more repair – it was important to treat roads in time before problems worsened – the sum from TfL would not generally remedy the deterioration across all of Bromley’s Principal Roads and the position in 2014/15 would require a significantly larger sum to bring the network up to standard.

Responding to comments made, Members were advised that objective processes were used to determine maintenance priorities and schemes were reviewed each year. On school travel plans, a report would be presented in January 2012; there had been a reduction in funding for this activity and it was explained that TfL favoured the “hands up” survey as the best and cheapest way of taking measurement.

On any parking measures for the Green Street Green area, funds would depend on the outcome of the design process; funds were available but if they were not spent they could be moved to other Member priorities. Residents’ views would be taken into account in developing parking schemes in the Green Street Green area and Beckenham Town Centre.

Concerning congestion relief along the A224 Orpington by-pass northern section, Leasons Hill was a junction being looked at with the Nugent Shopping Centre and other locations along the Cray Valley and proposals would be brought back at a later date.

RESOLVED that the recommendations to the Portfolio Holder be supported namely that:

(1) the programme of formula funded schemes for 2012/13 contained at Appendix 1 of Report ES11106 be approved for submission to Transport for London;

(2) the bid for Bridges and Structures contained in Appendix 2A of Report ES11106 be approved for submission to Transport for London;

(3) the programme for Principal Road Maintenance contained at Appendix 2B of Report ES11106 be approved; and

(4) in the interests of efficient use of resources, the Director of Environmental Services, in consultation with the Portfolio Holder, be authorised to make post-submission changes to the programme to reflect necessary changes to priority, potential delays to implementation following detailed design and consultation, or other unforeseen events.

C) FIXED PENALTY NOTICES FOR VARIOUS HIGHWAY OFFENCES

Report ES11090

In accordance with The London Local Authorities and Transport for London Act 2003 the introduction of Fixed Penalty Notices (FPNs) was proposed for certain offences on the highway so enabling quick and effective enforcement action.

The provisions of the 2003 Act enabled authorised officers from London Boroughs to issue the FPNs. Their use could run alongside existing sanctions and discretion could be used to prosecute if this seemed the most effective mechanism given the circumstances.

The fixed penalty level of £100 and the model form of fixed penalty notice had been agreed by the London Councils' Transport and Environment Committee. The relevant offences were appended to Report ES11090 (*Note: "marketing" should be replaced with "marking" in the description of offence at Offence Codes 05 and 06*)

If the penalty was paid within 14 calendar days following the date of the notice, the penalty level would be reduced from £100 to £50. If the penalty was not paid within a 28-day period, legal proceedings for the offence could be started.

As a way of advertising the introduction of FPNs it was intended to publish a public notice for two consecutive weeks in a local newspaper and also on the Council's web site. It was proposed to introduce the FPNs for certain highway offences on 1st April 2012.

In discussion Councillor Grainger sought advice on how Members could scrutinise ways in which FPNs were applied. Councillor Grainger also sought policy and guidance for the application of FPNs and enquired about the appeal process. Councillor Grainger suggested having some Member input in difficult cases where individuals feel aggrieved. Members had involvement in matters concerned with Licensing and Planning applications and Councillor Grainger advocated their involvement in disputed FPN cases.

Members were advised that Enforcement Officers used their discretion and written representations were considered; if there was any doubt, advice could be sought from the Council's legal team. There was no formal appeal process associated with FPNs unlike the statutory position with Parking PCNs. The Chairman felt in any case that it would be inappropriate to involve Members in decision making on appeals and this was not the practice with Parking PCNs. He supported the approach taken by officers. If Members became concerned with the way FPNs were being applied, the PDS could revisit the FPN enforcement strategy and make recommendations as necessary. The Portfolio Holder felt that FPNs were helpful tools for officers to use. It was important to be proactive against offences being committed.

With a change in approach a Member asked whether enforcement officers might think it easier to issue a FPN; in such circumstances the Member urged that enforcement officers continue to apply the same discretion. Concerning appeals, the Assistant Director referred to dealing with appeals on an informal basis and exercising discretion.

In concluding debate it was agreed to support the recommendation to the Portfolio Holder and to add a further recommendation that notice of the introduction of FPNs be fed through to the Bromley Residents Association for disseminating to individual resident associations.

RESOLVED that the Portfolio Holder be recommended to:

(1) adopt the legislation and the statutory fine level for the FPNs, as the appropriate enforcement action in dealing with certain highways offences from 1st April 2012; and

(2) agree that notice of the introduction of FPNs be fed through to the Bromley Residents Association for disseminating to individual resident associations.

**D) PARKING BAILIFF AND DEBT COLLECTION SERVICES:
GATEWAY REPORT**

Report ES11109

Portfolio Holder agreement was sought for the procurement of bailiff services to provide effective debt recovery for Parking and to use a framework agreement for the future provision of bailiff and debt collection services. In the interim period continued use would be made of existing bailiff services to ensure efficient collection and recovery of Penalty Charge Notice debts.

The service agreement with current bailiffs had been reviewed and to continue provision of an effective collection service it was necessary to ensure that market testing had taken place and that robust contractual arrangements were made with an effective service specification in place.

A European Union compliant procurement framework had been identified – the Eastern Shires Purchasing Organisation (ESPO) Bailiff Services Contract 984CC. The ESPO framework agreement had an expiry of 31st December 2011 but was being extended for a further year whilst a new framework was put in place for January 2013. Currently the ESPO framework agreement included four suitable suppliers who had been pre-qualified. Use of the framework agreement would negate the need for LB Bromley to carry out its own pre-qualification assessment.

However it was recommended that use of the ESPO agreement be delayed until after the end of the extension period to allow the review to be completed and an assessment of the revised agreement to be made, taking into account feedback from local authorities using the agreement. In addition there were a number of other companies who might wish to tender for the work for LB Bromley including both current contractors who had significant experience of working within the borough. During the review period it was suggested in the report that these companies, and others, might wish to take the opportunity to seek inclusion within the revised framework.

Parking Services would inform the bailiffs' trade association of the intention to use the ESPO framework agreement so ensuring that companies interested in tendering for work with LBB understood that they would need to be within the ESPO framework agreement if they were to be considered. This would include contractors currently used by the Council.

The possibility of using bailiff companies whom Liberata currently employ for the collection of outstanding LB Bromley Council Tax had also been investigated. It was recommended that Parking Services test the services of Phoenix and Chandlers who were Liberata's current service providers, and if the standards sought by the Council were met then the option of extending the existing Council Tax contract to embrace parking fine collection could also be considered.

To ensure that a formal agreement remains in place, Legal Services would be requested to extend the agreement with the current service suppliers until 31st March 2013.

In discussion the process for recalling debts was briefly outlined including situations where a foreign vehicle was involved. Certain background related to costs that could be included in a bailiff company's fee was also briefly outlined. It was confirmed that a warrant could be pulled back from a bailiff at any stage in the process and enforcement action halted where there was a problem e.g. incorrect documentation. Against benchmarking, a 20-25% collection rate was highlighted as a good achievement.

RESOLVED that the Environmental Portfolio Holder be recommended to:

(1) approve in principle the use of the Eastern Shires Purchasing Organisation (ESPO) Bailiff Services Contract 984CC for Bailiff Services from 1st April 2013, as described in section 4 of Report ES11109;

(2) approve the retention of JBW and Swift Credit Services to provide parking bailiff services up to 31st March 2013;

(3) approve the placement of a sample of Penalty Charge Notice debt collection cases with the Council's existing Council Tax bailiffs; and

(4) approve the agreement for use for three years commencing on 1st April 2013 with an optional one year extension - if the new framework agreement did not meet the Council's requirements a further report to Members would be made to recommend an alternative way forward.

E) KENT HOUSE STATION APPROACH, BECKENHAM

Report ES11118

In accordance with the Private Street Works Code forming part of the Highways Act 1980 a first resolution was required to be made for the making-up of the carriageway and footway in part of Kent House Station Approach, Beckenham. Kent House Station Approach is an unmade, unadopted highway, providing access to both Kent House Station and Alexandra Infants School. The road is in a poor state restricting access to the station.

A First Resolution under the Private Street Works Code was made on 14th November 2001 in respect of a combined cycle route and footway on the south western side of the street to assist cyclists and pedestrians access the station and school. On 30th January 2002 the Council made a Resolution of Approval under the Private Street Works Code in respect of the combined cycle route and footway. During 2002 the Council built the combined cycle route and footway which was later adopted.

The remaining area in Kent House Station Approach was highlighted on Drawing ESD-10935-1 with a proposed new layout of the carriageway and remaining footway. As part of the statutory procedure and to enable the works to be undertaken a first resolution is required. Under the Private Street Works Code contained in the Highways Act 1980, the Council must first declare by resolution that the carriageway and footway on the south east section is not made up to its satisfaction.

Councillor Kathy Bance reported that she had received no negative feedback on the proposal. She also referred to support for retaining the small green roundabout area and questioned whether there was enough provision for cycle parking. Members were advised that the roundabout would be retained but on a smaller scale and an assessment could be made of the provision for cycle parking.

Councillor Reg Adams highlighted that there was also an unmade road on the southern side of the station and Councillor Sarah Phillips supported Councillor Adams in hoping that a precedent would be set for works to take place on the southern side. She understood that the approach on the southern side was on a private estate. Members were advised that there was no proposal at present for works on the southern side but further information could be provided if Members request. The Chairman indicated that in his view this should not set a precedent, the future making up of unmade roads should be on their merits and with a cost benefit. The Head of Transport Strategy explained that the Council saw the road as unadopted highway and any works would have to be funded against a reducing amount of TfL funding. It could be possible to resolve to make up the road and charge residents fronting the area thereby making it only partly necessary to use TfL funding but to move forward without charging residents would be difficult in times of financial constraint.

Councillor Adams felt there was no rush to examine the southern approach and he would be happy for works on the northern side to bed in. A comment was made that it was simply necessary to smooth the surface between Beckenham Road and the station. The roads nearby had a strong residents association and would come back with their plans.

Councillor Phillips felt that any works to the southern approach amounted to an access strategy providing a classic transport link. She suggested that this was the type of initiative that TfL should be helping the Council with. Although adoption of the whole road was the objective, initially a footway would help.

The Portfolio Holder indicated that it was not viable to undertake works soon to the southern side as the resident associations had different plans. There were also footway priorities in other parts of the borough.

In concluding it was agreed to support the recommendations to the Portfolio Holder and to add a further recommendation noting demand for a footway on the southern approach to Kent House Station and to take the matter forward if and when deemed appropriate and with the availability of TfL funding.

RESOLVED that the recommendations in report ES11118 be supported namely that:

(1) the Environment Portfolio Holder be asked to recommend to Council that -

**(i) a First Resolution under s.205(1) of the Highways Act 1980 be made in respect of Kent House Station Approach, as follows:-
“The Council do hereby declare that part of the street be sewered, levelled, paved, metalled, flagged, channelled, made good and lighted under the provisions of the Highways Act 1980.”**

Schedule of Limits

From the junction of Kent House Station Approach with Kings Hall Road to the south eastern end of the street and from the north eastern boundary of Kent House Station Approach in a south eastern direction throughout its length, all as more particularly shown on drawing no. ESD-10935-1;

(ii) it (the Council) resolves to bear the whole of the cost of making up Kent House Station Approach; and

(2) the Environment Portfolio Holder be further asked to approve the layout of the combined carriageway and footway on the south eastern side of Kent House Station as shown on drawing no. ESD-10935-1.

It is further RESOLVED that the Portfolio Holder be recommended to:

(3) note demand for a footway on the southern approach to Kent House Station and that he takes matters forward if and when deemed appropriate and with the availability of TfL funding.

F) NEW BECKENHAM STATION CAR PARK EXTENSION

Report ES11117

As the New Beckenham railway station car park had insufficient capacity to meet demand and the Council owned land adjacent to the station, it was recommended that the land be incorporated into the car park to increase its capacity and income to the Council. Pressure caused by commuter parking in nearby residential roads would also be eased.

Agreement was therefore sought for the submission of an application for planning approval to develop the area of unused land shown on drawing ESD-10934-1 along with any subsequent consents required.

The report explained that it might be possible and desirable at some future stage to sell the land for housing development should the market be right and access issues could be resolved. However, it was not felt that this should prevent utilisation of the land for car parking at the present time. It was possible that TfL, who would fund the project, might require recompense if the

car park was later sold to be redeveloped for housing, but this was thought to be an acceptable and limited risk.

In discussion there were a number of comments. It was confirmed to Members that any extended part of the car park may have less parking capacity than the existing car park given the number of trees on the unused land.

A number of Members supported an extended car park but Councillor Kathy Bance opposed the scheme and asked for her opposition to be recorded. She had received a negative response from certain residents in Kings Hall Road whose properties backed on to the unused land. All day parking in Kings Hall Road was prevented by an 11am to Noon parking restriction and she asked whether the land, if it were to be sold, would be placed on the open market. Councillor Bance referred to the unused land being a pocket of nature in the area and asked how many trees had a Tree Preservation Order. Neighbours in Kings Hall Road would also be disturbed with noise and car fumes. There was also a large car park by the Iceland store at the Blenheim Shopping Centre whose top level was rarely used.

Supporting the proposal a Member explained that he had received only positive feedback although one resident had questioned why it was necessary to charge for parking on a Saturday morning. Another Member in support indicated that it would help reduce the number of vehicles parked on local roads.

Members were advised there was no proposal at the moment to seek to sell the unused land. Parking was not an issue in Kings Hall Road although it was indicated that other roads would benefit from an enlarged car park - the number of cars was not expected to diminish. It was also explained that the Iceland car park was multi-storey and not so popular - open car parks were more popular. It was also possible to consider signage for the Iceland Car Park.

RESOLVED that the Portfolio Holder be recommended to agree:

(1) that officers seek planning approval to develop the land labelled 'unused land' on drawing ESD-10934-1 as a car park extension, subject to any other necessary approvals;

(2) to fund the re-development of the site from the TfL LIP funding for 2011/12 and 2012/13, subject to achieving any other necessary approvals; and

(3) to delegate minor details, such as car bay dimensions and location of P&D machines, to the Director of Environmental Services.

37 MINOR TRAFFIC/PARKING SCHEME REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER

A) PICKHURST LANE, HAYES - PROPOSED ZEBRA CROSSING

Report ES11116

Ward Members had requested that consideration be given to installing measures for improving pedestrian safety at Pickhurst Lane near Station Approach. The junction had experienced a number of personal injury collisions over the past five years and it was felt that improvements to the crossing facilities would benefit road safety, improve driver awareness and assist pedestrians crossing the road.

Installation of a zebra crossing would assist those crossing Pickhurst Lane as shown on plan ESD-10670-4. The proposed scheme also recommended that the existing refuge island on Pickhurst Lane junction with Station Approach remained in place to enable an assessment on whether to keep, alter or remove it after the crossing had been installed. As part of the detailed scheme design, a need for additional road markings and signage would be taken into consideration.

RESOLVED that the Portfolio Holder be recommended to:

(1) agree to the proposed scheme shown on drawing number ESD-10670-4 being implemented; and

(2) delegate authority to make any minor modifications which might arise as a result of any considerations to the Director of Environmental Services, in consultation with the Environmental Portfolio Holder.

B) MILL BROOK ROAD - ZEBRA CROSSING

Report ES11120

The Cray Valley Study (London Greenways) identified a new walking and cycling route through parks and open spaces and highlighted various options to improve road safety at locations along the route. This included a new pedestrian crossing in Mill Brook Road, St Mary Cray near its junction with Market Meadow.

In January 2010 a pedestrian count revealed a high number of people crossing at this location. Observations indicated a high desire for a formal crossing due to nearby facilities such as the Nugent Centre on one side of Mill Brook Road and local shops on the other side around Sandway Road. Traffic engineers concluded that a pedestrian crossing would create a safer crossing point for local residents and shoppers and approval was sought for the installation of a zebra crossing in Mill Brook Road, as detailed in drawing number ESD-10936-1.

The approval was needed as a matter of urgency so that so that works could be completed in advance of the impending closure of Chislehurst Road bridge.

RESOLVED that the Portfolio Holder be recommended to:

(1) urgently agree to the installation of a Zebra crossing in Mill Brook Road near to the street junction of Market Meadow, as detailed in drawing labelled ESD-10936-1, subject to an investigation of the statutory utilities under the footway; and

(2) agree to delegate minor design details of the crossing to the Director of Environmental Services in consultation with the Environmental Portfolio Holder.

38 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE

A) PROPOSED GOVERNANCE OF CRYSTAL PALACE PARK

Report DRR11/091

The Committee considered a report concerning a mechanism by which the approved Masterplan for Crystal Palace Park (which was subject to a judicial review) could be implemented recognising the need to attract significant external support and funding whilst retaining and increasing the support of local residents, interest groups and associations.

The report examined different options for the future governance of the park recommending the further investigation of a 'not-for-profit' organisation for managing the park. Pursuing discussions with experienced organisations such as the National Trust, English Heritage and other industry sectors with a history and reputation for managing green spaces was also suggested.

Although specialist parks authority governance was not a preferred option, the report recommended some investigations into the model to ensure the accuracy of such an evaluation. A Crystal Palace Park Management Board would explore opportunities for the management, restoration, development and protection of Crystal Palace Park investigating alternative options for the Park's future governance.

The Park's infrastructure required significant financial investment to ensure it could be enjoyed by generations to come and LBB had not been able to guarantee the required investment level for the park as a national asset - with competing priorities on local authority funding this was unlikely to improve.

It was suggested that the Management Board members be subject to monitoring and evaluation by LBB and work towards the following aims:

- to examine and agree a legal structure for the future management of Crystal Palace Park;
- to challenge the Lee Valley Regional Park Act 1966 in collaboration with neighbouring boroughs to obtain agreement to reinvest Bromley's funds into Crystal Palace Park;

- to approve and champion capital and revenue projects that improve the usage and visitor experience at Crystal Palace Park;
- to examine and pioneer different opportunities for investment at Crystal Palace Park;
- to work closely with the Mayor of London to (i) explore a regional status for Crystal Palace Park and (ii) enter into discussions with the National Trust, English Heritage and other industry sectors about the future governance of Crystal Palace Park; and
- develop employment and skills opportunities at Crystal Palace Park.

It was proposed that the Management Board take the form of: (i) Crystal Palace Park Executive Project Board overseeing and implementing the Board's work by making recommendations as appropriate to LBB's Executive; (ii) LBB Project Team of existing LBB officers supporting the Management Board by establishing the Crystal Palace Park Stakeholder Groups and providing on going support and (iii) four Crystal Palace Park Stakeholder Groups established by the Executive Project Board - Community, Site Management, Heritage and Borough Councils – with each group supported by Council officers and given responsibility to investigate and deliver options for the park as directed by the Project Board.

In discussion it was suggested that the estimate of visitors to Crystal Palace Park and national Sports Stadium under “*customer impact*” might represent visits rather than visitors – in response it was agreed to investigate and provide further advice.

Councillor Tom Papworth visiting the Committee and a ward Member for Crystal Palace ward welcomed the report. He supported the model of a “not for profit” organisation for the Park's future governance. He also referred to the Management Board's Stakeholder Groups having representatives from within and outside of the borough.

Councillor Papworth referred to local accountability and welcomed the strengthening of Member representation.

Concerning reinvestment of Bromley's contribution to the Lee Valley Regional Park for Crystal Palace Park, Councillor Papworth commented that other boroughs could make similar claims for local reinvestment of their contributions. He was also glad to see positions for two community representatives on the Executive Project Board.

Committee Members whose wards were close to Crystal Palace park also made comments including the following:

- the proposed structure of the Management Board was impressive and showed a change of approach to positive action – it provided for all the people who ought to be on the Board;
- on the Project Timetable a desire was expressed to see rapid progress on recommendations so that views could be reviewed in a year's time;

- it was suggested there should be more than one Ward Councillor position on the Executive Project Board - Crystal Palace Park was used by residents from a number of wards;
- a question was asked on whether there should be representation from boroughs adjacent to the park; and
- reference was made to statutory restrictions on the use of the park.

The Portfolio Holder commended officers on bringing the report forward referring to the Park being under utilised and a good asset. Potential funding was needed and the Portfolio Holder expressed his opposition to Bromley having to pay a contribution to Lee Valley Regional Park. The Leader had also raised the matter at London Councils. The Portfolio Holder further referred to the importance of driving the initiative forward – with investment increased, footfall could be attracted which in turn would attract further footfall; it was necessary to draw in the investment.

The Chairman suggested that the composition of the proposed bodies be reviewed over the coming year as the process is taken forward and if other boroughs were to invest funding they would merit representation. The Chairman also suggested that work be undertaken to explore which other boroughs could contribute to the park.

RESOLVED that the Executive be recommended to:

- (1) take account of the Committee's comments;**
- (2) approve the creation of the Crystal Palace Park Management Board (Appendix 1 to Report DRR11/091) and**
- (3) agree that Officers support members of the Crystal Palace Park Management Board to:**
 - **explore the 'not-for-profit' organisation governance option for the park;**
 - **pursue discussions with established organisations who have the experience and capability of managing green spaces, such as the National Trust and English Heritage;**
 - **investigate options for a challenge of the Lee Valley Regional Park Act 1966 in collaboration with neighbouring boroughs to obtain agreement to reinvest Bromley's funds into Crystal Palace Park; and**
 - **agree that the Crystal Palace Park Executive Project Board bring back further reports to the Executive with recommendations on the future management of Crystal Palace Park and any other significant developments.**

B) FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - INSPECTION OF STREETWORKS CONTRACT

Report ES11112

The contract for the inspection of streetworks, currently let to B&J Enterprises (Kent), would expire on 31st March 2013. As the Contract fell within the EU procurement regulations it was necessary to consider options for the future of the service at an early stage.

The estimated contract value was £355k p.a, with an expected income recovery of £1.2m based on 2011/12 budget and levels of service. It was proposed that a contract is tendered and a new framework agreement in place from 1st April 2013 for a period of three years with the option of extending by a further two years at the Councils discretion.

In discussion the Chairman favoured a contract based on a three year initial period with the option of extending for two years along with a further option to extend another two years (3 + 2 + 2).

An enquiry was made on whether any connection existed between street works inspections and other categories of inspection and, if so, whether the different inspection types could be consolidated; faults might then be reported which were not normally looked for as part of an inspector's remit e.g. a street works inspector checking a utility company's re-instatement could also look for other faults in the road not associated with utility works.

Members were advised that highways inspectors could track back on a fault to determine whether it was the responsibility of a utility company. An option for the future procurement of the service was in-house provision. With any consolidation of inspection types there was a risk that the reliability of inspections would be diluted. Given the nature of utility works the street works inspectors were mobile and particularly productive – there were four inspectors covering the borough. The street works inspectors operated from cars - if they saw faults these would be reported back.

The Chairman referred to the importance of street works inspections highlighting the income provided from the process.

RESOLVED that the Executive be recommended to:

(1) endorse the proposal that a new Contractor be appointed to undertake the inspection of streetworks from 1st April 2013, following a competitive tendering process based on the arrangements identified in Report ES11112; and

(2) consider tendering a contract for an initial three year period with the option of extending for two years along with a further option to extend another two years (3 + 2 + 2).

**39 UPDATE ON THE COUNCIL'S FINANCIAL STRATEGY 2012/13
TO 2015/16**

Report RES11105

At its meeting on 7th September 2011 the Executive considered a report (RES11075) updating Members on the Council's financial strategy and the various issues that would continue to shape the strategy over the medium and longer term. This was the first in a series of reports leading up to the final budget proposals to be considered in February next year.

The report provided latest budget projections and highlighted the further budget gap identified for 2012/13 to 2014/15.

The Executive resolved that the report be referred to individual PDS Committees for their consideration and for any comments to be reported back to the Executive.

In discussion it was indicated that a lot of effort was being applied to identifying funding for school crossing patrols – this included discussion on sponsorship. Reference was also made to engineering solutions and the Chairman referred to questions the Portfolio holder had already put to TfL through officers to see whether TfL would agree to LBB using some of its TfL funding to support some school crossing patrols. Councillor Kathy Bance, who was opposed to the deletion of school crossing patrols and requested that her comments be recorded, referred to the health and safety of children. She also indicated her opposition to the closure of public conveniences. The Chairman also referred to exploring where TfL funding could be used in place of Council expenditure. Cllr Reg Adams opposed the cuts in funding for school crossing patrols and opposed the phased closure of Public Conveniences. Earlier in the meeting when considering the TfL Funded Work Programme for 2012/13 he felt that the provision of School Crossing Patrols should be considered an important pan-London road safety item - which had been run by the Metropolitan Police prior to April 2000 - and he felt that this area would be suitable for TfL funding and control.

On food waste, reference was made to work at looking to obtain sponsorship for caddie liners. Concerning invest to save measures, Members were advised that energy efficiency schemes were being looked at and reference was also made to the rollout of food waste collections to the remaining flats in the borough. Proposals for a Green Garden Waste collection service could also be considered an invest to save initiative – it was intended to bring a report on the proposals at the next Environment PDS meeting. Textiles were also found in residual waste and the Waste Minimisation Working Group was looking at the possibility of a collection service being introduced for textiles. This would provide a possible income stream and contribute to reducing the Council's landfill tax liabilities.

The Chairman also referred to carriageway and footway maintenance and a Member referred to useful discussions at the Highway Assets Working Group.

The Chairman highlighted that outcomes from the Group's work would go to the Committee's meeting in November.

RESOLVED that the Committee's comments above be referred to the Executive.

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

Report ES11104

The Committee's work programme, matters arising from previous meetings and a summary of contracts related to the Environment Portfolio was presented.

RESOLVED that:

- (1) the work programme be noted, less items on Mill Brook Road Zebra Crossing and Kent House Station Approach, Beckenham;**
- (2) progress related to previous Committee requests be noted; and**
- (3) a summary of contracts related to the Environment Portfolio be noted.**

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

42 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 19TH JULY 2011

The previous Part 2 minutes were agreed.

APPENDIX A

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

Question from Councillor Tom Papworth

1. To ask the Portfolio Holder for Environment, in light of his written answer to my question to the Executive on 8 August, in which he said that "*the results of the traffic survey of Selby Road, conducted in 2011, will be made available to Members and to the public [in] August 2011*"

- (i) Where is the report?
- (ii) Why was it not made available to residents and members of the public in August as promised?
- (iii) Why is it necessary to chase this up in October, almost a year after this was first raised?

Reply

- (i) You have a copy of the report.
- (ii) The report has been available since August 15th as promised.
- (iii) Had you reminded officers of your requirements (who I agree should have been sharper in getting it to you), the report would have been passed to you in August.

Supplementary Question

In his supplementary question Councillor Papworth sought assurance from the Portfolio Holder that there would be consultation with residents.

Reply

In reply the Portfolio Holder indicated that this was a matter for the Council's Traffic Engineers and a written response would be provided.

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY

Question from Councillor Tom Papworth

1. To ask the Portfolio Holder for Environment how much it costs the Council to buy, to install and to maintain a new salt/grit bin?

Reply

Given the unreliability of salt bins in recent years, for reasons ranging from the use of their contents by individuals keen to clear their own paths and driveways, through to outright theft on an industrial scale by third parties unknown, the Council is keenly exploring a new and more reliable model of salt provision by way of its 'Snow Friends' initiative.

Where it proves possible to do so and willing volunteers can be found, working alone or in partnership through local Residents Associations, the concept being to provide stocks of salt/grit to individuals who are able to secure it under lock and key until it is needed most, then dispense it intelligently on their local roads and pavements in line with its intended

purpose.

Where further new bins might be considered the cost of procuring and installing them would be £292. There are no maintenance costs per se, although it does cost £15 every time one is re-filled.

Questions from Mr Colin Willetts

2. Following a child being knocked over by a vehicle in Saxville Road adjacent entrance to Selwyn Place on 19/9/11 at 5-15pm and ferried to hospital (which incidentally occurred with my own daughter several years ago) by air ambulance, would the Portfolio Holder consider the installation of a kerbside 'no parking zone' / or 'double yellow waiting restrictions' directly fronting the entrance of Selwyn Place to include 'slow' road markings either side of this location?

Reply

The Council's road safety team is currently assessing what measures, if any, might prove of value locally. As soon as they have arrived at a conclusion, I have asked them to notify you in writing.

3. At the recent meeting to discuss the Chislehurst Road bridge reconstruction our Vice Chairman, Mr John Eveson supported the Head Teacher's request for a continuance of the Leeson's Primary school crossing guards after April 2012. Although we firmly believe that the Council should continue to fund this service, particularly at this location, your suggestion that the Council is looking for sponsors could be an opportunity to prevent further cuts. With that in mind, could the Portfolio Holder approach the main bridge contractors with a request to sponsor the two crossing guards East and West of Leeson's School for the duration of the reconstruction ?

Reply

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 impending diversion to my attention, and his comments are currently being very carefully considered by the road safety team in conjunction with Leeson Primary school's headmistress.

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

Question from Mr Andy Wilson

4. Can the Portfolio Holder please confirm if the school crossing guards at Leasons Hill and Chipperfield Road are to be retained for the entire period of the bridge closure programme?

Reply

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 impending 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.

The Meeting ended at 10.20 pm

Chairman