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DATE: 25 February 2013

To: Members of the
ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Councillor William Huntington-Thresher (Chairman)
Councillor Ellie Harmer (Vice-Chairman)
Councillors Reg Adams, Peter Fookes, Julian Grainger, Samaris Huntington-Thresher, David Jefferys, Nick Milner and Ian F. Payne

A meeting of the Environment Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 5 MARCH 2013 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 SUBSTITUTE 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 that questions are received by the Democratic Services Team by 5pm on Wednesday 27th February 2013.

- 4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 15TH JANUARY 2013 (Pages 3 - 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 that questions are received by the Democratic Services Team by 5pm on Wednesday 27th February 2013.

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

The Environment Portfolio Holder to present the following scheduled report for pre-decision scrutiny on a matter where he is minded to make a decision.

a ENFORCEMENT POLICY CONCERNING SHOP FORECOURTS UNDER THE HIGHWAYS ACT 1980 (Pages 19 - 24)

OTHER ITEMS

7 CAPITAL PROGRAMME MONITORING Q3 2012/13 AND ANNUAL CAPITAL REVIEW 2013 TO 2017 (Pages 25 - 32)

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ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 15 January 2013

Present

Councillor William Huntington-Thresher (Chairman)

Councillors Reg Adams, Peter Fookes, Julian Grainger,
Samaris Huntington-Thresher, David Jefferys and
Nick Milner

Also Present

Councillor Colin Smith and Councillor Peter Fortune

35 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Ellie Harmer.

36 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

There were no questions to the Committee.

38 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 20TH NOVEMBER 2012

The minutes were agreed.

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

Three questions were received from Mr Colin Willetts for written reply. Details of the questions and replies are at **Appendix A**.

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

A) BUDGET MONITORING 2012/13

Report ES13005

Based on expenditure and activity levels to 30th November 2012, the 2012/13 controllable budget for the Environment Portfolio was projected to under spend by £154k.

Details were provided of the 2012/13 projected outturn with a forecast of projected spend for each division compared to the latest approved budget. Background to variations was also outlined.

Report ES13005 also outlined expenditure against Member Priority Initiatives for the Environment Portfolio and progress of the selected projects.

RESOLVED that the Portfolio Holder be recommended to:

(1) endorse the latest 2012/13 budget projection for the Environment Portfolio; and

(2) note progress with implementing the Environment projects within the Member Priority Initiatives programme.

B) PARKING BAILIFF AND DEBT COLLECTION SERVICE

Report ES13009

Approval had been granted in October 2011 to use the Eastern Shires Purchasing Organisation (ESPO) Bailiff Services Contract 984CC following expiry of existing contracts with JBW and Swift on 31st March 2013. However, ESPO had been reviewing and updating their framework agreement in 2012 and had advised that it would not now be available for use until April 2014 at the earliest - ESPO continued to be in the process of consulting with stakeholders.

Since October 2011 service from JBW and Swift remained acceptable and it was too early to assess the performance of Liberata's bailiffs, Phoenix and Chandlers, given limited numbers of warrants sent so far. When London traffic authorities were last surveyed, L B Bromley had the best performance in recovering PCN debt and there was no evidence that the position had changed.

Taking forward the Shared Service project and a new ICT system in the first half of 2013 also provided further grounds for recommending a delay to the tendering process. The contracts in place with JBW and Swift Credit Services were due to expire on 31st March 2013 and legal advice indicated that it was

permissible to extend the contracts by mutual agreement so allowing for continued stability of the debt collection activity.

The trial arrangement with Phoenix and Chandlers could also be extended to allow for a longer performance assessment. The current agreement commenced in October 2012 and was due to expire on 31st March 2013. A minimum period of at least an additional six months was recommended to accurately assess and compare the performance of Phoenix and Chandlers with JBW and Swift.

Furthermore, primary legislation affecting bailiff services continued through Parliament with implementation of any changes expected in autumn 2013. Delaying the tender process would allow for a better understanding of the implications of new legislation so that final specification and contract could incorporate any necessary or desirable changes.

A further report from Parking Services due in October/November 2013 would include an assessment of the first six months of the Shared Service with L B Bexley along with an analysis of any opportunities for further outsourcing. Options for the debt recovery function would be included in the report.

RESOLVED that the Environmental Portfolio Holder be recommended to approve:

(i) a postponement of the tendering process for Parking bailiff and debt recovery services until the updated ESPO framework agreement is available for use;

(ii) the retention of JBW and Swift Credit Services to provide parking bailiff services until the tendering process is complete, for a maximum of 12 months until 31st March 2014 and

(iii) the continued use of Liberata's bailiff and debt collection partners, Chandlers and Phoenix, on a trial basis for a maximum of 12 months to 31st March 2014.

C) REVIEW OF THE PROVISION OF ENFORCEMENT SERVICES

Report ES13002

Report ES13002 provided an update on the use of XFOR Local Authority Support Ltd (XFOR) to provide an enforcement service of serving fixed penalty notices (FPNs) for littering and dog fouling offences. The update included results of the trial for the first three month period.

It was proposed to extend the trial period for a further six months from 1st March to 31st August 2013 to enable a more thorough analysis and review which would also take account of any seasonal variations. The extended period would be based on existing terms and conditions with XFOR.

In order to avoid any discontinuation of service between the end of the trial period and the start of any contract, it was proposed to commence the preparation of documentation to secure the provision of enforcement services through competitive tender.

In discussion a number of questions were asked by Members. Details provided in response included the following points:

- an enforcement officer would witness a littering offence taking place and an officer's body-worn video camera would record the interaction between the officer and the alleged offender including the issuing of a FPN – if requested by the alleged offender, the video footage could be viewed at a later date;
- a risk of the trial scheme not breaking even (against expectations) was dependent upon offences witnessed and the proportion of successful fine payments - a normal return/recovery rate of about 60% was expected; some boroughs have made a small surplus to contribute to funding street cleaning;
- due to printing problems following the closure of the Design Studio, the trial had started with the old FPN which included a discount for early payment, which was not in the original business case and there had therefore been an income shortfall of £5,610;
- the first Bromley Magistrates' Court case in relation to non-payment of an FPN was held on 11th January 2013, and there would be a media plan which would be agreed with the Portfolio Holder;
- although the XFOR service provided enforcement against all types of litter, including chewing gum, a high proportion of littering which was being enforced involved cigarette butts; and
- the current use of XFOR was a trial – FPN enforcement against other offences in addition to littering and dog fouling could be included as an option in any decision to let a future contract; this would be reported to Members.

Councillor Adams was surprised that no FPNs had been issued for dog fouling offences between 10th September and 30th November 2012. It was indicated that enforcement officers were vigilant against dog fouling offences and that local intelligence was key. It was thought that a uniformed presence might encourage compliance by dog owners – for parks it had been agreed that Ward Security would manage any enforcement action during the trial period. The issue of enforcement in parks should be considered as an option in the tender process.

It was indicated that enforcement officers would normally go to areas of high footfall, working with organisations such as The Glades. Enforcement officers were not yet working with Affinity Sutton as there was a low footfall on housing estates.

Councillor Samaris Huntington-Thresher suggested varying the hours worked by enforcement officers to accord with volume in high footfall areas. Feedback was necessary between officers and Members with information needed on when littering seemed most prevalent. It was necessary to have more intelligence and Members needed to know the type of feedback they could provide to officers.

It was confirmed to Members that XFOR Enforcement Officers worked Monday to Saturday from 7am to 6pm. There were two pairs of enforcement officers covering the whole borough relying upon intelligence from the street cleansing team.

The Chairman suggested that a future contract should have flexibility over occasional early and evening shifts and contract duration. He also suggested that an optional extension period should be included. Councillor Samaris Huntington-Thresher suggested demand and response led enforcement. Councillor Grainger felt that a contract needed scope for this; Councillor Adams supported provision for early and late enforcement. The Assistant Director (Street Scene and Greenspace) indicated that scope for varying times based on intelligence could be built into a contract. XFOR Officers currently took enforcement action against some 20 littering offenders each day - it was however difficult to detect dog fouling offences. He further explained that XFOR Officers normally patrolled in uniform, however there were examples where, after warning, they had patrolled in plain clothes to tackle persistent littering locations. Patrolling in plain clothes could be described as covert enforcement.

Councillor Adams was content with an overt rather than covert enforcement presence. Councillor Grainger suggested an overt presence with a plain clothes presence following; however for enforcement against dog fouling he supported a plain clothes presence for greater effect.

RESOLVED that the Portfolio Holder be recommended to:

- (i) note progress made during the first three months of the six-month trial period;**
- (ii) approve an extension of the trial period for a further six months to the end of August 2013 so allowing for a more detailed analysis of the scheme over a 12-month period;**
- (iii) approve the start of the Gateway process to enable the provision of enforcement services to be secured through competitive tender including options for Portfolio Holder decision on the scope of the contract; and**

(iv) take account of the Committee's comments on the type of contract to put to tender.

41 STREET ENVIRONMENT CONTRACT REVIEW 2012/13

Report ES13001

Report ES13001 provided a review of services within the new street environment services contract. The contract was let on 29th March 2012 for an initial five year period with an option of a two year extension. To achieve a budget saving the contract incorporated revised specifications for each service area (street cleaning, graffiti removal, cleaning of public conveniences and highway drainage cleaning). Report ES13001 also outlined proposals for further service improvement within budgetary constraints.

The contract was awarded as four lots to the following contractors:

- Kier Environmental Service, for street cleaning (Lot 1)
- Community Clean, for graffiti removal (Lot 2)
- Kier Environmental Services, for cleaning of public conveniences (Lot 3)
- Veolia, for cleaning of highway drainage assets (Lot 4)

Details of the previous contract and current standards/frequencies were appended to Report ES13001.

For this item the Kier National Director and Kier Contract Manager for L B Bromley attended the meeting.

In discussion, Councillor Grainger felt that street cleaning needed continual review especially where there were over-parked areas. He suggested there were roads cleaned regularly which might not need a regular clean and other more littered roads which needed more cleaning. He felt that better targeting was needed; there were roads in his ward scheduled for fortnightly cleaning which he suggested could be cleaned less frequently and at weekends, perhaps providing an overall lower cost. He felt priority should be given to litter removal rather than detritus given the Borough's high proportion of green spaces.

Members were advised that the time and frequency of cleaning had been looked at especially weekend cleaning. Reference was made to difficulties with parked vehicles and there were some 330 roads in the borough where this was a problem. There was a cost to clean outside of a normal weekday but this could be balanced with other parts of the contract.

Kier's National Director referred to providing the best service within the existing budget and there was continuous review. Kier were now some nine months into the contract and improvements would be brought in where necessary.

Councillor Jefferys suggested less but more effective cleaning in certain parts of his ward. There continued to be a problem with leaves and parked cars. He suggested looking at weekend cleaning and felt that it was necessary to engage with residents - perhaps residents would be prepared to move cars for cleaning purposes. He also enquired whether it was possible to identify when the leaves of particular trees might fall and felt that it was necessary to work smarter. He also asked if there were "hot spots" in certain areas where gullies were likely to be blocked

Members were advised that it was necessary to gather intelligence. Deep cleans could be carried out and temporary traffic restrictions (parking orders) could be made to ensure that vehicles are moved for such cleans. Officers were sharing intelligence with the contractor. Similarly it was also necessary to gather and use intelligence on blocked gullies e.g. in connection with areas prone to flooding. There were means to achieve the borough's largest ever deep clean programme. Kier's National Director advised that a new method for removing fallen leaves had been trialled during the autumn but he indicated that this was not as successful as hoped for.

On monitoring performance, reference was made to inspections by supervisors. Councillor Fookes suggested more co-ordination; street bins were overflowing at times and he felt there was a need for more washing and cleaning of streets. He identified a need for gully cleansing in Village Way, Beckenham.

Report ES13001 referred to the contractor having to co-ordinate scheduled street cleaning where practicable with domestic refuse and recycling collection. The Head of Area Management referred to the capacity to fund additional works from the £200k budget for non-programmed works e.g. deep cleans. There will have been 2.5 months of programmed works by the end of March including the washing of street furniture and cleansing of streets in town centres. Monitoring would also ensure that the contractor followed domestic refuse and recycling collection as part of regular street cleaning. Members were invited to provide any feedback on locations that were felt to be a "hot spot"; additional funding would not be required for this - it would be a matter of bringing the location up to standard.

Responding to an enquiry from Councillor Nicholas Milner, the Head of Area Management indicated that it was possible to report any concern. Reference was also made to inspections with contractors, random officer inspections and making the contractor aware of concerns. Councillor Jefferys also highlighted reports from residents.

Councillor Grainger advocated that street cleansing frequency be based on demand and need. There were a number of residential footways in his ward where litter was not an issue and he suggested cleaning such footways less and allocating the resources to areas needing more cleaning. He suggested that it was necessary to have a wider range of treatments and frequencies.

With the new contract, Members were advised that frequencies had been changed where there was an identified need to do so – officers would welcome any comments from Members on specific problems. The clearing of leaves was due to finish on 7th January but if necessary work would continue until leaves are collected.

Councillor Jefferys enquired how it might be possible to interact more closely with the inspectors. It was indicated that the new role of Street Environment Inspector was intended to incorporate engagement with the locality e.g. resident associations and shop owners. The engagement had not happened as much as officers would have liked in view of the new contract bedding in.

Councillor Samaris Huntington-Thresher highlighted the cleansing of satellite recycling sites, particularly the recycling site near Chelsfield Station. She suggested that Kier operatives feed in concerns rather than any reliance on reports from residents. Kier's Contract Manager indicated that there would be more training in this area – operatives reported to Supervisors and information was passed to L B Bromley. Councillor Adams referred to the mini-recycling site at Tesco, Elmers End explaining that it was heavily used and often became littered. It had also been suggested that store packaging had been placed at the site.

Concerning Public Conveniences, Councillor Adams suggested that an internal sign be displayed advising when cleaning was last carried out. Members were advised that cleanliness of Public Conveniences in town centres was monitored.

Concerning residential urban streets/carriageways and a change to mechanical sweeping on a four week basis (with road channels in heavily parked streets cleansed manually at footway sweep levels), the Chairman enquired whether it was felt that this had been a successful change. He also asked for an indication of how inner London boroughs might overcome the problem of heavily parked roads.

The Head of Area Management indicated that there had not been a significant drop in performance with the schedule change. It was necessary to develop intelligence gathering. Other boroughs had different approaches and carried out significant manual cleaning. Mechanical street cleaning presented problems in certain locations and roads with heavy street parking could be treated by approaches such as manual litter picking and deep cleans. Kier's National Director referred to Westminster and Waltham Forest boroughs and a 24 hour service provided for the latter. Mechanical sweeping was proving more effective on quality.

The Chairman felt that the £200k contingency agreed by the Executive in December 2011 would need to remain in the 2013/14 budget. Street cleaning this year had been affected by a number of unusual weather related issues, particularly the heavy rainfall in 2012. A further report on progress was requested in a further six to nine months before assessing any need for more changes such as whether the £200k contingency provision was necessary.

The effect of the contract changes would be clearer when considering the 2014/15 budget. The Chairman suggested further reduced residential frequencies if it were possible to clean streets more thoroughly for example by freeing streets of parked cars for cleaning. He felt that further work was necessary on this.

Councillor Grainger suggested expanding the schedule at Appendix A to Report ES13001 so that the current cleansing standard/frequency could be seen street by street (against the former standard/frequency). The Chairman hoped that when the new contract had “bedded down” it would be possible for the Council website to show information on when a street had last been cleaned and future cleaning work scheduled for the street.

RESOLVED that the report be noted and a further report be presented to the PDS Committee in six to nine months.

42 ENVIRONMENT PORTFOLIO PLAN 2012/13 - HALF-YEAR PROGRESS REPORT

Report ES12143

Report ES12143 outlined half-year stage progress against commitments made in the 2012/13 Environment Portfolio Plan.

A selection of priority aims from the Portfolio Plan had been previously submitted for the Council’s 2012/13 Building a Better Bromley commitment and Appendix 1 to Report ES12143 outlined progress against those aims.

A summary of half-year performance against the full set of milestones agreed in the Portfolio Plan was included at Appendix 2 to Report ES12143.

In discussion, it was indicated that income was being achieved from textiles delivered to bring sites for recycling. There was also a funding agreement with WRAP for a kerbside collection service.

End of year performance data was preferred to highlighting “snapshot” in-year figures, enabling a reliable comparison against performance in previous years. Councillor Grainger advocated the presentation of figures in graph form to identify trends.

It was confirmed that the possibilities of parking payment by debit card were being investigated.

Responding to a question from Councillor Fookes, the Portfolio Holder indicated that the volume of and success from inspecting 80% of utility street works in L B Bromley was exemplary in London. Concerning School Crossing Patrols, the Portfolio Holder indicated that the Council continued to fund schools for crossing patrols in all but two cases, where the schools concerned were considering the offer.

In regard to developing the borough's street café culture, the Portfolio Holder indicated that this was primarily an area for the Renewal and Recreation Portfolio although fee income from issuing street trading licences to cafes, restaurants and other traders came to the Environment Portfolio.

The Portfolio Holder updated the Committee on progress in lobbying for DLR and Tramlink extensions into the borough. It had been emphasised to TfL Officers, MPs and London Assembly Members that an extension of the DLR to Bromley was the priority link for Bromley. This was followed in priority by potential Tramlink connections to Crystal Palace and Bromley town centre. The DLR extension would enable Bromley residents to reach the City and the east of London quickly. Provisional TfL figures were now available but at the time of receipt, the Mayor of London's Business Plan had been drafted. The Director of Renewal and Recreation was taking forward the business case for a DLR extension.

Concerning School Crossing Patrols, Councillor Grainger supported moving towards engineering solutions such as a refuge rather than a School Crossing Patrol (SCP). The Portfolio Holder indicated that schools often saw SCPs as a priority for safety and schools had demonstrated that they wanted to retain their SCP personnel. He suggested that in some cases zebra crossings or a refuge would work but in other cases they would not. There were not many wanting this type of approach and the Portfolio Holder thought it would be particularly unpopular to force a move to such a solution.

Councillor Samaris Huntington-Thresher suggested, given the current financial climate, that some schools might prefer an engineering solution.

On recycling, Councillor Samaris Huntington-Thresher suggested focusing on those not recycling. The Portfolio Holder agreed in principle suggesting that it might be possible to move to a position where waste left for collection could be checked. He was not sure how this would be received and was not supportive of punitive enforcement measures. Nevertheless, he felt that it might be worthwhile to carry out some exploratory work in this area. Councillor Samaris Huntington-Thresher felt that there were acceptable ways of carrying out such checks in co-operation with the householder. The Chairman highlighted that waste officers had in the past visited properties where no recycling materials had been left for collection negating the need to check the contents of an individual resident's waste but still challenging attitudes to recycling.

Responding to a question the Portfolio Holder considered a three weekly household waste collection to be unworkable indicating that it would be difficult to get all waste into one bin over such a period. He did not support such a move. Councillor Grainger referred to an approach in California where householders had compactors for their waste. He suggested that analysing waste was key particularly on the extent that DIY material was included in waste. The Chairman suggested that the points raised on waste and recycling were for the Waste Working Group to consider.

RESOLVED that progress against the 2012/13 Environment Portfolio Plan be noted.

43 DRAFT 2013/14 BUDGET

Report ES13017

Members considered the Portfolio Holder's draft 2013/14 budget incorporating future cost pressures and initial draft budget saving options as reported to the Executive on 9th January 2013. Members were asked to consider the initial draft budget savings proposed and identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.

There continued to be outstanding issues and areas of uncertainty remained. Any further updates would be included in the 2013/14 Council Tax report to the next Executive meeting.

A summary of new savings options related to the Environment Portfolio was appended to Report ES13017 as were a draft estimate summary sheet, budget variations, notes on the budget variations and a subjective analysis. Commentary was also appended in relation to expenditure pressures and service risks, particularly from unpredictable demand in areas such as waste, parking, highways and winter maintenance.

Councillor Grainger felt that improved efficiency could be obtained by merging budgets for planned highway maintenance, planned minor works and reactive works into a single budget. He suggested that an emphasis on planned major works would reduce the need for reactive work to deal with problems such as deep potholes. Councillor Grainger also suggested consideration be given to having one category of inspector to cover all inspection types. Responding, the Director referred to the specialised technical skills required to assess the fabric of the highway. He advised that savings had been generated by making the highway inspector role a specific role, and this was reflected in the recently let contract for this service.

The Director was asked about the proposed saving of £150k linked to a service review of Carbon Management. He advised that this proposal could impact on the management of energy efficiency activity and minimising carbon tax liabilities. There were corporate implications and the issue had been referred to the Chief Executive for further consideration.

Councillor Samaris Huntington-Thresher questioned a proposed £68k saving on tree maintenance suggesting that a backlog of maintenance could lead to insurance claims and safety issues. She felt that text on possible service impact, in Appendix 1A to Report ES13017, suggested there would only be reactive tree maintenance next year. The Assistant Director (Street Scene and Greenspace) offered to clarify the position, and confirmed that safety issues would be dealt with.

Councillor Grainger felt that too many trees were being cut down for no obvious reason. He had also noticed stockpiled wood at High Elms Country Park and suggested a possible income source from selling felled timber. Members were advised that the BEECHE Centre had a biomass boiler which used wood from the Park. It was also indicated that contractors would normally dispose of wood. The Assistant Director (Street Scene and Greenspace) had asked similar questions (on generating income from felled timber) and would advise Councillor Grainger of the outcome.

Referring to the notes on 2013/14 Budget Variations (Appendix 2C to Report ES13017), Councillor Samaris Huntington-Thresher noted that more waste would be sent to landfill from 2013/14 (Ref 22 and Ref 23). It was explained that there is a limit on incineration. The Director was happy to arrange for the Head of Waste Services to explain the related details of the waste disposal contract, perhaps through the Waste Minimisation Working Group. Noting there would be more homes to collect from in the future, Councillor Jefferys enquired whether recycling would also increase. Members were advised that overall tonnage had dropped slightly and with more households there would be more recycling material available for collection.

Councillor Fookes enquired whether enforcement action could be considered against residents not recycling, and it was suggested that this would also be an area for the Waste Minimisation Working Group to look at. In response to a question, the Director advised that a previously agreed cut of £27k meant that the Bromley Environment Awards could no longer be held in their current format. However discussions were still taking place with sponsors to see if their support could be retained for other activities.

Councillor Grainger suggested a three weekly collection of waste in preference to considering any enforcement measures. He felt that Landfill Tax had created a behavioural change but was concerned that it had now reached the point of being counter-productive. In response, the Director indicated that it would be difficult to implement a three weekly cycle for collection as this would require significant investment in additional domestic bin capacity.

Members were advised that consideration was being given to how the Green Garden Waste Collection Service could be marketed. The Chairman commented that he expected renewed pressure on the Green Garden Waste Satellite budget to address future cost pressures, and the Department should be looking at a strategy to have 30,000+ customers for the Green Garden Waste Collection Service. For paper recycling and collection, the Chairman referred the need to consider its combined value for money and the Director felt it important to maximise income from paper collected.

On street lights and signs and proposed savings related to a reduction in non-routine maintenance (Cr £29k), Councillor Grainger indicated a preference for reduced routine maintenance in order to target more specific concerns e.g. cleaning of signs.

Concerning parking charges, Councillor Grainger had seen a survey which indicated that blue badge applicants prioritised improved access over savings on parking charges. He asked whether consideration could be given to the case for charging blue badge holders in car parks. He also advocated varying peak time and off peak parking charges. The Portfolio Holder reminded the committee that there had been public consultation on a proposal to charge Blue Badge holders in 2011, and Members had subsequently decided not to introduce charges.

The Chairman indicated that a further meeting of the Parking Working Group should be held in this municipal year to consider how well the new parking charges had operated since their introduction in 2012.

RESOLVED that the comments outlined above be conveyed to the Executive meeting on 6th February 2013.

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

Report ES13003

On matters arising from previous meetings, Councillor Grainger highlighted the programme of measures to alleviate congestion at certain pinch points in the borough - there should be an opportunity for Members to review the programme and suggest additional pinch point locations as appropriate.

It was indicated that officer support for a further meeting of the Parking Working Group could be accommodated upon completion of necessary preparation work for a parking shared service with L B Bexley. (*Democratic Services Note: it is intended to convene a meeting of the Working Group – date to be arranged*). It was agreed that Councillor Grainger be added to the Working Group membership.

RESOLVED that:

(1) the Committee's Work Programme at Appendix 1 to Report ES13003 be agreed;

(2) progress related to previous Committee requests as set out at Appendix 2 to Report ES13003 be noted;

(3) the Environment Portfolio contracts listed at Appendix 3 to Report ES13003 be noted; and

(4) Councillor Julian Grainger be added to membership of the Parking Working Group.

- 45 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000**
- 46 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 20TH NOVEMBER 2012**

The Part 2 Minutes were agreed.

APPENDIX A

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

1. Could the Portfolio Holder have rectified the following two items reported/outstanding from six months ago:

- (i) loose brickwork around tree/shrub retaining wall Longbury Close carpark?
- (ii) replacement of broken/splintered car park guard rail outside 1 Leigh Terrace, Saxville Road BR5 3AU?

Reply

- (i) I have done.
- (ii) I have done.

2. Could the Portfolio Holder tell me when the 'temporary no right turns' signage in Sevenoaks Way junctions Leasons Hill/Station Road will be removed?

Reply

The effect of banning these right turns has been to improve traffic flows along the often-congested Cray Avenue, even while there was increased traffic flow caused by the bridge diversionary route. Now that traffic patterns have returned to normal, Bromley is conducting traffic counts along this section of road, to help establish if the banned right turns should possibly stay in place.

3. Could the Portfolio Holder tell me when the double yellow lines will be installed in Chipperfield Road near junction Curtismill Way and outside St Paul's Cray Library in Mickleham Road?

Reply

The orders for both sets of yellow lines have been placed and, weather allowing, they will be on the ground before the end of January.

The Meeting ended at 10.17 pm

Chairman

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Report No.
RES13057

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

For Pre-Decision Scrutiny by the Environment PDS Committee on

Date: 5th March 2013

Decision Type: Non-Urgent Executive Non-Key

Title: ENFORCEMENT POLICY CONCERNING SHOP FORECOURTS UNDER THE HIGHWAYS ACT 1980

Contact Officer: Greg Ullman, Team Leader, Planning, Litigation and Licensing
Tel 020 8461 7625 E-mail: greg.ullman@bromley.gov.uk

Peter Turvey, Head of Street Regulation
Tel 020 8313 4901 E-mail: peter.turvey@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Resources

Nigel Davies, Director of Environmental Services

Ward: All Wards

1. Reason for report

The Council has received complaints that established public rights of way over shop forecourts are being obstructed. The purpose of the report is to consider the existing practice of the Council regarding forecourts in private ownership over which highway rights are claimed. The report recommends a change to the current enforcement practice.

2. **RECOMMENDATION(S)**

The Environment Portfolio Holder is recommended to: -

- 2.1 **Agree a new approach to enforcement (as set out in paragraphs 3.19–3.21); to enable the Council to take action where harm to the public results not just from the actual condition of the forecourt, but also from obstructions resulting from the placing of objects on the highway.**

Corporate Policy

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

Financial

1. Cost of proposal: No additional cost
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Street Regulation
 4. Total current budget for this head: £577k
 5. Source of funding: Existing controllable revenue budget for 2012/13
-

Staff

1. Number of staff (current and additional): 3
 2. If from existing staff resources, number of staff hours: Less than 1 fte
-

Legal

1. Legal Requirement: Statutory requirement
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough-wide
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? All Members have been advised of the report and any comments will be reported verbally.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 Several complaints have been received by the Council relating to alleged obstructions to the public right to pass and re-pass along open shop forecourts. Although the specific complaints relate to the outside of shop premises in Station Square, Petts Wood, the issues raised in the complaints are of general application throughout the Borough.
- 3.2 The Council's recent practice in respect of private forecourts, over which highway rights may be enjoyed, has been to normally take action only in cases of actual danger to the public. However, it is felt appropriate to consider whether the practice should be extended to enable action to be considered in response to a complaint alleging obstruction of the highway rather than actual danger.

What is a Highway?

- 3.3 A highway is a public right of way over a defined route where:
1. The way must be open to the public at large.
 2. The public use must be as of right.
 3. The public right must be primarily for passage.
 4. The public right of passage must follow a defined route.
- 3.4 The fact that a forecourt is privately owned is irrelevant, as highway rights can be acquired over land in private ownership. Highway rights can arise if the owner has dedicated a right of way across their privately maintained land and the public have accepted that right. Dedication can either be made expressly or implied. Implied dedication may be inferred from evidence of use of the land without permission by the public at large and acquiescence in that use by the land owner. Section 31 of the Highways Act 1980 adds to the Common Law by introducing a rebuttable presumption that, if the public at large have been using a way as of right for 20 years, the way will be deemed to have been dedicated as highway. If the 20-year rule applies, it is for the land owner to provide evidence that they did not intend to dedicate the land as highway – this will usually take the form of overt acts making it clear to users of the highway that there was no intention to dedicate.
- 3.5 Highway rights can arise by virtue of 20 years' usage. However, there are forecourts that have been enclosed and for which highways rights may not have arisen. The question of whether land is highway will depend on the facts in each particular case.
- 3.6 Once land has become highway, it stays highway until its highway status is extinguished by due process of law.

Street Trading Legislation

- 3.7 It should be noted that throughout the Borough it is common for items associated with shops, restaurants and other businesses to be placed on forecourts and similar over which the public have rights of way.
- 3.8 The Council has not currently sought to licence street trading over a forecourt that is not maintained as part of the public highway, unless the street trading relates to a different business than that being carried out in the premises to which the forecourt is attached.

- 3.9 Street trading in Bromley is governed by Part III of the London Local Authority's Act 1990. This Act enables the Council to pass a designating resolution designating any street within the Borough as a licensed street. A street, for these purposes, is defined to include any road or footway, any other area not being within permanently enclosed premises within seven metres of any road or footway to which the public have access without payment, any part of such road, footway or area and any housing development provided or maintained by a local authority. Street trading is defined as meaning the selling or exposing or offering for sale of any article, including a living thing, or supplying or offering to supply any service in a street for gain or reward. It is unlawful to engage in street trading, unless authorised so to do by a street trading licence or a temporary licence. Where street trading occurs in the Borough, it therefore can be subject to the requirement for a street trading licence irrespective of the whether or not it is from the public highway.

Statutory Framework

(i) Non-executive functions

- 3.10 Section 115E of the Highways Act 1980 includes a power to formally license tables, chairs etc., on highways. The Council does not tend to use this power as the powers granted by the London Local Authorities Act 1990 are felt more appropriate to Bromley.
- 3.11 Section 130 of the Highways Act 1980 provides that it is the duty of the Highway Authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the Highway Authority. It also provides that the Council may assert and protect the rights of the public to the use and enjoyment of any highway in their area for which they are not the Highway Authority.
- 3.12 Section 149 of the Highways Act 1980 allows action to be taken to remove things deposited on the highway as to cause a nuisance.
- 3.13 Sections 115E, 130 and 149 of the Highways Act 1980 are listed as being non-executive functions in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
- 3.14 Part III of the London Local Authorities Act 1990 (street trading) is listed as a non-executive function.

(ii) Executive functions

- 3.15 There are other powers, which are not listed as non-executive functions and fall to the Portfolio Holder. These powers include Section 137, which deals with the general offence of obstruction as well as Section 166 of the Highways Act enabling the Council to take action in relation to a stall or other erection on the forecourt of premises abutting on a street.

Enforcement Considerations

- 3.16 The Council's recent practice in respect of private forecourts over which highways rights may be enjoyed has been to normally take action only in cases of actual danger to the public.
- 3.17 There is a balance to be struck between the competing interests of the land owners and that of the public to pass over the land. The resources available to the Council also have to be taken into account particularly as some land owners may dispute that highway status has arisen. The Council has not sought to assert highway status for every shopping parade. It is not felt that this would be warranted particularly where the rights of the public are not being challenged.

- 3.18 The complaints that have been received in respect of Station Square relate to particular properties rather than the Square as a whole. Whilst it is not alleged that the actual condition of the forecourt is such as to cause actual danger to users of the highway, nevertheless, planters, tables and chairs have been placed on forecourts with the result that there is a concern that insufficient pavement width is maintained for pedestrians. There is also a concern that items are being left overnight on the highway even when not in actual use.
- 3.19 It is considered that the a policy could be introduced to enable the Council to assess and respond to complaints concerning objects that may be placed on private forecourts, which are subject to highway rights. The considerations that are recommended to be taken into account in deciding whether any intervention is justified in the public interest are:
1. The extent to which the object causes any real risk to the public.
 - 2 .The clear pavement width available to the public to pass and re-pass, taking account of the intensity of the use of the highway in question.
 3. Whether, if an application was made for a licence under the provisions of Part III of the London Local Authorities Act 1990, the Council would be likely to approve such an application.
- 3.20 The proposed considerations would guide officers as to whether action is appropriate under Section 137, which deals with the general offence of obstruction or under Part III of the London Local Authorities Act 1990. If action is deemed necessary on the above criteria the owner of the business would be approached with a view to securing an acceptable solution by agreement. If such a solution was not possible the matter would be considered for formal action by the Council either under section137 of the Highways Act 1980 or under Part III of the London Local Authorities Act 1990, depending on the particular facts of the case.
- 3.21 If the Portfolio Holder agrees to this new policy as set out above, the Council will thereafter assess any complaints concerning objects placed on private forecourts over which highway rights exist in accordance with that policy.

4. POLICY IMPLICATIONS

- 4.1 The report recommends a revision to current practice on enforcement action where there is obstruction of shop forecourts subject to highway rights.

5. FINANCIAL IMPLICATIONS

- 5.1 This new policy could be implemented within existing resources.

6. LEGAL IMPLICATIONS

- 6.1 These are addressed in the report.

Non-Applicable Sections:	Personnel implications
Background Documents: (Access via Contact Officer)	

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Agenda Item 7

Report No.
RES13046

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 5th March 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING Q3 2012/13 & ANNUAL
CAPITAL REVIEW 2013 TO 2017

Contact Officer: Martin Reeves, Principal Accountant
Tel: 020 8313 4291 E-mail: martin.reeves@bromley.gov.uk

Chief Officer: Director of Resources

Ward: (All Wards);

1. Reason for report

On 6th February 2013, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2012/13 and presenting for approval the new capital schemes supported by Council Directors in the annual capital review process. The Executive agreed a revised Capital Programme for the five year period 2012/13 to 2016/17. This report highlights in paragraphs 3.2 to 3.5 changes agreed by the Executive in respect of the Capital Programme for the Environment Portfolio. The revised programme for this portfolio is set out in Appendix A and detailed comments on individual schemes are included at Appendix B.

2. **RECOMMENDATION**

The Committee is asked to note the changes agreed by the Executive on 6th February.

Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring and review is part of the planning and review process for all services. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.
 2. BBB Priority: Excellent Council; Quality Environment
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: N/A (Capital Programme)
 4. Total current budget for this head: £31.9m for the Environment Portfolio over five years 2012/13 to 2016/17
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

Staff

1. Number of staff (current and additional): 0.25 fte
 2. If from existing staff resources, number of staff hours: 9 hours per week
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

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

3. COMMENTARY

Capital Expenditure

3.1 A revised Capital Programme was approved by the Executive on 6th February, following a detailed monitoring exercise carried out after the 3rd quarter of 2012/13. The Executive also considered and approved new capital schemes supported by Council Directors in the annual capital review process. This report identifies changes relating to the Environment Portfolio and the table in paragraph 3.2 summarises the overall position following the Executive meeting.

Capital Monitoring – variations agreed by the Executive on 6th February 2013

3.2 The base position prior to the 3rd quarter's monitoring exercise was the revised programme approved by the Executive on 24th October 2012, as amended by variations approved at subsequent Executive meetings. Changes to the Environment Portfolio Programme approved by the Executive in February are shown in the table below and further details are included in paragraphs 3.3 to 3.5. The revised Programme for the Environment Portfolio is attached as Appendix A and detailed comments on individual schemes are included at Appendix B.

Capital Expenditure	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	TOTAL £000
Approved Capital Programme (24/10/12)	7,614	3,289	4,050	4,050	-	19,003
Street Lighting Invest to Save (Executive 28/11/12)	-	4,254	4,253	-	-	8,507
Approved Programme before Q3	7,614	7,543	8,303	4,050	-	27,510
<u>Variations agreed by Executive 06/02/13</u>						
Deletion of residual budgets (para 3.3)	-110	-	-	-	-	-110
Revised grant support (para 3.4)						
- TfL	-98	-	-	-	-	-98
- SEELS Street Lighting project	532	-	-	-	-	532
Scheme rephasing (para 3.5)						
- Winter maintenance - gritters	-123	123	-	-	-	-
- Carbon Management Programme	-138	138	-	-	-	-
Total Q3 Monitoring Variations	63	261	-	-	-	324
New schemes (para 3.6)	-	-	-	-	4,050	4,050
Revised Environment Programme	7,677	7,804	8,303	4,050	4,050	31,884

3.3 Deletion of residual budgets no longer required (reduction of £110k in 2012/13)

In the monitoring exercise for the latest quarter, a number of residual scheme budgets were deleted where schemes are now complete or where those residual budgets are no longer required. Two of these, the budgets for increasing the parking capacity in Bromley Town Centre (£100k) and for feasibility studies (£10k) were part of the Environment Portfolio Capital Programme and were deleted by the Executive.

3.4 New/additional/revised external funding (total net addition of £434k)

The Executive was informed that notification had recently been received of a number of new, additional or revised grant allocations to support capital expenditure and approved the relevant amendments to the Capital Programme.

TfL support for highway schemes - provision for transport schemes to be 100% funded by TfL was originally included in the Capital Programme 2012/13 to 2015/16 on the basis of the bid in our Borough Spending Plan (BSP). Notification of an overall reduction of £98k in 2012/13 has

been received from TfL. Grant allocations from TfL change frequently and any further variations will be reported in subsequent capital monitoring reports.

SEELS (Salix Energy Efficiency Loan Scheme) Street Lighting Project – the Council has been awarded £532k by Salix, which will be used to purchase equipment, etc that will reduce electricity consumption within Street Lighting. Under the scheme, funds will be returned to Salix over time, financed by revenue savings the scheme generates.

3.5 Scheme Rephasing

In reports to both the June and July meetings, the Executive was informed of the final outturn for capital expenditure in 2011/12 and noted that the overall level of slippage into later years (some £6.9m) was significantly lower than in previous years. Slippage of capital spending estimates has been a recurring theme over the years and Members were pleased to note that, following a review of the system for capital monitoring and for estimating the phasing of expenditure, carried out after the 2010/11 final outturn, a more realistic approach towards anticipating slippage was taken in setting the revised estimates for 2011/12 in February 2012. There was a net overspend of £0.3m on Environment Portfolio schemes in 2011/12 (mainly on the Chislehurst Road Bridge scheme) and this was analysed in the 1st quarter's monitoring report to the PDS Committee meeting in September. In that report, a number of changes were confirmed but no further rephasings were agreed at that stage. In the 2nd quarterly report to this Sub-Committee in November, further changes were confirmed and a total of £69k was rephased from 2012/13 into 2013/14. The Q3 monitoring exercise resulted in the changes set out in paragraphs 3.2 to 3.4 above and also in further rephasing adjustments totalling £261k from 2012/13 into 2013/14. These are itemised in the table in paragraph 3.2 and comments on scheme progress are provided in Appendix B.

Annual Capital Review – new scheme proposals

3.6 As part of the normal annual review of the Capital Programme, Council Directors were invited to come forward with bids for new capital investment. Considerably fewer bids were received than in previous years and, although no new Environment schemes were put forward, the continuation of annual Environment capital spending programmes totalling £4,050k in 2016/17 was agreed by the Executive. This comprised £4.0m for highway schemes to be funded by Transport for London, £40k for the continuation of the winter maintenance equipment replacement programme (met from Council resources) and £10k for feasibility studies (also met from Council resources).

Post-Completion Reports

3.7 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. Following the major slippage of expenditure at the end of 2010/11, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. While no post-completion reports are currently due for completed Environment Portfolio schemes, this quarterly report will monitor the future position and will highlight any future reports required.

4. POLICY IMPLICATIONS

4.1 Capital Programme monitoring and review is part of the planning and review process for all services. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.

5. FINANCIAL IMPLICATIONS

- 5.1 These were reported in full to the Executive on 6th February 2013. Changes agreed by the Executive for the Environment Portfolio Capital Programme are set out in the table in paragraph 3.2.

Non-Applicable Sections:	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Departmental monitoring returns January 2013. Approved Capital Programme (Executive 24/10/12). Q2 Monitoring report (Executive 24/10/12). Capital appraisal forms submitted by Chief Officers in November 2012. Report to Council Directors' meeting 12/12/12.

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ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 6th FEBRUARY 2013																		
Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.12	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Estimate 2015/06	Estimate 2016/17	Responsible Officer	Remarks									
	£'000's	£'000's	£'000's	£'000's	£'000's	£'000's	£'000's											
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	12000				4000	4000	4000											
London Bus Priority Network (LBPN)	1836	1836						Angus Culverwell	100% TfL funding, based on Borough Spending Plan submission to TfL and will only proceed if 100% funding is agreed by TfL. The Capital Programme will be adjusted to reflect revised TfL approvals as these are received									
Cycle Route Network	1279	1279						Malcolm Harris										
Safer Routes to Schools	945	945						Angus Culverwell/Louise French										
SELTRANS	2012	2012						Alan Lucking										
Travel Awareness	68	68						Angus Culverwell										
Bromley Town Centre Access Plan	31	31						Angus Culverwell										
20 mph Zones	629	629						Deirdre Farrell/Angus Culverwell										
Bus Stop accessibility	134	134						Angus Culverwell										
Downe & Environs WHS bid Access Plan	18	18						Kevin Munnely										
*Local Safety Schemes	1927	1927						Deirdre Farrell/Angus Culverwell										
*Bridge Strengthening /Assessment	675	675						Garry Warner										
*Structural Maintenance - Principal Roads LBB	1474	1474						Garry Warner										
Walking	147	147						Angus Culverwell/Alan Lucking										
Education, training and publicity	134	134						Angus Culverwell										
Cycle Improvements off London Cycle	436	436						Malcolm Harris										
TfL - Borough Support	150	137	13					Alan Lucking										
Local Area Accessibility - Orpington Town Centre	20	20						Angus Culverwell										
Parallel initiatives	24	24						Alan Lucking										
Station Access	161	161						Alan Lucking										
Controlled parking zones	125	125						Deirdre Farrell										
LEPT	574	574						Angus Culverwell										
Cycling on Greenways	353	153	200					Malcolm Harris										
Borough Transport Priorities (not allocated)	333	195	38	100				Angus Culverwell										
Car Clubs	10	0	10					Alan Lucking										
Chislehurst Road Bridge replacement	4114	2059	1996	59				Paul Redman	100% TfL funding; approved by Executive 22/06/11									
Biking Boroughs	163	54	109					Steven Heeley										
TfL - New funding streams																		
Maintenance	3425	1869	911	645				Angus Culverwell										
Corridors	3450	3279	171					Angus Culverwell										
Neighbourhoods	1640	1567	73					Angus Culverwell										
Smarter Travel	769	769	0					Angus Culverwell										
LIP Formula Funding	5406	0	2981	2425				Garry Warner/Angus Culverwell										
Area based schemes	0	0	0															
Schools programme	31	0	31															
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	44493	22731	6533	3229	4000	4000	4000											
OTHER																		
Winter maintenance - gritter replacement	930	600	47	163	40	40	40	Paul Chilton										
Carbon Management Programme (Invest to Save funding)	500	362	0	138				Alastair Ballie	Revenue savings (schemes to be worked up); £250k funded by Salix									
Orpington Public Realm Improvements	2200	2134	66					Garry Warner	£1.2m TfL funding									
SEELS street lighting project	532	0	532						100% external funding									
Street Lighting Invest to Save Initiative	8507	0	0	4254	4253				Funded by Invest to Save Fund (Executive 28/11/12)									
*Feasibility Studies	40	0	0	10	10	10	10	Claire Martin										
TOTAL OTHER	12709	3096	645	4565	4303	50	50											
CAR PARKING																		
Station Road Car Park - Miscellaneous works relating to sale	508	487	21					Heather Hosking	Funded by capital receipt from disposal of car park									
The Hill Multi-Storey Car Park - strengthening works	280	212	68					Paul Redman	Approved by Executive 29/09/10									
Bromley Town Centre - increased parking capacity	420	0	410	10				Paul Redman	Approved by Executive 23/05/12									
TOTAL CAR PARKING	1208	699	499	10	0	0	0											
TOTAL ENVIRONMENT PORTFOLIO	58410	26526	7677	7804	8303	4050	4050											

ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 6th FEBRUARY 2013					
Capital Scheme/Project	2012/13				Comments for Q3 monitoring
	Actual to 31.3.12	Approved Estimate	Actual to 05/12/12	Revised Estimate	
	£'000's	£'000's	£'000's	£'000's	
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON					
London Bus Priority Network (LBPN)	1836		0		100% TfL funding, based on Borough Spending Plan submission to TfL and will only proceed if 100% funding is agreed by TfL. The Capital Programme will be adjusted to reflect revised TfL approvals as these are received
Cycle Route Network	1279		0		
Safer Routes to Schools	945		0		
SELTRANS	2012		0		
Travel Awareness	68		0		
Bromley Town Centre Access Plan	31		0		
20 mph Zones	629		0		
Bus Stop accessibility	134		0		
Downe & Environs WHS bid Access Plan	18		0		
*Local Safety Schemes	1927		0		
*Bridge Strengthening /Assessment	675		0		
*Structural Maintenance - Principal Roads LBB	1474		0		
Walking	147		2		
Education, training and publicity	134		0		
Cycle Improvements off London Cycle	436		0		
TfL - Borough Support	137	13	4	13	
Local Area Accessibility - Orpington Town Centre	20		0		
Parallel initiatives	24		0		
Station Access	161		0		
Controlled parking zones	125		0		
LEPT	574		0		
Cycling on Greenways	153	200	21	200	
Borough Transport Priorities (not allocated)	195	100	0	38	Revised allocation from TfL
Car Clubs	0	10	-4	10	
Chislehurst Road Bridge replacement	2059	1996	1591	1996	Bridge reopened as scheduled in November 2012.
Biking Boroughs	54	109	22	109	
TfL - New funding streams					
Maintenance	1869	924	888	911	Revised allocation from TfL
Corridors	3279	205	116	171	Revised allocation from TfL
Neighbourhoods	1567	93	15	73	Revised allocation from TfL
Smarter Travel	769	0	-25	0	
LIP Formula Funding	0	2981	942	2981	
Area based schemes	0	0	199	0	
Schools programme	0	0	15	31	Revised allocation from TfL
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	22731	6631	3786	6533	
OTHER					
Winter maintenance - gritter replacement	600	170	0	47	Approval being sought for purchase of new gritter. Anticipate order to be placed early 2013, with delivery expected next Summer ahead of Winter season 2013/14; £123k rephased into 2013/14.
Carbon Management Programme (Invest to Save funding)	362	138	-97	0	Expenditure rephased into 2013/14
Orpington Public Realm Improvements	2134	66	4	66	Balance of funding to be used to enhance materials for High Street scheme
SEELS street lighting project	0	0	0	532	New project funded by Salix; revenue savings on street lighting costs
Street Lighting Invest to Save Initiative	0	0	0	0	Funded by Invest to Save Fund (Executive 28/11/12); will begin in 2013/14
*Feasibility Studies	0	10	0	0	No suitable projects planned for 2012/13
TOTAL OTHER	3096	384	-93	645	
CAR PARKING					
Station Road Car Park - Miscellaneous works relating to sale	487	21	0	21	Funded by capital receipt from disposal of car park
The Hill Multi-Storey Car Park - strengthening works	212	68	10	68	Approved by Executive 29/09/10
Bromley Town Centre - increased parking capacity	0	510	66	410	Costs for improvement works to the Hill Multistorey Car Park less than estimated
TOTAL CAR PARKING	699	599	76	499	
TOTAL ENVIRONMENT PORTFOLIO	26526	7614	3769	7677	