

ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 25 June 2013

Present

Councillor William Huntington-Thresher (Chairman)
Councillor Samaris Huntington-Thresher (Vice-Chairman)
Councillors Reg Adams, Judi Ellis, John Getgood,
Julian Grainger, David Jefferys, Nick Milner and
Catherine Rideout

Also Present

Councillor Colin Smith and Councillor Peter Fortune

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies.

2 DECLARATIONS OF INTEREST

The Chairman declared an interest as a nomination for appointment to the Countryside Consultative Panel (item 6f). Councillor David Jefferys also declared an interest at Item 6b by virtue of his Vice-Chairmanship of the Health and Well Being Board. Councillor Peter Fortune declared an interest at item 6c by virtue of living in a nearby road to the Leasons Hill Junction.

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

There were no questions to the Committee.

4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 16TH APRIL 2013

The minutes were agreed.

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

Three questions were received from Jenny Coleman for oral reply and three questions were received from Colin Willetts for written reply. Details of the questions and responses are at **Appendix A**.

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

A) PROVISIONAL OUT-TURN 2012/13

Report ES13065

The provisional 2012/13 final out-turn for the Environment Portfolio showed a £33k overspend against a controllable budget of £31.655m, representing a 0.1% variation. Background to the variations was outlined.

Report ES13065 also highlighted that £764k had been spent during 2012/13 from £1.15m set aside for Member Priority Initiatives for the Environment Portfolio, leaving a balance of £386k.

In discussion, Councillor Judi Ellis expressed concern at overspends on employee budgets and general running expenses for parking enforcement. She highlighted an overspend of £23k on postage in particular and expected to see more explanation of why there were overspends. She also sought assurance that Members had influence on the movement of funds within the Portfolio e.g. developing policy on under-spends and scrutinising overspends.

Regarding regular scrutiny of the budget spend, the Chairman referred to regular budget monitoring reports coming before the Committee. On parking and enforcement, the Head of Finance (Environment and Leisure) indicated that the major variations were due to the economic climate and less use of the parking service. Measures to offset a shortfall in parking income included management action to reduce parking running costs and the use of surpluses related to enforcement. The Assistant Director (Parking and Customer Services) indicated that the increased number of parking contraventions – which could be difficult to estimate – affected postage costs. The main variations related to a decline in parking use. The baseline budget had since been adjusted and during the first quarter 2013-14, parking income was more in line with the budget. The Chairman indicated that an intended one-off meeting of the Parking Working Group could include parking income and expenditure.

Councillor David Jefferys highlighted under-spending on graffiti removal at £54k. This indicated a reduced demand for the service and a reduced level of graffiti.

The Chairman noted that within the figures presented was an increased spend on the uncontrollable aspect of the cold winter and included £30k of additional expenditure on repairing the resulting pot holes. Anecdotally, the impression was that the winter service (including snow friends) worked well last winter.

For future reports, Councillor Julian Grainger saw advantages in outlining figures in tabular columns with figures in text “signposted” to figures in the

tables. He enquired of the decision making process to determine how under-spends are used and asked if there was a list of Member requests.

For Highways, Members were advised that the variations had primarily arisen during the last two months of the year with the effect of snow and prolonged cold weather. Generally, there were a number of variances and offsetting of variances. Authorisation for small virements was delegated at officer level; larger virements were made via Portfolio Holder approval. Budget monitoring was ongoing and the Portfolio Holder indicated that if a critical position had been reached, the matter would come to Members. He added that under-spends would often return to the corporate centre with a Member decision taken on where the funding was to be spent (which was not restricted to the Environment Portfolio). Additionally, it was not to be assumed that under-spends would automatically be spent.

Concerning a net deficit of £99k within NR&SWA income and this deficit largely related to increased bad debt provision of £91k for defects raised in 2011/12, the Chairman was advised that officers had received payment for some of the sums and as a result the final outcome might be better than the projected £33k overspend. There were invoices concerning the defect notices and it was important the Council received all that it is owed.

Noting a deficit of £33k within income from recycled paper due to lower than anticipated paper tonnages, Councillor Ellis suggested highlighting on the Council website an encouragement to recycle paper.

RESOLVED that the Portfolio Holder be recommended to:

(1) endorse the 2012/13 provisional outturn position for the Environment Portfolio; and

(2) note the out-turn position in respect of the Environment projects within the Member Priority Initiatives programme.

B) GREEN CHAIN MANAGEMENT PLAN

Report ES13068

Members considered the Green Chain Management Plan 2012-17 and an updated constitution for the Green Chain Joint Officer Working Party.

Noting that the Green Chain partnership was able to secure in excess of £750k from external sources over the past five years, Councillor Grainger sought further detail on how the funding had been used. Members were advised that some would have been used on measures such as completing an extension of the Green Chain Walk to Dulwich Park and improvements to the Walk. More detailed information could be provided on the improvements made.

Referring to the constitution for the Green Chain Joint Officer Working Party, Councillor Jefferys suggested that the aims of the Working Party include the wider health benefits of walking.

The Chairman wanted to be sure that the Green Chain management was aware of the Council's aspirations to share funding of Crystal Palace Park with other London Boroughs bordering the park. Similar arrangements applied to the Wandle Valley Regional Park. The Chairman also referred to efficiencies such as printing literature on demand. He suggested that efficiencies already implemented in LBB should be recommended to the Green Chain management to achieve best use of public funds. Recruiting more volunteers along the lines of Bromley Friends was also suggested.

Some Members were concerned that the wording of paragraph 3.57 of the Management Plan could be open to mis-interpretation. It was felt that tailoring open space service provision to a particular ethnic community risked excluding others. It was indicated that the Green Chain Working Party was looking to make the Walk's open spaces more inclusive. There could, for example, be specific walks or activities that might be attractive to a certain community group(s). It was also explained that a "more inclusive open space service provision" at paragraph 3.57 could apply to considerations such as signage.

Concerning paragraph 3.6 of the Management Plan, the Chairman supported L B Bromley remaining outside of the Joint Operational Fund for the Green Chain.

Councillor Grainger highlighted the precept paid to the Lee Valley Regional Park. The Portfolio Holder indicated that attempts were being made to repatriate the precept paid by L B Bromley and if this were successful the funding could be directed to Crystal Palace Park subject to agreement from the Crystal Palace Park Executive Project Board.

RESOLVED that the Portfolio Holder be recommended to:

(1) take account of the views of the Committee in agreeing the revised constitution of the Green Chain Joint Officer Working Party; and

(2) agree the 2012-17 Green Chain Management Plan subject to the Portfolio Holder forwarding the Committee's comments above to Green Chain management including –

- L B Bromley remaining outside of the Joint Operational Fund for the Green Chain**
- the Council's aspirations to share funding of Crystal Palace Park with other London Boroughs bordering the park**

- **a recommendation that efficiencies already implemented by LBB be recommended to the Green Chain management such as the printing of literature on demand.**

C) LEESONS HILL JUNCTION UPGRADE

Report ES13059

At the Leasons Hill/Station Road junction with Sevenoaks Way a right turn ban was introduced during the Chislehurst road bridge closure. The bridge reopened in November 2012 and a decision was taken in April 2013 to maintain the ban to assist traffic flow along the A224 - at least until completion of the Nugent traffic signal scheme planned for autumn 2013.

Requests had been received from some residents to remove the right turn ban as local journey time had increased and the ban was causing localised inconvenience. Accordingly, the Portfolio Holder asked officers to investigate alternatives to the right turn ban.

Options were presented on alternatives to the current design; officers recommended Option 2 as providing the greatest benefits. An estimated cost for each option was also provided.

Councillor Ellis as a Cray Valley West Ward Member held a number of meetings with residents. She referred to drivers circumventing the current right turn ban by using adjacent/local roads. Acknowledging a reduced level of congestion on the A224 as a result of the ban, Councillor Ellis favoured investment to improve the road - two lanes ahead in both directions - and a dedicated right turn lane in each direction (Option 2). This was recommended by the Head of Traffic and Road Safety and if approved, the carriageway would be widened accordingly. The option would also provide a pedestrian crossing stage on each arm of the junction so providing less risk of accidents compared to options for a roundabout. Although accidents at roundabouts tend to be less serious in view of slower speeds, roundabouts also had disadvantages if the flow from the different arms was too uneven. If it was necessary to proceed with a roundabout, the Head of Traffic and Road Safety recommended Option 1B.

In view of pedestrian crossings adversely affecting traffic flow, Councillor Grainger suggested a consideration of Option 1B without a pedestrian crossing. He referred to a study in Belgium and suggested that both accidents and their severity reduced with a roundabout. The speed of vehicles reduced and traffic flow increased. There were less collisions and a roundabout offered significant benefits in helping reduce vehicle CO2 emissions. As well as being safer, capacity at roundabouts could also be increased. Additionally, Councillor Grainger referred to a Swiss study and to the costs of Options 1A, 1B and 2.

A roundabout was not the preferred approach of officers in the context of pedestrian safety and road crossing. Without a signalised crossing,

pedestrians could take risks. Councillor Catherine Rideout enquired of any support for blind and partially sighted pedestrians and the Head of Traffic and Road Safety advised against any scheme without a crossing facility.

Councillor Peter Fortune as a ward Member for Cray Valley East sought to ensure that local residents were properly served - a number of residents travelled out of St Mary Cray to the Cray Valley. He outlined his preference for Option 2. The Assistant Director (Transport and Highways) also advised of an intention to link three junctions along the A224 (including Leasons Hill junction) with intelligent signalised technology.

Supporting her preference for Option 2, Councillor Ellis suggested that there might be insufficient gaps in traffic for vehicles to enter - some drivers were not patient. There were also large housing developments locally from which a significant amount of traffic could be generated. Additionally, there were a number of elderly residents in the area and a number of families with children. Councillor Ellis wanted these and other residents to have the option of crossing safely. She felt that a roundabout without sufficient controlled crossings was not good.

Members were advised that the larger a roundabout, the slower traffic moved around it and the easier it becomes for vehicles to enter. It was also confirmed that intelligent traffic signals would be used for a signalised junction.

Councillor Grainger felt that Option 1B addressed the desire of users. It also included a crossing. He suggested that on the basis of evidence, roundabouts are safer with any accidents usually minor. There was also no downtime with a roundabout and it is a less expensive option.

Councillor Samaris Huntington-Thresher highlighted that the War Memorial roundabout at the end of Orpington High Street had a zebra crossing on its arms. She enquired whether a similar approach could apply at the Leasons Hill junction. Members were advised that adding more crossing facilities to the arms of a roundabout would diminish traffic flow. Additionally, zebra crossings were considered inappropriate near stations as traffic queues could form with a high volume of pedestrian throughput. Traffic Signals were preferred to a zebra crossing as they provided a set amount of time to cross. With a roundabout option, having one pedestrian controlled crossing near to Station Road was preferred by officers.

Councillor Nick Milner concluded that with a crossing needed for pedestrians to and from St Mary Cray Station along with crossings ideally needed on the other arms of a roundabout, a signalised junction seemed the best approach. On balance, Councillor Getgood also supported a signalised junction, preferring Option 2. He advocated use of intelligent signal technology e.g. technology allowing traffic lights to turn red when there is no traffic.

In consideration of cyclists, Members were advised of a cycle route on the western side of the A224. However, a roundabout would remove the signal crossing currently available at the junction and introduce a risk in crossing.

It was confirmed to Councillor Grainger that any new signalisation would have an on-going cost for electricity and maintenance.

Upon a vote it was agreed by a majority to support the recommendation that the Portfolio Holder approves Option 2. Councillor Grainger asked for his support of Option 1B to be recorded along with his opposition to Option 2.

RESOLVED that the Portfolio Holder be recommended to:

(1) approve Option 2, the widening of the A224 Sevenoaks Way, to allow the introduction of dedicated right turn lanes and the re-introduction of right turn manoeuvres into Leasons Hill and Station Road; and

(2) delegate authority for approving the scheme's detailed design to the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder and Ward Members.

D) ACCESS ROAD TO DEVELOPMENT ADJACENT TO SITE OF 2, STATION COTTAGES, CHELSFIELD - PROPOSED LIGHTING UNDER PRIVATE STREET WORKS PROCEDURE

Report ES13069

In 2011, Robust Developments Ltd applied for planning consent to build two pairs of semi-detached houses adjacent to the site of 2, Station Cottages, Chelsfield (Planning reference 11/01628). As the site is only accessible via an unadopted access road which is narrow and unlit, officers recommended refusal on safety grounds. The application was refused by the Development Control Committee.

The developer had appealed the Council's decision and The Planning Inspector allowed the development but agreed with the Council on the need for a passing bay and lighting. The Inspector placed conditions on the permission that these had to be in place ahead of the development commencing. It was expected the developer would be able to negotiate with the owners of the access road (i.e. the several owners of the various dwellings/gardens fronting the road) to secure agreement enabling a passing-bay to be constructed and street lighting to be installed. However, no agreement had been reached.

Report ES13069 advised that the passing-bay issue was now being dealt with by the Council providing a suitable area of land for the developer to construct a passing-bay at his own expense. The matter of street lighting could be addressed by means of the Private Street Works Code. Legal advice indicated that the Council should use its powers, albeit the lighting would not be adopted upon completion, and the developer would be required to meet the Council's costs in full. It was not proposed to make-up the road for adoption but only to light it to enable the development to proceed.

As the developer would be required to meet all the costs of a scheme to light the access road, including any costs involved to appear before Magistrates to resolve any objections, no costs would fall to the Council. Additionally, the future cost of electrical energy for the lighting would not fall to the Council but would have to be met by the developer possibly by an arrangement involving the purchasers of the new houses.

In discussion a number of comments were made.

Councillor Grainger was not supportive and had particular concerns. He suggested that the Planning Inspector's conditions (that the passing bay and lighting had to be in place ahead of the development) were not a direction and further suggested that the making up process can lead to objections being made as the process is taken forward. He saw it as the responsibility of the applicant to meet the Planning Inspector's conditions and he was concerned that the Council had provided an area of its land for the developer to construct a passing-bay. Councillor Grainger felt that it was for the applicant himself to meet the conditions required by the Planning Inspector.

The Vice-Chairman sought further background to the advice at paragraph 3.4 of Report ES13069 that "the issue of the passing-bay has now been dealt with by means of the Council providing a suitable area of land, upon which the developer will construct a passing-bay at his own expense". Members were advised that provision of the land for the passing bay had been referred to the Council's Valuers and the Head of Highways understood that no decision had yet been made on whether to sell or licence the land to the developer.

Councillor Ellis suggested there was a similarity of principle between this case and Members' opposition to the development of a restaurant complex at Queen's Gardens Bromley. She was not supportive and felt that providing land for the developer to construct a passing bay should not proceed.

Aware that the recommendation for a First Resolution concerned solely lighting for the access road, the Chairman enquired whether not agreeing to provide the land on the basis of a loss of green space would be in keeping with requirements for the process. He asked whether the Council would be open to legal challenge by not agreeing to provide the land and he sought clarification there was no legal obligation to sell the land.

Members were advised that the recommendation in Report ES13069 was purely concerned with facilitating a lighting scheme. There would be a strong risk of challenge for frustrating the developer (and frustrating the implementation of planning consent) if it was decided to not proceed with providing land for a passing-bay. The Assistant Director (Transport and Highways) referred to such advice in Report ES13069 (paragraph 6.1).

Concerning a basis to provide any land for the passing-bay e.g. leasing to the developer, the Assistant Director suggested there might possibly be some form of licence although he felt that a sale might be a neater arrangement. He

added that advice was awaited from the Council's Estates and Valuation team.

Referring to paragraph 3.3 of Report ES13069 the Vice Chairman suggested that the Planning Inspector's decision made no reference to the Council providing land for the developer to construct a passing-bay. Paragraph 3.3 included reference to an expectation "*that the developer would be able to negotiate with the owners of the access road (i.e. the several owners of the various dwellings which front onto the road) to secure agreement to enable a passing-bay to be constructed and street lighting to be installed*". The Vice-Chairman added that no other residents along the road wanted street lighting and given the Council's previous refusal of the development application she felt that existing residents would be let down if the report was enthusiastically supported. She would not support the Council selling land for a passing place; instead she felt that the developers should continue to negotiate with the owners of dwellings fronting the road (owners of the access road). If it was necessary to sell amenity land for the passing place, she indicated that it would be more than amenity land to the developer.

With further reference to paragraph 3.3 of Report ES13069, Councillor Adams understood from the text that the Planning Inspector expected the developer to be able to negotiate with the owners of the access road for a passing-bay; effectively, the consent could only proceed if the developer negotiates with owners of the access road. The Assistant Director confirmed there was evidence of the developer going through this process. He also suggested that the developer could go back to the Planning Inspector to try and have the conditions removed.

Summarising the views of Members, the Chairman suggested a recommendation that the Committee was against the Council providing land for a passing-bay. The Head of Highway Management suggested that a First Resolution would start the process under the Private Street Works Code and give opportunity for the owners to oppose the lighting if it were to spill on to their properties. The issues could thereby be tackled by simply dealing with lighting under the Street Works Code.

Councillor Jefferys felt that a fuller report was necessary setting out the facts. The Vice-Chairman highlighted that the passing-bay and lighting had both caused concern. She recommended that no further action be taken on facilitating a passing bay or street lighting – no resident had asked for lighting.

RESOLVED that the Environment Portfolio Holder be recommended to not proceed with the recommendation outlined in Report ES13069.

E) HIGHWAY MAINTENANCE POLICY

Report ES13074

Members considered a revised policy for the treatment of vehicle crossovers and hard footway verges during planned maintenance schemes.

Where concrete crossings and footway verges required maintenance, the current policy had caused problems, mainly due to difficulties in protecting the concrete surface from the effects of the weather and damage during the curing period.

There are slabbed footways with a mixture of concrete and asphalt surface vehicle crossings in most LB Bromley roads. It was proposed that all vehicle crossings and hard footway verges are now maintained using asphalt materials. This would not impact on the use of slabbed paving for footways, and should produce a more consistent finish in the street for a similar outlay. The use of asphalt materials would also reduce disruption for residents during maintenance as the closure of vehicle access to properties would reduce from five days to 24 hours.

To consider questions and concerns raised by Members, including those related to investment, value for money and life expectancy, it was agreed to convene a meeting of the Highway Assets Working Group to consider the proposal in further detail.

Members were content for the Working Group's recommendations to be put directly to the Portfolio Holder without further reference to the Committee.

RESOLVED that:

(1) a meeting of the Highway Assets Working Group be convened to consider the revised policy in further detail: and

(2) the views of the Working Group should be considered by the Portfolio Holder in deciding whether to adopt the revised policy for the treatment of vehicle crossovers and hard footway verges during planned maintenance schemes, as set out in Report ES13074.

F) APPOINTMENTS TO THE COUNTRYSIDE CONSULTATIVE PANEL AND THE LEISURE GARDENS AND ALLOTMENTS PANEL 2013/14

Report RES13124

Members supported nominations to the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel for 2013/14.

RESOLVED that the Portfolio Holder be recommended to confirm that:

(1) Councillors Kathy Bance, Julian Benington, William Huntington-Thresher, Gordon Norrie and Richard Scoates be appointed to the Countryside Consultative Panel for 2013/14; and

(2) Councillors Peter Fookes, Ellie Harmer, Alexa Michael, Harry Stranger and Michael Turner be appointed to the Leisure Gardens and Allotments Panel for 2013/14.

7 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE

A) UPDATE ON THE IMPLEMENTATION OF THE FLOODING AND WATER ACT 2010

Report ES13072

The Flooding and Water Management Act 2010 (FWMA) required LB Bromley, as a Lead Local Flood Authority (LLFA), to develop, maintain, apply and monitor a strategy for local flood risk management in its area.

The Council also had the role of SAB (SUDS Approving Body) to approve Sustainable Urban Drainage Systems submitted by developers.

The LLFA has a duty to identify the causes of surface water flooding and determine those organisations or authorities that have a role in mitigating the flood risk. Report 13072 reviewed the Council's progress in the role of LLFA, and considered responsibilities and activities for the coming year.

Following the Autumn Statement in December 2012 the Department for Communities and Local Government announced that the Business Rates Retention scheme would be introduced from April 2013. As an LLFA, Bromley was allocated £253k for local flood risk management during 2013/14; £142k being provided from the sum received for the Locally Retained Business Rates and the remaining £111k paid via the Local Services Support Grant.

With £253k set aside for local flood risk management in the Council's 2013/14 Central Contingency, it was proposed that £220k be drawn down from the Contingency. The remaining £33k might be realised as a saving once full details of the Council's new responsibilities as a SUD's Approval Body were known.

A majority of Members supported the recommendation. However, Councillor Grainger questioned the benefits which would be obtained and was not supportive of the recommendation.

RESOLVED that the Executive be recommended to approve the release of £220,000 from the 2013/14 Central Contingency to implement the proposals detailed in Report ES13072 in order to meet the responsibilities required by the Flooding and Water Act 2010.

B) LONDON HIGHWAYS ALLIANCE CONTRACT

Report ES13073

Report ES13073 recommended that the Council make use of the London Highways Alliance Contract (LoHAC) where it demonstrates best value.

Highways Term Maintenance contracts were awarded to FM Conway (major works) and O'Rourke Construction (minor works) in 2010 for a period of seven years. Both of the contracts were awarded to implement the borough's revenue funded maintenance programmes, with the option of including capital and LIP funded projects.

The London Highways Alliance Contract (LoHAC) is a pan London contract for a range of highway related works on all Transport for London (TfL) and Borough roads offering an alternative method of procuring works in the future. TfL recently recommended that the LoHAC contract is used for projects funded by TfL, where it offers better value.

Under the LoHAC umbrella four Framework Alliance contracts have been let on behalf of all London authorities, covering four areas; North East, North West, Central and South London.

There are occasions where specialist works are required which are not included within any of the Council's existing contracts. As the LoHAC contract includes all work types, its use in the future could avoid the need to let further contracts.

The new South London contract started in April 2013 and has been prepared in such a way as to provide additional discounts as and when other London boroughs join the contract or work volumes increase.

It was proposed to form a call-off contract with Enterprise Mouchel under LoHAC. In the first instance its use would be considered for capital funded projects where it offers better value than existing contracts or for projects not within the scope of existing arrangements.

As LoHAC is a framework arrangement, forming a contract would not commit LB Bromley financially or require LB Bromley to order works from Enterprise Mouchel. However, there appeared to be a growing expectation from TfL that LoHAC contractors would be used for TfL funded work, unless local arrangements offered demonstrably better value.

Members supported the recommendation to the Executive.

RESOLVED that the Executive be recommended to agree that use be made of the London Highways Alliance Contract and in appropriate cases enter into contracts with Enterprise Mouchel where it represents best value for money.

8 FRIENDS ANNUAL REPORT

Report ES13063

Members were updated on work carried out by the Environmental Services Department working in partnership with Friends (volunteers) of the Borough.

Councillor Getgood supported work of Friends groups. He highlighted that some communities might not be prepared to take on the voluntary work and it was important to focus on those communities that might be left behind.

Councillor Grainger suggested there was a need for a Friends Group for the Green at Green Street Green. He indicated that the work of Friends continued to go well in his ward and the help of volunteers was appreciated. He suggested having information on the work of Friends Groups categorised on a database by sub-sections according to Street, Snow or Park Friends.

Councillor Jefferys suggested that more publicity is made of the work of Friends Groups as it was such good news. He also suggested looking at the recognition of individuals for particular voluntary achievements.

Councillor Getgood enquired of the resource available to encourage new Friends Groups. Members were advised that much effort was given to encouraging new groups. Officers provided significant amounts of their time at evenings and weekends.

RESOLVED that:

- (1) thanks be provided to Officers for their work in supporting Friends Groups;**
- (2) fulsome thanks be provided to Friends Groups for their contributions and achievements; and**
- (3) the difference that the work of Friends Groups makes to the borough be acknowledged.**

9 ENVIRONMENT PORTFOLIO PLAN 2012/13: END OF YEAR PERFORMANCE OUT-TURN

Report ES13057

Report ES13057 provided information on achievements of Environment Portfolio services in 2012/13, in the context of the agreed Portfolio Plan for the year as well as performance going back to 2006/07.

On Street and Environmental Cleanliness, the Vice-Chairman highlighted that the percentage of streets below standard had increased during 2012/13.

In response, the Chairman referred to the new street cleaning contract and the Assistant Director (Parking and Customer Services) highlighted that this was the first year of the new contract during which there had initially been an issue at overflowing litter bins, and the cleaning of rural roads needing improvement. Client officers and the contractor had taken action over the problems, and standards had improved.

Councillor Grainger expressed a preference for monthly data to take account of trends which Members could then comment on. In particular, he asked whether monthly plots could be provided for deaths on roads for the purpose of monitoring trend.

The Assistant Director advised against reporting to Members data covering statistically small periods of time. For street cleansing, whole-borough monitoring only took place during three inspection periods each year, and there would be cost implications for an increased number of inspections. Action had been taken by the contractor to improve street cleanliness on rural roads and this was reported to Members in the half-year report in November 2012. Road deaths and serious injuries were subject to seasonal differences. The Assistant Director advised that annual reporting on road injuries would be an appropriate time period.

The Vice-Chairman recalled that quarterly data had been provided to Members previously. She felt this was useful to Members for identifying possible issues. The Chairman reminded Members that the Street Cleaning contractor appeared before the Committee last municipal year and he suggested that the contractor be asked to return later in the current year.

Pressing further on a desire for more frequent performance reporting, the Vice Chairman suggested that it would be useful to have performance data for all three tranches of street cleansing inspections appended to the performance report. The Assistant Director confirmed that this information would be provided in future Portfolio Plan monitoring reports to the Committee.

Councillor Ellis felt that there was a noticeable improvement in the level of street cleanliness in her ward. She considered the level of street cleanliness to be good. Where the Council was leaseholder for some shops, as was the case at Cotmandene Crescent, she suggested that conditions be written into a shop lease stipulating that the shop trader had responsibility for maintaining pavement cleanliness outside of the shop e.g. sweeping the pavement clear of leaves.

On data related to road deaths and injuries, Members were advised that it was possible to plot data monthly but the number of accidents shown would not take account of seasonal variations e.g. fewer accidents in the winter months given weather conditions such as snow discouraging pedestrians. Such quarterly figures were already provided to the Portfolio Holder and could be provided directly to individual Members.

Councillor Ellis suggested that statistical data could be provided electronically in an information briefing for Committee Members.

RESOLVED that report be noted.

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

Report ES13052

In considering the Committee's Work Programme, the Chairman suggested that the partner service scrutiny for the year should again be street cleansing. A major item of a Committee meeting after the autumn leaf clearance should therefore be scrutiny of street cleansing with the street cleansing contractor attending and answering questions.

On Working Groups for the year ahead, it was agreed that the Parking Working Group should continue with a meeting convened for September 2013.

The Highway Assets Working Group was also to be re-instated to consider the proposed policy for treating vehicle crossovers and hard footway verges during planned maintenance schemes (Minute 6E).

It was also agreed to convene a new Working group to inform development of the Council's Local Implementation Plan (LIP) looking at certain projects in particular and the balance between the various priorities.

Councillor Grainger reminded that the former Transport Statement Working Group had in mind to work towards a transport policy document for the borough.

The Chairman also intended to meet the Head of Waste Services to consider whether there were aspects associated with waste minimisation and recycling for scrutiny. The provisional outturn had highlighted waste budget implications and that whilst the percentage of waste recycled had remained high the total (and residual) weight of waste per household was no longer reducing. This situation was expected to continue without further initiatives.

Additionally, the Chairman suggested that a future Public Transport Liaison meeting be convened in public to meet with public transport providers. Members of the public would be welcome to observe the meeting and submit questions according to the usual LBB notice periods. For clarity of purpose he suggested that the meeting be entitled Public Transport and Commuter Liaison.

On the progress of requests from previous meetings of the Committee, Councillor Jefferys highlighted the proposal to use Shortlands Ward as a pilot for taking forward greater resident engagement on street cleaning. Councillor Jefferys reported that a meeting between officers, ward Members and

Resident Associations took place on 12th June 2013 and he was grateful to officers for taking the matter forward.

RESOLVED that:

(1) the work programme be agreed subject to the inclusion of an item at a future meeting on scrutiny of street cleansing and the contractor, Kier;

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

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

(4) the following Working Groups and membership be established for 2013/14 -

- **LIP Working Group (comprising Councillor William Huntington-Thresher, Councillor Ellis, Councillor Grainger and Councillor Milner)**
- **Parking Working Group (comprising Councillor William Huntington-Thresher, Councillor Samaris Huntington-Thresher and Councillor Grainger)**
- **Highway Assets Working Group (comprising Councillor William Huntington-Thresher, Councillor Adams, Councillor Ellis and Councillor Samaris Huntington-Thresher – Councillor Fortune is also to be invited to meetings of the Group as Portfolio Executive Assistant).**

APPENDIX A

QUESTIONS TO THE PORTFOLIO HOLDER FROM JENNY COLEMAN FOR ORAL REPLY

Regarding Planning Application 190 - 200 Kingshall Road, New Beckenham – Extension to existing Car Park.

1. The premise for this application is a “supposed demand” for parking in the area of New Beckenham. There is no evidence to support this demand, and no report to substantiate this claim. Why has there been no feasibility study, or audit on existing availability of parking in the area?

Reply

The car park is designed to cater for the self evident demand, which has already caused the neighbourhood to the East of the Hayes to London railway line to be designated a mixture of controlled parking zone and pay and display.

The ongoing demand also contributes in roads to the West of the railway line experiencing unwelcome levels of commuter parking to such a degree, that some residents, including yourself, are currently seeking additional parking restrictions to be installed to relieve the congestion being caused within them.

Supplementary Question

Jenny Coleman asked why the Copers Cope area was relatively empty of parked cars on most days if there was a demand for parking and why there were unused parking spaces in New Beckenham.

Reply

In his reply, the Portfolio Holder indicated that there would always be a possibility of some parking spaces being empty at some point. However, the local roads were busy. This included traffic in Aldersmead Road in Kent House. The Portfolio Holder also referred to traffic at the other end of New Beckenham.

2. The proposed development lies within an "Air Quality Management Area (AQMA) where Nox emissions already exceed government and EU acceptable levels. The Council's own Scientific Officers report states that the proposal is likely to increase the concentration of Nox by encouraging more cars into the area at peak times. Making the car park long stay is unlikely to mitigate this. Why is Bromley environmental department proposing a development that contravenes its own policies, LIP, UDP and the Mayor's Plan?

Reply

An air quality assessment was not required for this application, however concerns over a potential increase in airborne emissions from vehicles using the car park have been mitigated by targeting it at long term parking to reduce vehicle movements and the inclusion of two electric vehicle charging points to encourage use of low emission vehicles.

Supplementary Question

Jenny Coleman asked whether increased peak-time traffic drawn by more parking spaces would impact on this Air Quality Management Area.

Reply

The Portfolio Holder suggested that it continued to be possible to re-arrange traffic in an area even though it might be an Air Quality Management Area. There would be electric charging points at the car park and drivers could be expected to go directly to the car park rather than drive around looking for a parking space on street.

3. Bromley have already declared their “desire” to sell off this land in the future for housing development. Is it not wrong to use TfL funding/tax payers’ money to literally pave the way for a future back land development?

Reply

As you have seen in previous correspondence to a third party to which you were copied in, I regard your assertion as being completely unfounded.

Focussing on a poorly expressed opinion of a Council Officer as to what might happen to the land at some point in the future, should the car park be built and/or fall redundant, does not in any sense amount to “desire”.

Were building houses to be a “desire” at this location, especially given the pressure to do so in the form of the unwelcome housing targets which have been foisted on to the Borough from other places, an application to do so would have already been submitted.

Supplementary Question

Jenny Coleman referred to an extract from the minutes of the Environment PDS Committee meeting held on 4th October 2011 where it was recorded that the report to the Committee stated 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. Jenny Coleman asked why the site should be developed for parking now, and would TfL funding have to be returned if the land was subsequently developed for housing.

Reply

The Portfolio Holder indicated that in this regard, the report considered by the Committee in October 2011 was poorly written. He confirmed that there was no desire for housing development on the land and the report did not reflect the views of the Portfolio Holder as Decision Maker. The recommendations in the report concerned developing the land for car park purposes and not housing.

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

1. Could the Portfolio Holder use his good offices to request the installation of a bus shelter at the existing bus stop (southbound) in Sevenoaks Way opposite Kemnal Technology College to enable students to shelter during heavy precipitation?

Reply

Yes, although the decision does, as you know, rest with TfL rather than the Council itself.

2. Could the Portfolio Holder tell me if there are any i) printing costs and ii) delivery costs to the Council for the Spring issue of the Environment Matters leaflet and if so what are the amounts?

Reply

All costs associated with Environment Matters are borne by Veolia as part of the waste contract.

3. With regard to numerous deposits of green arisings dumped at Cotmandene Crescent car park on 19/5/13, 26/5/13, 1/6/13 and 2/6/13, could the Portfolio Holder tell me the final destination for such green waste and any additional costs for removing regular deposits/fly tipping of green waste from the car park?

Reply

Any green waste deposited outside the operating hours of the Satellite Sites is treated as a fly-tip and collected by Veolia at a cost of £48.48 per incident (for fly-tips under 10 cubic metres) or £110.80 (for fly-tips between 10 and 20 cubic metres). The green waste material is kept separate and delivered to the Waldo Road Waste Transfer Station. As with other green waste, it is then sent to a facility in Kent for composting.

The Meeting ended at 10.29 pm

Chairman