

## **ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 30 September 2015

### **Present:**

Councillor William Huntington-Thresher (Chairman)  
Councillor Sarah Phillips (Vice-Chairman)  
Councillors Kevin Brooks, Samaris Huntington-Thresher,  
David Jefferys, Angela Page, Chris Pierce,  
Catherine Rideout and Melanie Stevens

### **Also Present:**

#### **68 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Terence Nathan, Colin Smith and Lydia Buttinger, and from Nigel Davies, Executive Director of Environment and Community Services.

#### **69 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **70 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received for the Committee Chairman.

#### **71 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH JULY 2015**

**RESOLVED** that the minutes of the meeting held on 7<sup>th</sup> July 2015 (excluding exempt information) be confirmed.

#### **72 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

Questions had been received for oral reply from Vivien Smith and Roger Lawson, and for written reply from Councillor Terence Nathan – these are set out in Appendix A to these minutes.

#### **73 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER**

The Committee scrutinised the following reports for decision by the Environment Portfolio Holder.

**A) CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2015/16**  
Report FSD15054

At its meeting on 15th July 2015, the Executive had received the first quarterly capital monitoring report for 2015/16 and agreed a revised Capital Programme for the four year period 2015/16 to 2018/19. This report highlighted in paragraphs 3.1 to 3.7 changes agreed by the Executive in respect of the Capital Programme for the Environment Portfolio. The revised programme for this portfolio was set out in Appendix A, detailed comments on scheme progress as at the end of the first quarter of 2015/16 were shown in Appendix B and details of the 2014/15 outturn were included in Appendix C.

**RESOLVED that the Portfolio Holder be recommended to note and confirm the changes to the Environment Capital Programme agreed by the Executive on 15<sup>th</sup> July 2015.**

**B) TFL FUNDED WORK PROGRAMME FOR 2016/17**  
Report ES15060

Bromley's allocation from Transport for London (TfL) for 2016/17 was £2.482 million. Ring-fenced funding would also be available to support a number of other programmes including Local Transport Priorities, Principal Road Maintenance, Bridges & Structures, the Beckenham Town Centre major scheme, and the Borough Cycling Programme.

The report detailed officer proposals for how the allocated funding for 2016/17 would be spent in order to submit a more detailed list of schemes to TfL on 9 October 2015. This report therefore sought approval to progress the recommended list of schemes. All schemes would be subject to normal consultation with residents and ward members and decision by the Portfolio Holder.

Mr Peter McBride from TfL attended the meeting to give a short briefing on TfL's role and answer questions. He emphasised the role of the Mayor's Transport Strategy standing behind the Local Implementation Plan (LIP) which applied the strategic objectives locally. He informed the Committee that while current funding was guaranteed there was uncertainty for the future, and the new Mayor elected in 2016 would have the opportunity to revise priorities to meet the challenges of population growth and increasing demand for transport and services.

Members put questions to Mr McBride, raising the following issues –

- The Chairman asked whether pricing for public transport tickets could be based on a time limit rather than per journey. Mr McBride responded that this could be looked at, but the flat rate fare system was well established and there could be implications for revenue.
- It was suggested that a comprehensive review of bus routes was needed in the light of current and future population growth - the bus

network was a quick and efficient way to respond to new development. However, members felt that the process of altering routes was too complicated. Mr McBride stated that consultation needed to include not only the public but also the operators, and changes to routes could affect viability. There was an overall subsidy on bus services, recognising their important social and environmental benefits.

- A Member suggested that better coordination was needed between bus services in London and those in Kent – this had been talked about but nothing much had actually been done. It was suggested that the Public Transport Liaison meetings would be a suitable forum to encourage this coordination.
- Members asked what TfL was doing to encourage walking. TfL did have a behaviour change team, and LIP funding was used locally to fund cycling, education campaigns and measures around schools. Mr McBride also pointed to the Legible London programme and to the Bromley North Village improvements, which had brought life back to the streets. Officers confirmed that the Council had been very successful in building relationships with schools and all schools had travel plans. The Chairman emphasised the need, at a time of intense pressure on budgets, for the Committee to be assured that these measures were really providing value for money and successfully changing behaviour.

The Committee considered the report and raised the following issues –

- Councillor Kevin Brooks asked whether there was scope to look at introducing controlled parking zones in Penge – this could be considered for next year's programme.
- It was noted that the proposed capital expenditure in 2016/17 on station access schemes was to improve interchange between buses and trains, and make stations more accessible for disabled people. There was scope for Members to make suggestions.
- Members noted the proposed congestion relief schemes – in particular, it was intended that officers would present a package of measures for junctions in the Penge/Anerley/Crystal Palace area.

**RESOLVED that the Environment Portfolio Holder be recommended to agree that:**

**(1) The programme of schemes for 2016/17 contained in Enclosure 1 to the report be approved for submission to Transport for London; and,**

**(2) The Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, be authorised to make post-submission changes to the programme to reflect necessary changes to**

**priority, potential delays to implementation following detailed design and consultation, or other unforeseen events.**

**74            IMPACT OF DE-REGULATION ACT ON CCTV PARKING AND  
                  BUS LANE ENFORCEMENT**  
                  Report ES15061

The Committee scrutinised a report to the Executive providing details of the effect of the Deregulation Act 2015 on CCTV Parking Enforcement, including staffing implications and proposed changes in operational practices.

The Committee considered what would happen to the mobile CCTV cars if they were replaced with five automated cameras as proposed. Officers confirmed that no viable Council use had been found for them, and they would be sold for the best price that could be obtained. Possible use for combatting fly-tipping would be investigated. The automated cameras would be accompanied by warning signs on lamp columns. Their role would be to capture footage of illegal parking which would be sent back to the office for checking before notices were issued. It was confirmed that CCTV footage would be released to the Police or other proper authorities if there was evidence of a crime being committed.

A Member referred to recent media reports of school staff in a District in Essex being trained as civil enforcement officers to assist with parking enforcement. It was noted that under the Traffic Management Act a minimum of a week's training and a BTec qualification were required and this was not an initiative being pursued elsewhere.

The Chairman proposed that the Environment Portfolio Holder should proceed immediately with those elements of the proposals that did not require the approval of the Executive, and that the additional expenditure should be sought from TfL funding wherever possible. He also proposed that the views of the Education Portfolio Holder should be sought on enforcement outside schools.

**RESOLVED that the Environment Portfolio Holder and the Executive be recommended to -**

- (1) Note that some proposals including the staffing implications of the Deregulation Act are subject to staff and trade union consultation, the outcome of which will also be considered by the Portfolio Holder and Executive in reaching a decision to:**

**Cease the use of manned static CCTV Parking and Bus Lane enforcement operation undertaken by five staff based at the Civic Centre.**

- (2) Install ten automated CCTV cameras to undertake bus lane enforcement (subject to the Executive agreeing funding as set out in (5) below.**

- (3) Cease the use of the four Mobile Parking CCTV vehicles.**
- (4) Replace the mobile CCTV vehicles with five automated CCTV cameras (for enforcement at schools) and four dedicated Civil Enforcement Officers to undertake on-street enforcement through the current Parking contract (subject to Executive agreeing the funding set out in (5) below.**
- (5) Supplement TfL LIP funding with a sum of up to £306,000 released from the Central Contingency (set aside for Parking Enforcement) for the purchase and installation (through the ESPO Security and Surveillance Equipment & Services Framework) of five automated cameras for enforcement at schools and ten automated cameras to undertake Bus Lane enforcement.**
- (6) Take into account views of the Education Portfolio Holder in relation to enforcement outside schools.**

**75 EXPENDITURE ON CONSULTANTS 2014/15 AND 2015/16**  
Report CSD15106C

At its meeting on 3<sup>rd</sup> September 2015, the Executive and Resources PDS Committee received a report setting out details of expenditure across the Council on consultants. This was for 2014/15 and for 2015/16 to date, covering both revenue and capital budgets. The Committee requested that this be referred on to all other PDS Committees. Information on consultants working on Environment Portfolio issues was set out on the seventh page of Appendix 2 (revenue) and throughout appendix 3 (capital).

A member sought clarification of the £82,454 spent on maintenance with Aecom Ltd. It was clarified that this was for maintenance of highway structures such as retaining walls and car parks.

It was intended that officers would continue to provide this information to PDS Committees, with reports at the end of each financial year and a mid-year update each autumn. The Chairman stated that in future it would only be necessary for the Committee to receive details of expenditure on consultants within the Environment Portfolio.

**RESOLVED that the information about expenditure on consultants contained in the report be noted.**

**76 FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS AND CONTRACTS REGISTER**  
Report ES15037

The Committee considered its work programme for 2015/16, progress on previous Committee requests and a summary of contracts within the Environment Portfolio. It was noted that the Portfolio Plan Half Year Progress Report would now be considered at the February meeting; the Chairman

agreed that other items could possibly be moved to February to balance out the agendas. The Chairman also sought an update on loss of budgeted income for the next meeting.

The Committee had established two working groups, on Budget Pressures and on Grounds Maintenance Performance Management; these needed to start their work.

The Chairman invited suggestions for major issues that the Committee should scrutinise in future meetings.

**RESOLVED that the report be noted.**

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

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

**The following summaries  
refer to matters  
involving exempt information**

**78 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH JULY 2015**

The Committee confirmed the exempt minutes of the meeting held on 7<sup>th</sup> July 2015.

**79 GRAFFITI REMOVAL CONTRACT EXTENSION 2017-2019**

The Committee recommended that the Executive extend the Graffiti Removal contract.

The Meeting ended at 8.49 pm

Chairman

### ENVIRONMENT PDS COMMITTEE

30<sup>th</sup> September 2015

#### 5. QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER

(In the absence of the Portfolio Holder, the Chairman responded to questions.)

##### (A) FOR ORAL REPLY

##### (1) From Vivien Smith

*The LBB has a proud tradition of encouraging and supporting volunteers to work alongside the LBB in the maintenance and enhancement of our countryside parks for the benefit of the local community. The Friends of Scadbury Park want to continue with this tradition.*

What do you say to volunteers and to potential charitable donors who are concerned that the new contract with TLG will result in their charitable efforts ending up in the pockets of TLG shareholders?

##### **Reply:**

I say that the Friends movement has been designed and developed from inception to support and enable local people who care passionately about their local green spaces to improve and better them. This is over and above the public funds that the Council is able to direct towards our Parks and Greenspaces. Nothing has changed in that respect. The Council employs a robust contract management process to ensure all contractors deliver their agreed work. In the case of the TLG contract this includes a stakeholder panel with Councillors and representatives from the LBB Friends.

##### **Supplementary Question:**

Ms Smith asked whether the Council would publish the obligations of TLG under their contract.

##### **Reply:**

The Chairman responded that, within the requirements of commercial confidentiality, this could be done through the Stakeholder Panel or the Friends Forum.

##### (2) From Vivien Smith

How are the Friends of Scadbury Park to be involved in the development of a strategic plan (including budget) for Scadbury Park, and what are the timescales for that involvement?

**Reply:**

There is no strategic plan, timescale nor dedicated budget for Scadbury Park in isolation at present.

How matters are progressed over time will be very largely influenced by input from 'Friends of Scadbury Park' as well as the success or otherwise of any future fund raising activity they engage in.

**Supplementary question:**

Ms Smith stated that as a newly formed friends group they had not been able to establish what they, and what the Council, were supposed to do.

**Reply:**

The Chairman responded that he understood their frustration, and invited them to email himself and the Portfolio Holder so that they could assist.

**(3) From Roger Lawson**

Could you please explain how the new proposals for CCTV enforcement of parking regulations in response to the De-Regulation ACT are in accordance with past guidance from the Secretary of State for Transport as they do not appear to be so (I give the latest evidence of that guidance below) and in accordance with the Information Commissioners Guidance on the use of CCTV and Home Office Surveillance Camera Code of Practice.

***Operational Guidance to Local Authorities: Parking Policy and Enforcement***

- see:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/416617/operational-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416617/operational-guidance.pdf)

**8.86** *From 1 April 2015 PCNs must not be served by post on the basis of evidence from an approved device other than when vehicles are parked on:*

- *a bus lane;*
- *a bus stop clearway or bus stand clearway;*
- *a Keep Clear zig-zag area outside schools; or*
- *a red route.*

*Where approved devices may be used, the Secretary of State recommends that approved devices are used only where enforcement is difficult or sensitive and CEO enforcement is not practical.*

**Reply:**

The deregulation Act, after extensive consultation, permitted the use of CCTV for a bus lane; bus stop clearway or bus stand clearway; a Keep Clear zig-zag area outside schools; and red routes. This report, which will be scrutinised tonight, does not recommend the use of CCTV for any other reason than those listed. This report indicates that CEO enforcement in these locations is not practical.



**Supplementary Question:**

Mr Lawson repeated that the council was not complying with the rules imposed by the Secretary of State, and queried why it was difficult for an enforcement officer to enforce zig-zag lines outside schools.

**Reply:**

The Council only issued tickets that could be legally enforced within the regulations. It was explained that it was difficult for enforcement officers to issue tickets outside schools when cars might be dropping off passengers and pulling away quickly.

**(B) FOR WRITTEN REPLY**

**(1) From Cllr Terence Nathan**

Would the Portfolio Holder consider extending the double yellow line in Chipperfield Road from the existing lines at no. 291 along to 297 Chipperfield Road? This will allow residents at 295 and 297 to back out on to the highway from their driveways in safety. Alternatively a single yellow line continuing to the bus stop would prevent commuter parking and remove this pinch point. I have the backing of the Longbury Residents Association who understand that this may bring commuter parking onto Longbury Close and Longbury Drive. This is seen as preferable to the problems caused by parking on Chipperfield Road.

**Reply:**

With my apology for any disappointment it might cause, I would advise you that this question has been raised and considered many times, even predating your arrival to the Council and the answer remains no.

On balance, in addition to limiting displacement into local side roads replicating calls for parking restrictions there as well, the parking offered at this site sits in conformity with the Councils 'flank fence' policy and also serves an informal road safety function by limiting average traffic speeds.

I appreciate that it isn't always practical to do so, especially on sometimes very busy local roads like Chipperfield, but I would mention and remind you that the Highway Code encourages people to reverse on to their property, to limit concerns of the nature that you raise."

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